

# A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 9

9.81 Monitor and Manage Technical Note

Planning Act 2008

Rule 8(1)(k)

Infrastructure Planning (Examination Procedure) Rules  
2010

December 2021

## Infrastructure Planning

## Planning Act 2008

**The Infrastructure Planning (Examination Procedure)  
Rules 2010****A428 Black Cat to Caxton Gibbet  
improvements  
Development Consent Order 202[ ]**

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**9.81 Monitor and Manage Technical Note**

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# 1 Monitor and Manage Technical Note

## 1.1 Introduction

- 1.1.1 At Issue Specific Hearing 5 held on Wednesday 1 December, the Examining Authority set the following actions to be carried out in advance of Deadline 6:

*Action 4*

*"Positions of Local Highway Authorities (LHAs) and Applicant on how the Network Management Duty should be considered, at the wider network level or the more granular detail of individual junctions, and providing relevant policy justification for any view."*

*Action 5*

*"Detailed information on the Monitor and Manage process to be provided, in general and specifically in relation to the Proposed Development, including roles and responsibilities; funding for any necessary mitigation; how it would be secured and policy justification for respective positions."*

*Action 13*

*"Item 6d - Clarification and justification of how monitoring of construction impacts will be undertaken. Details to be incorporated into the Monitor and Manage note (Point 5), albeit to be kept clearly distinct. Further details regarding contractual monitoring associated with construction HGV routing to be provided. Explanation as to how any baseline for monitoring purposes would be established."*

- 1.1.2 This note seeks to resolve actions 4, 5 and 13 by providing the information requested on the Network Management duty, National Highways' monitor and manage process as well as how the Applicant intends to monitor construction traffic as a result of the Scheme.

### **Operational Impacts and benefits**

- 1.1.3 The Scheme offers significant improvement to existing operational traffic conditions, by encouraging existing local traffic to use the Strategic Road Network (SRN), and attracting currently self-diverting traffic back to the SRN. There are no significant residual traffic impacts arising from the Scheme which require mitigation.
- 1.1.4 The Scheme is in accordance with the National Policy Statement for National Networks (NPSNN) which does not require mitigation of all impacts and recognises that some residual operational traffic impacts are likely to remain.
- 1.1.5 The Applicant will continue to monitor and manage the operation of the SRN through their monitor and manage duty, and the need for necessary interventions will be determined and funded in line with existing Department for Transport (DfT) processes.

- 1.1.6 Local Highway Authorities (LHAs) also have a duty to monitor and manage their local network, and separate funding streams are available to LHAs if unforeseen impacts arise post opening, subject to securing relevant consents.
- 1.1.7 Should a LHA consider it meets the criteria, they may apply to the Department for Transport for Local Road Network funding. It is the responsibility of the LHA to make this application.

### **Construction Impacts mitigation**

- 1.1.8 The Scheme has been designed to minimise construction phase traffic impacts on the local network by:
- Selecting an offline route which minimises interaction with existing roads.
  - Ensuring that traffic currently using the SRN will remain on the SRN (through, communication and effective traffic management, for example, Variable Message System (VMS) and planned closures at less busy times).
  - Requiring Heavy Goods Vehicles (HGVs) associated with the scheme to use the SRN or haul routes and minimise journeys on the local network as far as possible through identification of permissive and restrictive routes.
  - Deconflicting planned works on the SRN where reasonably practicable to reduce self-diverting traffic levels.
  - Harmonising construction methods and traffic management measures at the improved junction locations to deliver sufficient capacity and traffic flow to reduce the risk of increased journey times.
- 1.1.9 The Outline Construction Traffic Management Plan (OCTMP) [APP-244] contains measures to achieve (b) and (c) above, and also includes a commitment to monitor strategic diversion routes during construction and, where a relationship between SRN performance and self-diverting through local roads is established, work with LHAs and the local police to determine temporary traffic measures to deter self-diversion.

