

# TEXT\_ISH4\_Session4\_A428BlackCat\_301120

## 21

00:11

Hello, everyone. I think we're about due to restart. Perhaps somebody from the case team could perhaps confirm everybody who needs to be here is here that the live stream recording is also commenced. Yeah, I can confirm everybody is here who needs to be on the live stream has commenced. Thank you very much. Mr. Mawdsley. That's very helpful. Right, thank you very much. Welcome back, everyone. This is the final, hopefully the final agenda item that we're talking about today. And it is sustainability effects, including climate change. process. If I could ask, obviously, Mr Lyness is here already, the local authorities transport Action Network. And I don't know if anyone from CPR is here as well. But if you could perhaps, join me in the virtual room to discuss this item? That'd be that'd be helpful. Thank you. Okay, so it's the agenda item seven sustainability facts, including climate change. And the first item that we're hoping to discuss his understanding the significance of effects of the greenhouse gas emissions of the proposed development by making a like for like comparison at local, regional, national and international level. Now, the examination examining authority has seen the the information that's been put in by already by the applicants and by Transport Action Network. At the moment, we're not convinced that the great greenhouse gas emissions of a single scheme compared to the UK is carbon budget is a like for like comparison. We want to engage the parties here to try and understand how we can make more sensible comparison to advise the Secretary of State's with regards to compliance with the proposed development against paragraphs 4.17 and 5.17, in particular, of the NPS can national networks and how significant community cumulative effects and the interrelationship between effects might as a whole affect the development even though they may be acceptable when considered on an individual basis. And in terms of evidence of the carbon impacts of the project. Perhaps if I could start with local authorities, if any of them are still around here, sir, but not my area of expertise. So I'm afraid I might have to pass this to Francis. Okay. Well, I'll put the question to local authorities. Do you have an it's totally sold through the Cambridge councils and it's also to Bedford Council and central Bedfordshire Council. Do you have any relevant local or regional policies or carbon budgets that the the specific proposed development, just gas emissions could be compared to? I don't know where to start with Mr Tyrrell are at the top of my screen at the moment. So start with you, Cambridge. And

03:37

so thank you, Francis Tyrrell. On behalf came to authorities country to Mr. Wren assertions, certainly not my expertise either. However, we do have a Mrs Davies with us who can assist in terms of the relevant local budgets that we should be considering.

03:53

Thank you, Mr. Parkin. Emma Davis representing the Cambridgeshire authorities, I think in terms of assessing against local carbon budgets, the carbon budgets that the Cambridgeshire authorities, those who have declared climate emergencies have used in the past have been those produced by the Tyndall Centre, so they have prepared a number of carbon budgets for local authorities across England

and there are carbon budgets for huntingdonshire and South Cambridgeshire as well as Bedford and central Bedfordshire. So it would seem to me that any assessment against local carbon budgets, it would probably be those that would be the most appropriate to use.

04:43

Keep status of those carbon budgets. Are they in the examination libraries or

04:48

I don't believe they are in the examination library, but I can certainly make links to all of those budgets available Yeah,

05:00

we prefer not to have hyperlinks, so we prefer the actual documents if that's possible, but would that be something that you you might need to would be able to perhaps provide for deadlines? Six

05:16

yes, that should be possible for deadlines six,

05:19

can I ask that as a sort of general requests for for all the local authorities, you have written such relevant policies to to draw those to our attention and carbon budgets as well? Where they where they have been developed? That would be that'd be helpful. beside us noted, thank you.

05:55

Sir, if it assists sorry, Francis Tyrrell on behalf of came to authorities overstepping my brief sidebar, I noticed also that the Tyndall work also includes carbon budgets and respects of Bedford I believe as well which may be appropriate.

06:12

Yes, by all means, okay. If I can perhaps now turn to a transaction network and and Mr. Lyness or one of one of your team. Perhaps if you'd help help me to understand what the significance of these emissions of the proposed scheme locally, nationally, regionally and internationally would be? I am aware of what the MPs national networks has to say. In relation to this, I'm just trying to understand a little bit more about what the what the significance of these missions would be considered those different spatial scales. So perhaps the slides if I could continue first and

07:02

Scott Lyness for the applicant have asked Mr. Davies to pick up this point of view. So general comments from from me, first of all. As you'll know, sir, we say we've completed the assessment of the scheme in alignment with the MPs, particularly paragraph 5.17, which gives specific guidance on the relationship between the scheme and carbon budgets as well as paragraph 5.18. And we have also done the assessment in accordance with the dmrB Ia 114 Climate guidance which requires the applicant to complete an assessment by presenting GHG emissions in the context of the UK National Carbon budgets to understand the effect on meeting the carbon reduction targets. And we do not say

there's any requirement undertake a like for like comparison at local or regional, or even international level. The EAA regs don't define significant work stipulate heights to be addressed. There's nothing in the MPs which we say requires any assessment to be undertaken against local or regional targets as national targets are the yardstick by which the MPs indicates that schemes are to be judged.

