

Written summaries of oral representations made at Issue Specific Hearing 5 by the Cambridgeshire Authorities

1. Introduction

- 1.1 This note summaries the submissions made by Cambridgeshire County Council (**CCC**), Huntingdonshire District Council (**HDC**) and South Cambridgeshire District Council (**SCDC**) (together, the **Cambridgeshire Councils (CC)**) at the Issue Specific Hearing 5 on 1 December 2021 (the **Hearing**) in relation to the application for development consent for the A428 Black Cat to Caxton Gibbet Road Improvement Scheme (the **Scheme**) by Highways England (the **Applicant**).
- 1.2 This document does not purport to summarise the oral submissions of parties other than the Cambridgeshire Councils, and summaries of submissions made by other parties are only included where necessary in order to give context to the Cambridgeshire Councils' submissions in response, or where the Cambridgeshire Councils agreed with the submissions of another party and so made no further submissions themselves.
- 1.3 The structure of this document follows the order of items in the agenda for the Hearing published by the Examining Authority (ExA) on 22 November 2021 (the **Agenda**). Numbered agenda items referred to are references to the numbered items in the Agenda. The Cambridgeshire Councils' substantive oral submissions relate to items 3, 4, 5, 6, 7 and 9 of the Agenda.

2. Written summary of the Cambridgeshire Councils' oral submissions

| 3. Anticipated operational traffic effects on the local highway network | |
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| a. Applicant's Junction Model Sensitivity Testing [REP5-018]. | |
| Agenda item | Cambridgeshire Councils' submission |
| i. Methodology | <p>The ExA asked the local highway authorities (LHAs) whether they were broadly satisfied with the methodology that had been used for the Junction Model Sensitivity Testing (REP5-018).</p> <p>Francis Tyrrell, Pinsent Masons LLP for CC invited Lou Mason-Walsh to speak to methodology.</p> <p>Ms Mason-Walsh confirmed CC was reasonably content that the methodology provided a basis for forecasting.</p> |
| iii. Findings | <p>The ExA invited the LHAs to comment on the findings of the Junction Model Sensitivity Testing (REP5-018) and the Applicant's comments in relation to those findings.</p> <p>Ms Mason-Walsh stated that CCC largely agreed with the inputs and agreed that the results now looked more reasonable. There are specific junctions where CC has</p> |

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| | <p>issues with the interpretation of the results. At Wyboston junction, CCC are still concerned about a worsening of operations of the northern arm of Great North Road. The Applicant states that the scheme has a significant impact at this junction whereas CCC believes the impact is minimal because, whilst the operation of the Great North Road southern arm sees a significant betterment in performance, three of the other arms remain roughly the same both in terms of RFC, queue and delay.</p> <p>Additionally, the Great North Road northern arm sees a worsening in queue and delay as a result of the scheme. There is a need to investigate that junction further to see if a reallocation of road space or other such minor changes could make an improvement to the operation of the Great North Road northern arm. Great North Road southern arm would appear to now have overprovision of road space.</p> <p>The ExA asked if the reason for this was particularly around exit blocking for side roads.</p> <p>Ms Mason-Walsh noted that CCC was not entirely sure why the northern arm fares so poorly. It has always been busy and new traffic will be looking to use that arm to access the de-trunked A428 or the A1 southbound.</p> |
| Barford Road | <p>Mr Tyrrell for CC highlighted that the comments which had been made in relation to Wyboston junction applied almost identically to Barford Road in that there is a difference in interpretation as to the degree of increase in performance – CCC considers the increase to be minimal whereas the Applicant believes it to be significant. CCC is also looking for discussion with the Applicant on that junction as with Wyboston.</p> |
| <p>b. Views of Local Highways Authorities on additional modelling undertaken by the Applicant</p> | |
| Requirement for further modelling | <p>The ExA noted that the Applicant believed that having undertaken additional modelling, no further modelling was required. The ExA invited CCC to comment and asked whether they were broadly content with that view.</p> <p>Ms Mason-Walsh for CCC noted that at a meeting between CCC and the Applicant on the Monday before the hearing, CCC had set out the reasons for which it believed there were more junctions that needed to be included. The Applicant confirmed the day before the hearing that they would be submitting additional modelling at deadline 6 on Madingley Mulch and M11 J13 and the Eltisley Link Junction. In addition, the Applicant will be looking at the Cambourne junction by</p> |