## **1.2 Legislative Position**

- 1.2.1 Section 104(3) of the Planning Act 2008 (2008 Act) states as follows:

*"The Secretary of State must decide the application in accordance with any relevant national policy statement, except to the extent that one or more of subsections (4) to (8) applies."*

- 1.2.2 When a relevant National Policy Statement (NPS) has effect, in this case the National Policy Statement for National Networks (NPSNN), the Secretary of State must determine the application in accordance with the NPS save in certain specified circumstances, none of which apply in the case of the Scheme.

1.2.3 Regulation 21(1)(d) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations) states as follows:

*"if an order is to be made, consider whether it is appropriate to impose monitoring measures."*

1.2.4 Therefore, the Secretary of State must consider whether it is appropriate to impose monitoring measures. Under the EIA Regulations, monitoring measures are defined as a provision requiring the monitoring of significant adverse effects on the environment. No significant adverse traffic impacts have been reported for the Scheme for which monitoring needs to be secured through the DCO process. Although section 3.2.2 of the Transport Assessment Annex [APP-234] identifies a number of locations for which adverse effects are acknowledged, these relate to the SRN which the Applicant is already required to monitor and manage under its Network Licence (see further below). Given the Applicant's duty in the Network Licence to monitor and manage the SRN, it is not necessary to duplicate a requirement to monitor the SRN through the DCO process.

### 1.3 Policy Position

1.3.1 The following extracts from the NPSNN are of relevance:

- a. Paragraph 5.206 provides that applications should include an assessment of likely significant environmental impacts and mitigating commitments should be described. Where likely significant effects of transport impacts on other networks are not expected, the NPSNN only requires a proportionate assessment to be undertaken. The Applicant considers that this approach to assessment has been followed in the case of the Scheme and, indeed, the Applicant considers it has gone further than is strictly required under the NPSNN by submitting the Transport Assessment Annex [APP-243] as well as the Transport Assessment [APP-241] and [APP-242]:

*"For road and rail developments, if a development is subject to EIA and is likely to have significant environmental impacts arising from impacts on transport networks, the applicant's environmental statement should describe those impacts and mitigating commitments. In all other cases the applicant's assessment should include a proportionate assessment of the transport impacts on other networks as part of the application."*

- b. Paragraph 5.212 reinforces that although consideration should be given to local policies, schemes must be decided in accordance with the NPS in accordance with section 104 of the 2008 Act:

*"Schemes should be developed and options considered in the light of relevant local policies and local plans, taking into account local models where appropriate, however the scheme must be decided in accordance with the NPS except to the extent that one or more of sub-sections 104(4) to 104(8) of the Planning Act 2008 applies."*

- c. Paragraph 5.215 states that mitigation should be proportionate, reasonable and focussed on promoting sustainable development:

*"Mitigation measures for schemes should be proportionate and reasonable, focussed on promoting sustainable development."*

- d. Paragraph 5.217 states that mitigation should relate to the Scheme:

*"Mitigation measures may relate to the design, lay-out or operation of the scheme."*

- 1.3.2 In summary, the NPSNN takes precedence in the decision-making process and the focus of the NPSNN is notably on mitigating significant effects, not any or all effects. The Applicant should only be required to mitigate impacts directly related to the Scheme. However, this plainly does not require mitigation of every individual impact caused by a Scheme, especially where there are overall benefits to transport networks. It should be remembered that the scheme objectives include reducing congestion and improving journey time reliability which in itself will reduce congestion and delay on the local network.
- 1.3.3 National Highways monitor the Strategic Road Network to identify future schemes that should be added to the Road Investment Strategy (RIS) programme.
- 1.3.4 National Highways also monitor key locations within the Local Road Network for the purposes of evaluating scheme benefits. These locations must be expected to experience significant change and be quantitatively justified within the results of the traffic forecasting or pertain to a sensitive location. The monitoring results will be shared with the Local Highway Authorities (LHAs).
- 1.3.5 Intervention by National Highways (NH) is limited to the SRN for the following reasons:
- a. NH is a strategic highways company, appointed by an Order in accordance with section 1 of the Infrastructure Act 2015.
  - b. The Licence granted to NH by the Department of Transport confirms the legislative functions of NH as a strategic highways company as regards the areas and highways in respect of which it is appointed. It confirms that NH is appointed as the highway authority for the strategic road network only.
  - c. The Licence sets out statutory directions and guidance to NH in the operation and management of the SRN; NHs remit is confined to the effective operation of the SRN and the maintenance, improvement, enhancement and long-term development of the SRN.
  - d. The Licence does not grant NH any rights, responsibilities or powers to improve, enhance or deliver development in respect of the local road network unless the local road is creating difficulties on the SRN.
  - e. NH discharges its remit through delivery of the RIS, which provides a robust framework of assessment that allows the identification of areas of need across the SRN, and allows the prioritisation of investment