Government only is in the position to identify targets cumulate or otherwise. And we say the only ones which should be worked to are the ones at national level, which are identified within the MPs. The government hasn't set local targets. I think part of the rationale for that is that the approach to carbon reduction is set on an economy wide basis so that as we're perhaps here in relation to other questions, emissions from different sectors, need to be seen within the context of an economy wide transition where some parts of the economy will do more than than others. We say, for similar reasons. There's no basis upon which the policy suggesting you need to adopt a local approach. And any event we have some some difficulties with looking at it locally or regionally in the way that's been suggested, in the sense that conceptually measurements don't arise and have effect locally. And insofar as reference has been made to local targets. We're not sure exactly what the status of those our statutory process has been followed their their policy basis or nor are we sure on exactly how you then conduct any assessment how you would feed any identifiable numbers from our scheme into a local assessment given that emissions are going to Arise beyond the locality. And this is why national policy looks at these matters in terms of national, national target. So I think that's our that's our broad approach this issue with Mr. Davies has anything to add to that?

10:20

Thank you, Ian Davies on behalf of the applicant. So you're familiar with the targets that have been set by the Tyndall Centre, we have had a look at those and tried to understand how we might apply any numbers. And yeah, I do find it's wouldn't be a straightforward process by any means to actually do that in any meaningful way. Which is why we haven't done that up to now. As Mr. Lyness has said, we've actually done that at a national level at this stage because that's what is required under the MPs but also were the legally binding targets set. So that is what we've done up to this stage.

10:59

Okay, thank you. Cross if I can throw that open to Mr. Todd transportation network and Miss Davis, if either of you to want to, to make any comments on what's been said by the applicant there. Thank you, Chris Todd from transfection network. I think I just point to the paragraph 5.17. In the NPS, which talks about whether development is subject to an EIA, any environmental statement will need to describe an assessment of any likely significant climate factors in accordance with requirements of the EIA directive. The directive doesn't go into specific detail, but it comes with guidance, as we have set out in previous submissions, that quite clearly talks about assessing climate factors at a local regional level, because you cannot just it wouldn't make sense to try and describe them to a global level for any one specific scheme would have to be so huge as to sort of sort of justify its refusal on the basis of comparing it to such a big a big number. As we've pointed out, it'll be on a similar basis of saying the economic benefits of this row compared to UK GDP would again paired into insignificance. And you would just discount it as a significant factor. If we were comparing it on a sort of a like for like basis and money is a bit similar to carbon that it doesn't just sort of rise in in a single area, it can float around all over the place. I don't think we agree that it's not that easy to ascribe, I think you can make a fairly reasonable estimate. And yes, it is an estimate. But you can go by the length of the scheme in a

particular area. And for Bedford, it's about 20% of the length of the scheme goes through the Bedford area if we take that one, because it's it's one that's, you know, signed up to the Tyndall projections. And the carbon budget for the fifth carbon budget is 800,000 tonnes for the sixth carbon budget, its budget is 400,000 tonnes. Now, if you take the additional emissions that this road will generate, over over over those budget periods and divide it by five to give you roughly the 20% then you can see that in the fifth carbon budget, it's about 5% of the of the emissions total budget for Bedford in the fifth carbon budget. And in the sixth carbon budget. It's over 11% of its total carbon budget is taken up by the additional emissions of this road ski. And that is quite a significant impact when the Tinto projections are saying that they need to cut year on year by nearly 14% their carbon emissions. So this road will have a significant impact on the local level and its ability to meet its carbon reduction targets. And I suspect that would be the same or similar for other areas which are set targets as well. procure sought the status, is there anything that you'd like to add to this to

14:38

give us talking Mr. Davis, from the chemistry priorities? Nothing further to add from my perspective. Thank you.