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| | <p>deadline 7 and at the flows at Potten Road and the A428 Toseland Road by deadline 7. References to deadline 7 are now to be read as deadline 8, following the publication of the ExA's Rule 8(3) letter on 9 December 2021.</p> <p>The ExA asked the Applicant to confirm this was agreed. Mr Lyness QC confirmed for the Applicant that this was correct.</p> |
| <p>ii. LHA's ability to fulfil their Network Management Duty</p> | <p>The ExA noted that previously CCC had felt unable to comment as to whether the proposed development would affect their ability to fulfil their Network Management Duty as detailed in the Traffic Management Act 2004. The ExA asked CCC whether they now felt better able to comment on this matter.</p> <p>Mr Tyrrell and Ms Mason-Walsh advised that CCC's position was still that they were waiting on further information to be able to confirm the ability to fulfil their Network Management Duty.</p> <p>The ExA asked the parties for suggested actions that would progress the situation so that the LHAs felt able to confirm their ability to fulfil their Network Management Duty with the scheme in place. The ExA noted that it would be disappointing if one of the LHAs felt unable to confirm this by the close of the examination. The ExA also asked for the parties' interpretation of that duty.</p> <p>Mr Lyness QC for the Applicant noted that this would be a longer submission appropriate for written submissions but that the request was noted.</p> <p>Mr Tyrrell for CC noted that the LHAs who felt unable to confirm the ability to fulfil the duty before they had received further information would not receive this information in some cases until deadline 7. As such, they would be unable to confirm their ability to fulfil the duty before then. References to deadline 7 are now to be read as deadline 8, following the publication of the ExA's Rule 8(3) letter on 9 December 2021.</p> <p>The ExA clarified that it was interested primarily in the LHA's interpretation (as written submissions) of the Network Management Duty as opposed to their ability to fulfil that duty as a result of this scheme.</p> |
| <p>iii. Monitoring and managing (focussing on monitoring)</p> | <p>The ExA sought clarity and further detail on monitoring provisions and mechanisms from the Applicant.</p> <p>Mr Lyness QC for the Applicant noted that there was a summary of the monitor and manage proposals at pp.</p> |

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| | <p>148-149 of the Transport Assessment Annex (APP-243) but that the Applicant could provide further detail on those proposals if needed.</p> <p>The ExA confirmed this would be helpful, especially in relation to how the monitoring and managing would be secured and what the role for the LHAs would be.</p> <p>Mr Tyrrell for CCC outlined that CCC’s concern was mainly on the lack of detail provided. Mr Tyrrell also confirmed that CCC shared the concerns of Bedford Borough Council that REP5-018 refers to the ‘POPE Process’ as a way of dealing with monitoring and managing and that the local authorities would be involved in the scoping of the POPE Process but there is a lack of detail on how this fits with the Applicant’s vision for monitoring and managing as outlined in APP-243.</p> <p>Anne-Marie Rogers for the Applicant advised that the Applicant would be happy to provide further detail on the POPE Process but wanted to confirm that the data from the monitoring would feed into the development of future strategy which will eventually lead to the next investment strategy.</p> <p>Mr Tyrrell for CC noted that it is insufficient to simply have monitoring which is in the form of identifying a problem, noting it for a wider investment programme and listing it for funding at some point in the future. Whether that problem then gets remedied will depend on the other problems in the list and the funding available, which does not provide comfort for the local authorities.</p> |
| <p>iii. Monitoring and managing (focussing on managing)</p> | <p>The ExA asked if any of the LHAs wished to comment on the Applicant’s proposals for managing unexpected consequences of the scheme.</p> <p>David Allatt for CCC noted that the LHAs need absolutely to be able to manage as well as monitor so ensuring that there is a mechanism that will allow for an expedient response to issues identified on the network is key. The scenario that CCC want to avoid is where an issue is identified but there is no mechanism to secure funding for the remedial measure, whatever that measure may be.</p> <p>Mr Tyrrell for CCC reiterated the concerns of Mr Allatt and suggested that a monitoring and mitigation plan could be provided to this effect. The Applicant has set out in APP-243 a list of SRN junctions but CCC does not have certainty on other SRN junctions. CCC would also need more certainty on the monitoring and management</p> |