- f. The A428 has been identified as an area of need in RIS2 and the Scheme has been designed to enable an overall improvement in the network, as mandated by the Licence.
- g. By improving the performance of the SRN in the area, the Scheme would also deliver real benefits to the local road network, by removing the rat-running that currently takes place across the local highway network to avoid congestion on the existing A428, A421 and A1.

## 1.4 Scheme Impacts

### 1.4.1 Local Impacts without the Scheme

- a. The situation that would arise in the Do Minimum scenario if the Scheme did not proceed is set out in section 6.2 of the Transport Assessment **[APP-241]**.
- b. Between 2015 and 2040 in the Do Minimum, daily traffic volumes are forecast to rise by 20 to 30% on the major routes in the vicinity of the Scheme. (**[APP-241]** para 6.2.3) The results of the journey time assessment indicate that journey times are forecast to increase between 2015 and 2040 by up to 36% along the A421/A428 between Bedford and Cambourne, and by approximately 20-25% along the A1 between Letchworth and Huntingdon (**[APP-241]** para 6.2.16).
- c. However, percentage increases between 2015 and 2040 Do Minimum are generally forecast to be much larger on the minor roads in the area compared to the major roads. This reflects the use of the local road network to avoid congestion on the SRN. Without the Scheme, there is forecast to be an increase of 80-100% in traffic along minor east-west routes from 2015 to 2040, that results from an increase in the use of alternative routes to the SRN (**[APP-241]** para 6.2.5).

### 1.4.2 Local Impacts with the Scheme

- a. The Transport Assessment **[APP-241-242]** and Transport Assessment Annex **[APP-243]** have been prepared by the Applicant as part of the initial application for the Scheme. Furthermore, a number of sensitivity tests **[REP5-018]** have been undertaken and are ongoing to validate the original assessment. The Applicant has also undertaken considerable engagement with Local Highway Authorities to address their concerns, as can be seen in 'Consultation Report Appendix W: Response to traffic queries raised by the Joint Response from the Cambridgeshire and Peterborough Local Authorities' **[APP-069]**.
- b. Therefore, and notwithstanding the NPSNN requirement for 'proportionate' assessment, there is now a significant amount of evidence on the potential benefits and impacts of the Scheme. The Applicant considers that the Examining Authority can therefore have confidence in the modelling which has been undertaken, forecasting prepared and conclusions reached.



- c. The Scheme would deliver significant benefits overall. These are also set out in section 6.2 of the Transport Assessment **[APP-241-242]**. In terms of traffic flows, a significant decrease in flows is forecast on the existing A428: approximately a 95% reduction in 2025 to the east of St Neots (**[APP-241]** para 6.2.8) and a 40% reduction on the existing A428 at St Neots in 2040 (**[APP-241]** para 6.2.8). Significant reductions in flow are forecast on local roads running parallel with the existing A428, such as the local road through Yelling and Toseland: a reduction of between 20 and 30% in 2040 (**[APP-243]** Tables 3.7-3.8).
- d. The benefit to local junctions along the existing A428 is illustrated by the assessments undertaken in the Transport Assessment **[APP-241]** at the A428/ Toseland Road/ Abbotsley Road junction and in the Transport Assessment Annex **[APP-243]** at the Barford Road and Wyboston junctions. Without the Scheme, the Toseland Road/ Abbotsley Road junction is forecast to go significantly over capacity by 2025; with the Scheme it remains well within capacity through to 2040 (**[APP-241]** para 6.15.3.) The Barford Road and Wyboston junctions have recently been the subject of sensitivity tests **[REP5-018]**. These confirm that the Scheme provides a substantial benefit to each of these junctions.