14:50

Mr Todd, in terms of that apportionment mechanism that you've used, is there a is there a sort of a rationale is there an established rationale? For, for that kind of apportionment of targets, I am aware that that one of the national target is delivered is the some of the local local targets and local actions and behaviours that take place. But just just a few perhaps. Talk to me a bit about that, or is it just a simple calculation that you've you've done? Well, I mean, I've done it on the basis that bays that the business department equally allocates emissions to road schemes which fall within a, an area. So all I've done is approximately measured the distance of this scheme within the Bedford area, and worked out at roughly about 20% of its total length. And so I've done it on that basis. I except it's a fairly you know, it's a rough estimate, but it's a reasonable rough estimate, I think, in circumstances. And you could apply that to other schemes as well. And it's its way, as far as I'm aware, that base does it for its calculations of, you know, emissions for the for the number of or the links of roads that exist within a Barrows area. So I think, you know, that document this, sorry, is that in a particular document? What base the base, the base apportioning? Well, it's, I can put point you at it, but I don't think it necessarily helps in there. So all I'm saying is that they analyse the emissions from road schemes in each individual local authority area. So as a grand total, which I can certainly point you to. But I was just saying that's how I presume they have done it is they've looked at the length of roads in a particular area and made an estimate or some sort of calculation as to what the emissions are on those roads.

17:12

Scott Lyness perhaps have come to you, and it's a slightly slightly different type of question. Your response to our written question 2.4 point 1.1. A and C. Rep for over 37 is somewhat unclear. I wonder if you, I understand what you've said previously about not being significant. But what would be a significant level of greenhouse gas emissions in this sort of context, and whether any of the Rizwan or risk two schemes would be considered to generate significant emissions in that sense

17:57

for the applicant? To Come on, because I don't think we're in a position to say in the abstract, what is going to be significant? All the guidance asks us to do is to carry out an assessment and we would say, assess it against national carbon budget. So one reaches a judgement that's specific to the scheme in question. I don't think we would want to go any further as to suggest what might be regarded as significant in an abstract sense and the way that's being and the way that's being suggested. As far as other two schemes are concerned, again, we don't think that it is required as part of the approach on the NPS, for there to be a comparison between the relative significance of the patients of this scheme with other Raz schemes. I understand that some information has been provided at earlier stages examination in response to questions that were put by by the panel. But it's not necessary, we say for the effects of the schemes or their significant strictly to be compared with GHG emissions from other schemes to accord with one took or to the policy.

19:23

Okay. Thank you. So Ian Davies on behalf of the applicant as well, um, so I mean, yes, we've obviously undertaken an assessment of this scheme in line with the NPS. And in terms of that testing, the significance is whether it's going to have material impact on meat on the UK meeting its greenhouse gas emissions, and from the assessment that we've undertaken against the carbon budgets, including the six carbon budget, we've demonstrated that as an individual scheme is certainly going to have a fairly low impact and therefore We would say it's not significant in terms of its impact on the UK meeting. Its climate change impacts.

20:10

Thank you, Mr. Davies. We'll perhaps come back to that shortly. But perhaps at the moment, I'd just like to to ask the same question to Mr. Todd. And also Miss Miss Davies. If basically, you could perhaps give me some idea of your thoughts on what would be, you know, what would be a significant level of greenhouse gas emissions in this context? Mr. transaction network? I mean, I certainly think that, I mean, I think I would just, I think, agree that it's difficult to put a precise figure on this. But I think if you look at the scale of the emissions from this scheme, it is one of the biggest schemes in the road investment strategy. So it is undoubtedly a significant scheme. It's in the millions of tonnes depending on whether you count the lower Thames crossing as being in rich to steal or not, it is the third or the fourth biggest scheme in terms of carbon emissions. And therefore it is very likely to be considered significant. I think, again, we've we've previously submitted about the issue of significance. And it's not just in relation to experts, it's also in relation to public concern and wider social issues. That can lead to an issue being sort of considered as being significant. And I think, given the situation we're in now, just coming out of cut 26, widespread concern around climate emissions, clear warnings from, you know, people like to David King, who heads up the climate crisis advisory group, saying that really, we almost beyond the point of being able to maintain 1.5% temperature rise, and therefore, any additional emissions are sending us in the wrong direction and not actually helping. So in that sense, yes, this is significant application, and will take us in the wrong direction. And I think those are elements that need to be considered when looking at this scheme, and many other road schemes for that matter, because they're not small amounts of carbon, most of them. Stay Stokes has anything you want to say.