of the local road network as to how funds would be made available and some guarantee that they would be made available.

Mr Tyrrell also clarified that CCC objected to a comment by the Applicant that it did not have to cure impacts on the local road network. CCC is asking for mitigation of impacts from the Scheme. It is not saying the Scheme as a whole is unacceptable. Mr Tyrrell also noted the concerns of the Applicant on how remotely linked to the Scheme any of the problems may be that it is required to manage. This could be addressed by setting out in full in the proposed Monitoring and Management Plan the junctions that would be caught and would fall within the Applicant's remit to monitor and manage.

Mr Tyrrell for CCC reiterated that it was not CCC's position that it was National Highways' duty to monitor and manage any issues or impacts which may arise on the local road network as a whole as a result of the scheme. Rather, there are specific junctions where CCC is aware of specific impacts that may materialise. Any mitigation measures would relate to those specific impacts. It would be a strange position to adopt if those specific impacts are already known but no mitigation is provided.

4. **Highway layouts and junction arrangements**

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| <p>a. Whether the approach of the Applicant to proposed Departures from Standards (DfS) on the local road network have any likely road safety implications, particularly at Toseland Road, B1046 and Potten Road, Cambridgeshire [REP4-056, WQ2.11.2.1], specifically:</p> <p>i. Road Safety Audit findings regarding proposed DfS on the local road network;</p> <p>ii. Implications, if any, on the Proposed Development in the event of no agreement being reached on DfS between the LHA and Applicant.</p> | <p>The ExA asked whether CCC had a formal road safety audit view on the layout at Toseland Road.</p> <p>Mr Tyrrell for CC invited John Border to speak to road safety at Toseland Road.</p> <p>Mr Border stated that good road design is very complex and that simply measuring the existing road width is a somewhat naïve approach. Poor design leads to poor safety. Mr Border outlined that the responsibility for conducting a road safety audit on the Scheme lies with the Applicant and the role of CCC should be as consultee on that road safety audit. The view of the Applicant that the narrow (6m wide) road is safe is not accepted by CCC.</p> <p>The ExA asked CCC what the normal practice would be if a developer came forward with a road proposal such as this and a request for DfS.</p> <p>Mr Border stated that the decision on whether to accept such a proposal lies with the overseeing organisation and CCC would not accept such a proposal from a developer.</p> <p>Mr Border advised that such a width may be acceptable for urban areas with reduced speed limits but not on a road with a speed limit of 50mph. The application to depart from standards that has come to CCC is not holistic and does not cover all issues.</p> <p>Mr Border advised that CCC do not have locally adopted road design standards and that they rely on DMRB.</p> <p>Mr Tyrrell for CCC raised a point that had already been outlined by CCC in response to the ExA's second written question 2.11.2.1 (REP4-056) and had not been dealt with by the Applicant. CCC had asked what exactly the road safety audit looked at. Having reviewed the road safety audit, CCC does not believe the point has been expressly considered as it is not clear from the road safety audit that the widths of the roads themselves were considered and were found to be acceptable.</p> <p>Mr Border for CCC noted that there was a pre-stage 1 audit which he believes recommended that the lane widths be reduced from 3.65m to 3m. At the subsequent stage, the audit was silent on lane widths. Presumably the auditors would have been provided with cross sections and presumably they would have commented if there was a problem. However, there is no explicit endorsement of the 6m width.</p> |
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| | <p>Mr Border for CCC stated that there is scope for a compromise here. If there was design to DMRB standard with a holistic, fully backed-up departure application, that could be acceptable for CCC.</p> <p>The ExA asked if the position was the same with regards to Potton Road.</p> <p>Mr Border confirmed.</p> |
| <p>b. Update on protective provisions relating to highway design associated with interface with EWR scheme</p> | |
| <p>Update on any proposed draft protective provisions or intended amendments to the dDCO relating to highways design matters associated with the potential interfaces with the EWR scheme, and the current position of the Applicant regarding any associated future design changes [REP4-037] [REP4-067] [REP5-024, WQ2.10.2.1 and WQ2.17.4.1].</p> | <p>Mr Tyrrell for CCC supported comments made by Mr Lyness QC that the East West Railway is at very early stages of design, has not aligned its preferred route, prepared its preliminary design or consulted on it. Mr Tyrrell raised a concern that no side agreement to be agreed between East West Rail and National Highways relating to roads should circumvent the involvement of the LHAs where their input would otherwise be permitted or required. Insofar as any agreement between EWR and the Applicant requires the Applicant to change any design of the road, CC would object to such provisions without very significant control by the local authorities.</p> <p>The ExA asked Mr Tyrrell which processes in particular CCC felt may be circumvented by the side agreement.</p> <p>Mr Tyrrell clarified that CCC was concerned about any changes to design happening under the DCO for this Scheme as a result of the side agreement which may otherwise only be consented through a Side Roads Order or separate DCO (for example for the EWR).</p> |
| <p>5. Provision for non-motorised users</p> | |
| <p>a. Accordance with NPSNN paragraphs 5.20, 5.215 and 5.216, DfT Local Transport Note 1/20 and local policies.</p> | |