The overall impact of the Scheme on the local road network within St Neots is set out in the document 'Consultation Report Appendix W: Response to traffic queries raised by the Joint Response from the Cambridgeshire and Peterborough Local Authorities' **[APP-069]**. This indicates that there will be an overall reduction in traffic flows across the local road network within St Neots of about 5% and this document also sets into context the increases in traffic flows forecast along Great North Road and Cambridge Road within St Neots. One key point arising from **[APP-069]** is that these are localised increases resulting from local road users switching from less suitable routes (known as 'rat-runs') on to the routes that will access either the Scheme or the existing A428. This indicates that the Scheme is not attracting through traffic to St Neots, rather that traffic changes are attributable to local road users seeking a more direct route to the SRN.

- 1.4.3 Monitoring of Scheme benefits will take place through Post Opening Project Evaluation (POPE) after the Scheme is open to traffic. Whilst the exact scope of the POPE monitoring is still to be defined, it will, in general, cover the Scheme itself and sections of the Local Road Network where significant forecast traffic flow changes are seen as critical to evaluating the benefits of the Scheme. Whilst the locations of these have not yet been determined, locations such as Yelling, Toseland and the B1428 across St Neots Town Bridge are under consideration for inclusion within the POPE.

1.4.4 As set out above, the Transport Assessment Annex **[APP-243]** identifies a number of locations at which the Applicant acknowledges adverse effects. These are described in more detail in section 3.22 of the Transport Assessment Annex **[APP-243]**, where three junctions are allocated to the category of (existing junction: performance deteriorates) and these, together with four other locations (three junctions and one highway link) are identified as requiring a 'monitor and manage' approach where *'the performance of the network will be monitored and consideration given to the potential need for interventions, if required'* (**[APP-243]** para 3.22.5). The locations in question are all directly associated with the SRN as follows:

- 1) M11 Junction 13
- 2) M11 J14 Girton Interchange
- 3) A421 main carriageway between A6 and A600 (Shortstown junction)
- 4) A421/A6 junction
- 5) A1/A603 Sandy junction
- 6) A1 Biggleswade North
- 7) A1 Biggleswade South

1.4.5 As these locations are directly associated with the SRN and will be monitored and managed under National Highways' Network Licence duty, the Applicant considers that it is not necessary to secure this separately through the DCO process.

## 1.5 POPE Process

1.5.1 National Highways assesses scheme benefits and impacts by undertaking a Post Opening Project Evaluation (POPE). These are undertaken by National Highways Central Evaluation team for all National Highways' Major Schemes. The key objective of POPE is to identify the extent to which the expected impacts of highway schemes have materialised and to inform thinking on current and future national scheme appraisal methods.<sup>1</sup> POPE studies are typically undertaken for each Major Scheme at year one after opening and again within 5 years after opening.<sup>2</sup>

1.5.2 POPE forms the mechanism by which the following can be determined:

- a. The extent to which the Scheme offers value for money.
- b. The level of accuracy associated with estimates of costs and predictions of benefits emerging from the Scheme and the main factors affecting this accuracy.<sup>3</sup>

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<sup>1</sup> Post Opening Project Evaluation (POPE) of Major Schemes Executive Summary, page 2

<sup>2</sup> Pope Main Report, page 3

<sup>3</sup> Ibid.

- 1.5.3 To align with the standard timescales of POPE, the Applicant would collate, analyse and summarise the data in monitoring reports. These reports will be made available to the general public, the LHAs and DfT. They would identify any significant impacts likely to be as a direct result of the Scheme in operation as well as provide analysis on any wider network changes that are not as a result of the Scheme. It would consider the suitability of and type of interventions that may be suitable where appropriate, and review highway conditions at locations where any interventions have already been implemented.
- 1.5.4 Qualifying locations on local roads may be included within the POPE.
- 1.5.5 The remit of the POPE is to evaluate forecasted scheme impacts and benefits. Should this not be achieved at the time of evaluation, National Highways Central Evaluation team would aim to provide a hypothesis as to why the forecasted impact has not been achieved. There is no requirement to intervene upon evaluation of the project, but the evaluation may provide recommendations for solutions, potentially included in further studies to inform the next RIS programme.