22:46

Nothing. So that's why thank you Mr Parkin

22:49

So Francis Tyrrell on behalf of the control authorities, and I think the it wouldn't really be appropriate for the control authorities to opine on what is the question of the Secretary of State in terms of the national significance or the significance in relation to national budgets? And I think inherently this question is a question about the risk to programmes as a whole, which is, therefore inherently national. So I don't think it's really a question that came through authorities. The authorities have noted that they'd be interested to see a local assessment. But I think also the authorities in any event, do recognise some of the artificiality of the assessment of carbon in the sense of the applicant has sensibly as required done the assessment in relation to the Defra emissions factors toolkit that factors torque, it doesn't really appropriately allow for future declines in carbon emissions from vehicles according to vehicle technology. So although it is useful and important to consider these matters, the local the Kameshwar, authorities are cautious at drawing conclusions over longer budget periods in terms of significance due to the mismatch really, between the different requirements, which don't really recognise emissions reductions from vehicle technology.

24:07

Thank you, sir. Appreciate appreciate everyone's responses therefore, on that and the difficulties that people have had, perhaps moving on to the next one, which will again perhaps stray into areas where people are not particularly comfortable. The relative significance of the lifetime greenhouse gas emissions, proposed developments in comparison with the other risk two schemes. We've already touched on this. This there will be approximately from the submitted evidence 3,313,400 99,099 tonnes of emissions of carbon dioxide associated with the affected road network over the 60 year appraisal period, which equates to a present value in discounted 2010 Prices of negative 127 million pounds, which in the case of the scheme, up to 40 tables for four Yeah, even even with this the environment statement identifies that this is not a significant effect. Mr. Lynas, with reference to the crushing of the dollar concerns order for the 38 Darby junctions nationally significant infrastructure projects on the eighth of July 2021. Has there been any assessment of the lifetime greenhouse gas emissions of all the risk two schemes that you're aware of? And if so, is it in the evidence?

25:40

Bear with me for one moment please sir Scott Lyness for the applicant? Scott Lyness for the applicants as matter stance, or we're not aware, from our perspective, that that has been that exercise has been done.

26:25

Are you aware of any of the details of the 38 damage insurance scheme? Would you be is that something you would be aware of?

26:31

We still allowed for the applicant rolls here. Where are the quashing? And the fact that the Secretary of State has sought further information from the parties and highways England has submitted representation in response to those questions? Beyond beyond the information that's included in those responses? I'm not sure there's much that I can. Sir, Oh, see, there's a process that's ongoing at the

moment determination, the information has been produced as part of that has been provided to the second state. Beyond that, I'm not in a position to advise any further information we're aware of Sir.

27:13

Thank you, Mr. Lyness. Mr. Todd, anything you'd like to say in relation to that matter?

27:21

Thank you, Mr. Todd. Transport Action Network? Yes, I think we we have from national highways figures, collated a table, which currently stands about 39 million tonnes of carbon dioxide. That's user emissions and construction emissions. But that doesn't include wider carbon emissions. And it also comes with a healthy with the health warnings in that many of the construction emissions are not available. And five schemes. We don't have the data for five schemes on the user emissions. So the 39 million tonnes which comes from, say, national highways, own figures, is an underestimate, because it doesn't contain a lot of construction emissions and five schemes, user emissions. I can submit that information if that is helpful. Yes, that'd be helpful. Mr. Tata. Thank you. I'd also just like to pick up on on a point you, you mentioned about the cost of the carbon of this scheme being 127 million pounds. And just like to point out that, actually, that's based on outdated figures for carbon. These were recently increased quite substantially by the business department and adopted by Department of Transport. And I think that they're actually formally updated in tag yesterday. Now the current is based on the carbon emissions that national highways have said about 3.3 million tonnes of user emissions and 127 million pounds at roughly works out at a cost of 38 pounds per tonne. Even with their 50%, uplift to rich, the cost of carbon is 196 million pounds as shown in table 4.23 In App 254. That's the combined modelling and appraisal report. Even with that uplift, it's only 59 pounds a tonne. And yet the new base and DFT figures are substantially higher than that and potentially knock out any economic benefit or put it into the negative of this scheme. If those if the new rates are properly applied. So I would suggest that you know, that's it As that has happened, and it was indicated back in September that was happening from Bayes. Well, that's when they announced it. That, you know, the figures should really be redone for for this scheme, because I think it would put the economic value and the justification to this scheme in a different light. Thank you, Mr. Todd. I said, I said to the examination before, obviously, if, if it's if it's information that he wishes to consider needs to be before us, and so we can't have regard to information that is not before us. But if you think that you want to submit something that would support what you've just said, then, obviously, that there's a facility to do that. So just draw that to your attention.