i. Adequacy of intended NMU provision where new local highway infrastructure would be provided or existing highway be detrunked, specifically at Roxton Road Bridge, Barford Road Bridge and along the existing A428.

The ExA asked CCC to comment on the likely uptake and mode shift that could take place if the requested NMU infrastructure was provided along the de-trunked A428 corridor.

Mr Tyrrell for CCC noted that it is CCC's understanding that the NMU infrastructure requested by it could be provided within the existing footprint of the A428 and would not therefore require additional land take. Mr Tyrrell noted that it was important to consider uptake and modal shift in the context of climate change policy as there is a difference between latent demand and what may be generated by policy focus on modal shift.

Camilla Rhodes for CCC noted that CCC had produced some evidence as to the demand for NMU infrastructure in the response to the ExA's Second Written Questions at question 2.11.6.1.c (**REP4-059**). The need for a NMU route along this corridor has been acknowledged for some time and is in several local policy documents. It is in the Cambridgeshire Local Transport Plan. It is also in Cambridgeshire County Council's Transport Investment Plan and in that document it is envisaged as being provided by National Highways. It was cited in the first Rights of Way Improvement Plan from 2006, which the Highways Agency (as it was then) was consulted on. It is in the Statement of Action. The reason CCC does not have its own feasibility report for the NMU infrastructure is that it has always been envisaged that National Highways would provide this NMU infrastructure.

Ms Rhodes also noted that in CCC's response to the ExA's Second Written Questions (**REP4-059**), CCC provided evidence of its experience of NMU infrastructure provided along the Cambridgeshire Guided Busway and the NMU route provided alongside the A14, which is already being very well used. The Guided Busway bridleway was initially proposed as a soft surface route but it was recognised that this should be hard topped as it could be used by many cyclists. This is a very similar corridor to that which could be provided along the de-trunked A428. CCC knows from experience that if the infrastructure is provided, people will use it. People are less likely to use on-highway provision as it's perceived as less safe.