30:51

But I'm slightly mindful of the time we have got a quite a lot to get through on this, but I think you can do another one for the applicant really? Yeah. The XA notes what paragraph 5.16 of the NPS National Network says it is very unlikely, misaligned is repeatedly already today. And the impact of a single road project will in isolation affects the ability of government to meet its carbon reduction plan targets. However, with reference to paragraph 4.1 5.117, of the recommendation report for the 38 Darby junctions answer and in relation to this scheme before as the XA believes that's the assessment of cumulative effects, should adopt a reasonably consistent geographical scale. And so comparing the proposed developments, carbon emissions with the national targets, doesn't sit particularly easily in

that sense. So, Mr. Lyness, if I could perhaps put it to you, with reference to the quashing of the DCO for 38 arbitrations on the eighth of July turns 21. Has there been any

32:13

concern? Right, sorry. We've already asked this question. Thank you.

32:23

Sorry, moving on to previous discussions that we had regarding high court judgement on the interpretation of de minimis in the judgement. Mr. Todd, do you have anything you wish to say on that? It's the it is your transaction network limited against Secretary of State to transport 2021. England and Wales High Court's 2015 argument is both yourselves and the applicant to forward pass your positions in relation to the interpretation of that. So anything you want to add to your written submissions that you've made? offers to both parties? Mr. Todd transportation network, nothing more to add to I mean, we we are waiting to hear from the appeal court whether we have permission. The slightest, you, do you have anything else to add to your submission?

33:20

Scott Lyness for the applicant just to confirm, sir, that was you asked for information on this, the implications of this judgement. Strictly speaking, we don't need to rely on on that, as far as we're concerned to show that we have complied with policy. We have noted the from the judgement that there was a finding that the judgement of the secretary of state that the projects and two were de minimis compared to the targets and the 2008 Act. But But strictly speaking in the context of this case, you do not need to consider the effect of this scheme on a cumulative basis as part of res. We say that that is not necessary. But in circumstances where the judgement did reach a finding on de minimis, that information was provided by way of context, as far as the relationship between race and national carbon targets were were were satellite in the in the judgement. One other aspect of the judgement is that actually confirms that a number of points that we raised in our other submissions that there is new sectoral targets, which is relevant to this scheme. I'd also emphasise emissions in one sector to be balanced against emissions and another as part of an economy wide transition. And that helps explain it Why we adopted this issue by focusing on the national carbon budget in particular. So as essentially that that confirms what we've put in, in writing, feel a need out, and I think more at this stage.

35:13

Thank you. I think I'm mindful of the time. And we are kind of with a number of the points I was getting myself perhaps put into it during questions for people to respond to the next round of written questions. So look out for them. There are still a couple of questions I'd like to cover today though.

35:46

So the Paris Agreement seeks to restrict the increase in global average temperature to well below two degrees centigrade above pre industrial levels and pursue efforts to limit this increase to 1.5 degrees Celsius. In terms of the climate, greenhouse gas emissions should also be considered globally, countries are progressing at different speeds towards net zero carbon emissions for various and complex reasons. Globally, there can only be a certain amount of greenhouse gas emissions in order to enable the goals of the Paris agreement to be achieved. The many climate emergencies declared

locally, regionally nationally, including by the United Kingdom Parliament, and internationally illustrate the growing urgency for taking action. If I can put to the parties via the applicant, local authorities and transaction network, what are the implications of the lifetime greenhouse gas emissions of the proposed developments on the available global carbon budgets to avoid dangerous climate change, including in light of the declared climate emergencies at different spatial levels? What further measures could be embedded in this developments to limit or mitigate any lifetime greenhouse gas emissions? Perhaps if I could start with salt first semester talk transportation network. There's quite a lot in there. I'm sorry. I really, I mean, I think you've highlighted one of the critical factors is that we, we need to sort of refocus away from 2015 and actually look at 2030. That is the critical period, the next 10 years are the critical is the critical period in terms of which we've got to reduce our emissions. And the nationally determined contribution, as you've quite rightly pointed out, is the 68% reduction by 2030. And then, if you counter in the sixth carbon budget is a 78% reduction by 2035. That's the critical period 2030 is not a time when there's going to be huge numbers of electric vehicles on our roads, I mean, there'll be a lot more than now, but there will still be in the minority. The vast majority of of the and that's from the government's own figures will still be petrol and diesel driven. And that's why adding to traffic and carbon generation is going to undermine that target. And just to sort of put that in a bit of context committee for climate changes, which is talking about traffic reduction, as are a number of other bodies, alongside NEET that are needed alongside you know, stopping making things worse, it's not enough to rely on electric vehicles to solve the problem. And that's a number of commentators now saying that and the Committee on climate change, talks about the transport decarbonisation plan saying clear targets and a credible policy to reduce traffic is one of the important areas that remains to be resolved. While the recognition of the need to reduce traffic growth is a big step forward, a more comprehensive set of measures and more measurable targets, including on total car kilometres are needed to give confidence that the continuing trend of traffic growth can be reversed. And this strikes at the heart of the whole need for the development. It overlaps with what we've talked about previously at the regional level and their 5% target of hurt reduction in car kilometres by 2030. And so, anything that is adding to the emissions to the traffic, as this road will do because it will induce traffic as well as just accommodating what's there is going to make the job of meeting the targets a hell of a lot harder. And so from that perspective, you know, it's it's significant. And it's, it's highly damaging. Thank you. Sorry. It's just on the point. If there's anything that you appreciate you, you've probably got to you prefer the scheme not to go ahead. But is there anything that you could do that would make the scheme less harmful in terms of carbon carbon emissions? So anything you can think of?

40:33

Well, I mean, if you if you look at it, in terms of just sheer amounts of tarmac, this section of road is trebling the amount of tarmac along this stretch, because you went from a single carriageway road to a single carriageway Road, which is still being kept in place and a dual carriageway. That doesn't seem to be very proportionate in terms of what is needed. If you're going to reduce traffic, as a lot of people to say the Scottish Government is saying the Welsh Government is saying these are no they don't apply. They're not jurisdictions that are applied to England. But these are government's are looking at the issues and saying we cannot meet our carbon targets without traffic reduction. And the DFT has not come up with anything credible to say why how you can when or when these other bodies are saying you can't and academic researchers saying, for example, from the Centre for Research into energy demand solutions leads universities talking about a 30 to 50% reduction in traffic. So there's a growing

body of evidence saying we need traffic reduction. We know when we build roads, you increase traffic levels. So therefore, if you build a road, how are you then going to manage that traffic, there's no credible plan in place that would restrict the emissions. As I said, it's a tripling of asphalt along this section is just going to cause a big increase in traffic levels and carbon emissions. So to mitigate, you'd have to put in place demand management measures, you'd have to put in place, better quality public transport, and you'd have to do something about the pretty dire active travel arrangements. Which do little than sort of connect fast bits of road up to cross the existing the proposed new dual carriageway. Unless you do any of those, there's no credible plan to to mitigate the emissions and to reduce induced traffic. And you can't do it, I just there's no credible plan that would do it by just improving things for other modes, you do have to have demand management measures alongside this what the evidence shows that without demand management, the road space will just fill up again in a little while we might get some modal shift, but then people will generally use that that that road space.

43:20

Thank you, sir.

43:22

Mr. Lyness? Is there anything you'd like to say in response to that? And for Mr.

43:28

Scott Lyness up again, just going back to your original question, certainly, which is related to the Paris Agreement. Excuse me, it's important. Remember that, as a treaty basically has forced it to at domestic level as a matter of law through statute. So what has happened, obviously, in the circumstances, the UK is that the Paris agreement has been translated into the Climate Change Act following that through to the national carbon budget. So we don't think that references the Paris agreement would have added to the debate we're already having, as far as the approach to national budgets is concerned. And that's confirmed by the fact that was, the Paris Agreement has the environmental objectives that you identified by holding increases in global temperature to well below 2% above pre industrial levels and pursue efforts to limit it to less than 1.5 above those levels. It doesn't actually impose an obligation to limit global temperatures or to implement those objectives in any particular way. That's left to each National Party to essentially prepare him and 10 nationally determined contributions that tends to achieve. So it's really a matter of high level policy for national government. And that brings us back to the to the legislation, which we've been discussing so the UK has chosen to implement Paris through its own national legislation in the way that we've looked at already. So we don't consider these questions of like a global carbon budget and so on, that have been mentioned. In relation to the Paris agreement, we regard the more the more important factor is the effect in relation to national carbon measures. As to other points, the reference that was made by Mr. Todds to high any new developments going to make targets more difficult or wider aspirations or complaints to her regarding the absence of a plan being in place by government. I think those are straying into wider policy matters that are beyond the scope of of this hearing. But as far as more specific questions of emissions themselves arising from a schemer concern and mitigation, I think one important point to bear in mind is the assessment that we have included in the ies is already a worst case assessment, because the Defra emissions to kit does not build in the same allowances for the use and uptake of electrical of electric vehicles, or a number of other assumptions that are built into decarbonizing transport. So was

not specifically referring to mitigation such you need to bear that in mind that there'll be a number of measures which will mail will weigh welcome forward as a matter of government policy, which haven't been alive for at our assessment, so the emissions could well be below what we've assessed in the environment. information already.