The ExA noted the comments of CCC and asked what it would suggest in terms of the way forward, as it was unlikely that the requested NMU infrastructure could be

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| | <p>supported as a use of public funds without a feasibility report.</p> <p>Mr Tyrrell for CCC noted that CCC can set out the evidence they have in terms of why the NMU infrastructure has been included in all local policy, as discussed by Ms Rhodes. In terms of feasibility, CCC is happy to work alongside the Applicant but CCC has been raising this for a long time with the Applicant and the Applicant is perhaps best placed to undertake those studies since it is already on site. CCC is happy to provide input.</p> <p>Mr Tyrrell also emphasised that the requested infrastructure would not constitute significant works. Much of it involves linking discrete pieces infrastructure the Applicant has already proposed. Mr Tyrrell noted that CCC was interested to hear earlier in the hearing that the parapet at Roxon Road had been increased. CCC had asked for a horse-suitable parapet on the Toseland Road Bridge, which was an example of an improvement which it would be very feasible to do as evidenced by the similar provision at Roxon Road.</p> <p>Mr Tyrrell for CCC also queried whether it was really for CCC to prove that the infrastructure was feasible given that the NPSNN provides for networks enhancing access for NMUs (section 2 of the NPSNN). Given that statement, Mr Tyrrell queried whether it is more appropriate for the Applicant to show that the provision of such infrastructure is not feasible.</p> |
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b. The realistic potential for the use of Designated Funds to provide NMU infrastructure

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| <p>The realistic potential for use of 'Designated Funds' [REP-037, WQ2.11.6.1] to provide additional NMU infrastructure, how any successful schemes would be delivered and over what timescale.</p> | <p>Mr Tyrrell for CCC noted that contrary to an earlier submission by the Applicant that the Papworth to Cambourne cycle route had already received funding, in fact that route had only partial funding. There is a gap between Brockley Road to Cambourne, which highlighted the precarious nature of leaving agreements on funding to after the event.</p> <p>Mr Tyrrell noted that by providing only partial infrastructure, this could in turn cause disruption for CCC and its priorities as it mitigates a situation where NMUs are being shifted onto and off the carriageway, as is currently the position.</p> |
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6. Outline Construction Traffic Management Plan (CTMP)

Agenda items b and c

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| <p>b. Clarification regarding construction vehicle route restriction drawings, in addition to the anticipated frequency, number and duration of heavy goods vehicle (HGV) movements using green and orange routes shown in the second iteration Outline CTMP [REP4-012, Appendices C and D].</p> <p>c. Whether the lack of detail at this stage of the Examination relating to anticipated construction HGV traffic is typical of other nationally significant infrastructure highway schemes.</p> | <p>Mr Tyrrell for CCC argued that more information could be provided on HGV traffic. In the Environmental Statement, assumptions have been made in relation to HGVs. As such, there must have been evidence underlying those assumptions in relation to amounts of traffic, even if they are only assumptions. For example, there is an indication of routes likely to be affected by traffic noise as an appendix to the Environmental Statement [APP-144]. Underlying evidence would have been needed to produce such a document so it would be surprising if the Applicant believed none was available.</p> <p>Peter Balicki for Hilton Parish Council noted that on the A14 scheme promises were made that most of the construction traffic would go along the off-road site as opposed to through villages, which in the end was not the case. On the present scheme, Mr Balicki requested that the Applicant has construction traffic routed along A roads rather than B roads. Mr Balicki believed that gravel would be extracted from pits in St Ives, which would then need to go south. Hilton Parish Council requested that this movement of construction traffic is routed along the A1307 and down the 1198 to the construction site in order to avoid the villages.</p> <p>Sonia Hansen for CCC agreed with Mr Balicki that it was possible that gravel would be transported down through Hilton and that this was a problem during the construction of the A14. Ms Hansen also agreed that it would be helpful if the Applicant could consider Mr Balicki's proposal on routing of the construction traffic.</p> <p>Mr Balicki also noted that there may be a ban imposed on HGV traffic in consultation with CCC. The ExA invited CCC to comment on the potential HGV ban.</p> <p>Ms Hansen for CCC advised that she would need to look into this and come back to the ExA after the hearing. The ExA requested that CCC took it as an action point to come back to the ExA by deadline 6 with details of that ban and whether it was going to be implemented.</p> |
| <p>d. Monitoring of traffic re-routing during construction</p> | |
| <p>Monitoring of traffic re-routing during construction and any subsequent interventions on the local highway network, including funding, organisational roles and responsibilities [REP4-012,</p> | <p>Mr Tyrrell for CCC raised concerns on the issue of monitoring on the local road network during construction. The Applicant does not intend to monitor the impact on the local road network itself and it is not clear how it will be funded. The situation is very similar to the monitor and manage issue discussed under agenda item 3.</p> |