46:52

Thank you. Thank you. And just just a further point, obviously, there's been plenty of reference to the National Policy Statement on national networks, which published in 2014. And so prior to the declaration of climate emergency by the UK Parliament in 2019, amongst other things, the government has stated in its transport decarbonisation plan that the NPS, the national networks should be reviewed, but also that this is unlikely to be completed before spring 2023. So, again, if I can put it to the applicant in town, and anyone any of the local authorities who wish to comment, an emergency something that requires an urgent action to address can the examining authority be confident that the proposed development has considered this urgent issue in an appropriate manner? If not, what would be the legislative and policy basis for an alternative approach? Perhaps start that with Mr. Linus. Thoughts on that, please,

48:09

Scott Lyness for the applicant? So I think the the straightforward answer is insofar as the obligations or objectives on the Paris agreement are considered require urgent response that has been addressed by the government through its policy choices and the approach that takes on the under the Climate Change Act, and particularly the setting of the carbon budgets, as well as a matter of policy in relation to documents such as decarbonizing transport, that that does not, that does not have any bearing as far as a matter abroad policy is concerned, on the fact that the MPs is still in effect, for the purposes of the legislation, that the application needs to be determined in accordance with that. And PS. We don't see that the Paris Agreement or the government response to that has any further bearing beyond how we have approached assessing the scheme against national carbon targets, as they currently stand pursuant to 5.17 of the MPs? So we don't think that whatever you mentioned, sir, as far as the equations of urgency and so on, they've been translated through current government approach to the national targets, and they're taken into account under policy at 5.17 of the MPs and there's no other basis upon which to question and the wider application of the MPs itself.

49:58

Thank you Mr Lyness. Mr. Todd, it's anything you'd like to say in response to it to that question and Mr. Lyness' comments, Mr. Todd transaction network. I think we would disagree that the government has acted in an urgent manner. When it's, you know, the emergency climate emergency was declared in May 2019. And it was two years before the transport decarbonisation plan came out. And that was much delayed it was going to be out in the autumn of 2020, then and then in March and then eventually came out sometime in the in the summer in July, I think it was eventually. And equally on the matter of the national policy statement being out of date, we twice challenged. centrist state two asked him to review the document, and he twice refused before doing a volt fast and suddenly accepting that it would be needed to be reviewed, you know, in again in July 2021. So a lot of time has been wasted by the government. So I don't think it has really sort of responded to this in, you know, as an emergency. So I don't think those parts of what national highways are saying is correct. In terms of the legal aspect, I'm

not a lawyer, so I'm I'm less able to comment on those aspects. Thank you. Does anyone else have any any further comments to make on this?

51:53

Front turn on behalf came to authorities. You directed I think some questions at its earlier as well in relation to the Paris Agreement. Just to say it's the authorities we agree with Mr. Lyness has said in relation to the Paris Agreement and how that takes effect for the Climate Change Act. We also agree in relation as I mentioned earlier, in terms of the possible overstating effects due to the Defra toolkit and the way that it measures emissions and does not have regard to future change, future decrease I should clarify. And also we will agree with Mr. Lyness in terms of the status of the emergency aspects. Also note that emotion of the UK parliament does not have effect in law, or indeed, for that matter policy in terms of policy remains as stated for the application set out in the national policy statement. So we would agree with that the focus of the local authorities in terms of climate change is very much about the local mitigation measures. And I just like to ask Miss Davies, just to speak a little bit about that in terms of what can be done locally just in terms of mitigating the impacts.

53:02

Thank you, Miss. Davis for the temperature authorities. So we have previously asked for some greater clarification with regards to certainly the construction phase emissions that has now been provided as part of the deadline five responses, which we have commented on welcoming some of that further detail, encouraging. I suppose the more more detailed identification of materials that are able to you know, further reduce those emissions. So thinking about things like low temperature, asphalt, that sort of thing. And as I understand it from the submissions from national highways, there will be further detail on those particular kind of construction materials that can be used to further reduce submissions. As the scheme progresses. I think one area where we still are seeking some greater clarity from the applicant. And we've raised this again in our deadline five and also we'll be raising in our deadlines. Six submissions is just in terms of how the applicant is intending to deal with mitigating those residual emissions associated with the scheme. And as I say that will be touched on in more detail in our submissions to Deadline five and six.

54:30

Like those days, so France charges on behalf of the authorities. Just also further to some of the comments made by Mr. Todd. What is the authorities view that they have policies in place particularly in relation to transport policies, local transport policies of which this scheme is part of that and is supported by that? Obviously, the authorities would not support any suggestion that the detract a four to eight should suddenly disappear and obviously, view the analysis Slightly simplistic in terms of just saying we've got three times the road surface. On that point also references made to local transport provision. Obviously, this should be viewed from a local transport point of view as part of the wider policy context, which also includes support for local transport, public transport upgrades, including the Cambridge to Campbell scheme as well, which will provide a link out along corridors in this direction as well as part of the wider chums study in the area as well. So it is part of a holistic package in terms of public and public transport upgrades, and also road upgrades. Thank you.

55:44

Mr Todd, I see you've got your hand raised and let you to the floor. Thank you, Mr Todd. transaction network. I just like to come back on the Paris Agreement, because I think it's it's slightly disingenuous what's been said, that has been incorporated in under the Climate Change Act and the carbon budgets because the fifth carbon budget was set in law before the government signed it's nationally determined contribution of 68%. So that is looser than a 68% carbon reduction target by 2030. So I think it is a relevant consideration, I think, I don't think it should be dismissed and say it's accommodated within the carbon budget. So obviously, the six carbon budget, it probably will align to that. But it comes ahead of the six carbon budget and six carbon budget doesn't come into force until 33 to 37. So it is an important factor to consider separate to the Climate Change Act. And just a follow up on some of the comments around the local transport infrastructure, yes. Lots of places have packages of measures. But How significant are they how well do they actually deliver with traffic reduction, which is what people are saying is needed to meet the targets? And okay, yes, three times the asphalt is somewhat some, sometimes somewhat simplistic in some respects. But it is true. There's a national national speed limit road is the old road and the new dual carriageway will be 70 miles an hour, whereas the active travel proposals would run alongside this whereas the public transport proposals that run alongside it, it's all right, talking about Camborne eastwards, that this is Campbell westwards. And it's it's filling in those gaps and what's going to deliver something more holistically and at the moment, we don't we don't see that and it's that that's the certificate is held, if you like, and that's what glutton do it in terms of climate change and carbon emissions? Thank you. So the slides could just come back to you on that. And the point that was made about the the timing of the fifth and sixth carbon budgets. Anything you'd like to say in response, in that matter,

58:27

Scott Lyness Applicant news story. It's about really the way in which the Paris agreement the national legislation work at a conceptual level that the Paris agreement doesn't impose any particular requirements on a on national secretary party. And that has to be done through national legislation. That process has been followed through the development of the fifth and the sixth carbon budgets. And as far as it's relevant to the scheme is concerned, we have conducted a carbon assessment by reference not only to the federal carbon budget, but the sixth one too. And that's really as far as we need to go and dealing with that point. So while I'm, while I'm on just in response to what the council has said, as far as construction emissions are concerned, and potential for, for further mitigation. I understand that this has been a subject of discussions with the council and we're considering whether further matters could be put in to the next iteration of the or the next draft of the first iteration CMP to pick up on potential mitigation of emissions released during construction. So that is, that is a point that is under consideration following up on on the kinds of contribution

59:53

Thank you, Mr Lyness. That's helpful. We We've covered this to some extent, there are still questions that I'd like to ask. But I think in light of the time that we've got available, I'm minded to, to put those into into written questions for people to respond to, during the next round of written questions. And one of those will be regarding the not about the climate change, but also about the Oxford Cambridge expressway. So we'll cover that later as well. If there's if people have nothing else to say, in relation to sustainability effects, or climate in particular, at this stage, as I say, there'll be further rounds of written questions. And so there'll be scope for further points to be made in relation to into these matters. But I

think for today, I think we've probably explored this sufficiently. Design okay with everyone no massive objections, nothing else to say at the moment at the end,

1:00:59

got laughed out and not from our perspective. No, sir. Thank you very much.

1:01:05

Thank you can't see any any hands raised. So I'll and I shall leave it at that. Thank you all again for the contributions. to that. We've what we need to do now is adjourn the hearing for a few minutes. So the examining authority can review the emerging actions and the procedural decisions if anything we've taken.

1:01:35

This will be a very short break, but because he wanted to break in them, we'll we'll resume so the time now is 1657. And I propose that we return at 1616 10 Just to be on the safe side. So see all I'm thinking

1:01:56

I guess fair