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| <p>paragraph 3.5.10] [REP4-037, WQ2.11.7.3].</p> | <p>Mr Tyrrell for CCC also requested further detail in a note to be produced by the Applicant on how the training detailed in Appendix C of the Outline Construction Traffic Management Plan (APP-244) would be monitored to ensure it was effective at ensuring the routes in Appendix C are not used.</p> |
| <p>e. Approach to funding any necessary repairs to the local highway network</p> | |
| <p>Requested approach of CC to funding any necessary repairs to the local highway network, as a result of the construction of the Proposed Development.</p> | <p>Mr Tyrrell for CCC advised that discussions were ongoing with the Applicant. Mr Tyrrell confirmed that the aim of CCC was to ensure there is a mechanism to seek payment from the Applicant for any damage done to the local road network as a result of the scheme. Mr Tyrrell proposed that the discussions continue between the parties and an update be provided to the ExA in due course. The ExA agreed.</p> |
| <p>f. Adequacy of the Outline Travel Plan [REP5-016]</p> | |
| <p>Adequacy of the submitted Outline Travel Plan [REP5-016] and the Applicant's intended approach to any future iterations.</p> | <p>Mr Tyrrell for CCC noted that the local authorities would appreciate further detail on when the travel plan will take effect and whether it will apply to staff engaged in pre-commencement works. Mr Tyrrell noted that his comment also applied to the Outline Traffic Management Plan.</p> |
| <p>7. Good Design</p> | |
| <p>a. Further information expected in Scheme Design Approach and Design Principles [REP3-014] [REP3-014, Appendix C] to enable the assessment of the Proposed Development against policy requirements in the NPS NN, NPPF and local planning policies.</p> | <p>Mr Tyrrell for CC confirmed that in issue specific hearing 4 CC had raised concerns about design in relation to underpasses and the suitability for bats and NMUs.</p> <p>The key point is on how it is ensured that the underpasses are designed such that they are suitable for bats and NMUs.</p> <p>Mr Tyrrell argued that it would be helpful for that purpose to involve the local authorities in the design in order to have a holistic approach.</p> <p>The ExA asked Mr Tyrrell to outline specific examples of structures where CC believes it would be helpful to achieve this holistic approach.</p> <p>Mr Tyrrell for CC referred the ExA to page 57 of the Applicant's Scheme Design Approach and Design Principles (REP3-014) and the Hen Brook underpass. Mr Tyrrell noted that a square box structure such as the design currently stands is not the most attractive to NMU use. The design principles for Hen Brook do not refer to encouraging use by NMUs. Hen Brook is also proposed as one of the key future-proofing underpasses for bat</p> |

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| | <p>crossings yet there is no mention of biodiversity mitigation or indeed bats. Similar comments apply to the Pillar Plantation crossing.</p> <p>Mr Tyrrell for CC also supported comments by Mr Danish for Cam Cycle that DfT Local Transport Note 1/20 (LTN 1/20) was an important consideration. Mr Tyrrell advised that LTN 1/20 had formed part of CCC's submissions but that it had been submitted as a link rather than as a separate attachment, for which he apologised. Mr Tyrrell asked if the ExA would like CCC to submit LTN 120 as a separate document. The ExA advised they would confirm in due course.</p> <p>Mr Tyrrell invited Emma Lilley to speak to the general contents of the design documents submitted by the Applicant.</p> <p>Ms Lilley stated that CC did not feel the design documents were compliant with the requirements in the NPPF and local plans to provide beautiful design that is sensitive to place. REP3-014 states at paragraph 3.3.15 that structures have been designed as a family with common design materials and structures but it is CC's view that the proposed materials are particularly utilitarian and do not make the journey along the A428 recognisable or relatable to Cambridgeshire. CC had hoped that there would be more ambition to create landmarks along the journey. CC is concerned that if the principles are to be agreed now and local authorities will not have an opportunity to comment at a later date, there may not be the opportunity to make the amendments CC would like to see.</p> <p>Ms Lilley also reiterated the concerns outlined by Mr Tyrrell on biodiversity and noted that the design principles should also accommodate the bat crossings already discussed.</p> <p>The ExA reiterated to CC that it would be very helpful if it could submit to the ExA the structures it believed required a more holistic approach in terms of design and where CC felt this was missing.</p> <p>Mr Tyrrell confirmed that CC would submit a marked up version of the design principles with its suggestions.</p> |
| <p>b. Applicant's proposed iterative design development process for detailed design (if consent is</p> | <p>The ExA asked the Applicant to confirm whether it was correct that the Applicant did not propose engaging with the parties at the detailed design stage after the grant of</p> |

granted), and how that can be secured.

development consent. Mr Lyness QC for the Applicant confirmed that to be the case.

Mr Lyness QC argued that if any parties believed the detailed design departed significantly from the design principles, they could make a challenge on the basis of enforcement of the requirements to the DCO. Mr Lyness QC also argued that any further consultation process built in to the detailed design stage may delay implementation of the scheme.

Mr Tyrrell for CC asked for clarification from the Applicant as to whether the design principles would be secured as part of the first iteration of the EMP (**APP-234**) and would be dealt with in requirement 3 of the DCO (as originally detailed in section 1.2 of the Scheme Design Approach and Design Principles (**REP3-014**)) or whether this had now changed and the document (**REP3-014**) would exist in its own right and be secured by requirement 12.

Mr Lyness QC for the Applicant confirmed that the Scheme Design Approach and Design Principles (**REP3-014**) document would now be secured in its own right as part of requirement 12.

Mr Tyrrell confirmed that this was welcomed by CC but that it made it even more important to ensure that the Scheme Design Approach and Design Principles (**REP3-014**) are comprehensive and that the input of the local authorities is sought now.

Mr Tyrrell also noted that the A14 DCO made provision in its requirements for reference to be made to the 'Design Council', the local authorities and quite a few others so that they could be consulted in relation to the finalisation of the design. Mr Tyrrell did confirm he was not aware of whether there was a design principles document such as REP3-014 on the A14 scheme, but he noted that there seemed to be two options. Either there is a sufficiently detailed design document agreed by the end of the DCO examination process and there is no further consultation post-consent, or there is no detailed design available during the examination process and the parties are then consulted during the detailed design stage. The question for this Examination is whether there will be a design document by the end of the examination which captures design principles sufficiently well to justify no further consultation at a later stage.

9. Noise

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| <p>b. Intended approach of Applicant to the monitoring of noise and any subsequent interventions, within the development limits, during the construction and operation of the Proposed Development.</p> | <p>The ExA invited comments from the local authorities.</p> <p>Mr Tyrrell noted that CC had concerns in relation to operational monitoring and that CC would like to engage with the Applicant on it but it seems that the Applicant has refused on the basis that mitigation measures will be put in place and they will be adequate. However, there is no real guarantee from CC's point of view that the mitigation measures will be sufficient.</p> <p>Mr Tyrrell also noted that currently the position under requirement 18 is that the written details of the proposed noise mitigation need to be submitted to the Secretary of State with consultation from the local planning authority. If there are conflicting opinions from the Applicant and the local planning authority, without any real guidance from this Examination on what the right position may be, that would put the Secretary of State in a difficult position.</p> <p>Mr Tyrrell invited Aaron Morley to speak for CC as the Environmental Health Officer for Huntingdon District Council. Mr Morley noted that CC has requested spot monitoring to confirm the Applicant's modelling. The monitoring could perhaps last for one week to give an idea of whether the Applicant's modelling is roughly correct.</p> |
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