## 1.6 National Highways Duty to Monitor and Manage

- 1.6.1 The Highways England: Licence 2015 (Licence), places an obligation on the Licence holder (the Applicant) in relation to the SRN to “operate and manage in the public interest, in respect of both current activities and needs in providing effective stewardship of its long-term operation and integrity”. The Applicant must, under the Licence, at paragraph 4.2(c) “ensure the improvement, enhancement and long-term development of the network”. In complying with 4.2(c), and Part 6 of the Licence, the Applicant must:
- “Establish and maintain a clear understanding of the pressures upon and impacts of its network at both a national and route level (including in the preparation of route strategies, as required at 5.13 [of the Licence]), and be aware of the actions needed to improve conditions for users, and manage or mitigate existing problems, to inform the future development and improvement of the network and its performance.”*
- 1.6.2 To fulfil this commitment the Applicant's proposal to 'Monitor and Manage' relates to the SRN for which it has responsibility to maintain. The Licence does not grant NH any rights, responsibilities or powers to improve, enhance or deliver development in respect of the local road network. Therefore, the Applicant will only monitor performance of the local road network in key locations to assess scheme benefits and provide the LHA with available data to inform the LHA maintenance programme and any further funding application the LHA wishes to make.
- 1.6.3 The Applicant extensively monitors the performance of its network using data collected from daily counters, manual counts and feedback from local authorities and its operational teams to develop Route Strategies. This is a requirement of National Highways' Licence and one of the key steps of research in developing the Road Investment Strategies and informing the long-term planning of the SRN.

- 1.6.4 The route strategy programme is currently in the evidence gathering phase, through a broad engagement programme and extensive data analysis. This will inform the development of the route objectives, with the route strategy initial overview reports due to be published alongside the SRN Initial Report in summer 2022.
- 1.6.5 The Department for Transport will then consult on the SRN Initial Report and priorities for the SRNR in RIS3 during summer / autumn 2022, ahead of producing and publishing the draft RIS in 2023 and final RIS in 2024. The evidence will be vital in informing the development of the RIS3 period 2025 – 2030 and beyond to allow informed decisions to be made on recommendations for potential future scheme options and interventions across the whole of the SRN, taking account of the views of road users, communities and a range of interested parties. The evidence will also inform the long-term planning of the SRN. This work will be ongoing to 2024 informing the evidence base for NH's draft strategic business plan in 2023 and the production of NH's final Strategic Business Plan and Delivery Plan documents planned for publication in 2024/5. The finalised route strategies overview reports will be published alongside the final Strategic Business Plan.
- 1.6.6 In meeting the conditions of the Licence, the Applicant will review and consider pressures on the SRN and determine what interventions are required in order to ensure the efficient running of the network. For example, interventions have been brought forward to address the following types of issues:
- a. Combat congestion.
  - b. Improve safety.
  - c. Unlock growth.
  - d. Connect people.
- 1.6.7 Generally, the interventions implemented under the monitor and manage approach will be determined by the need in that specific case. An intervention could be as minor as amending the lane configuration to redistribute traffic or a much more extensive intervention such as a new junction or additional carriageway. The interventions will be determined by the Applicant in fulfilling its obligations under its Licence.

- 1.6.8 There is a defined process for intervention if required on the SRN. Following the monitoring scheme and comparison to baseline (up to five years following the Scheme being open to traffic), if a significant change is identified and this influences the Scheme, an investigation will take place as to the need for localised intervention. In determining whether any change in traffic conditions from the baseline will be investigated further, the Applicant will consider whether the change is largely a result of other influencing factors. This includes various non-Scheme-related impacts such as changes in traffic flows due to changes in economic growth, income, fuel prices, fuel efficiency of vehicles, and new build developments which will have an impact on the background changes and regional trends of traffic growth.
- 1.6.9 Funding for future interventions on the SRN can come through the RIS Framework for investment and management of the SRN. The RIS framework was first launched by the Government in 2014 and allows for the formal SRN investment processes required by the Infrastructure Act 2015. The RIS framework provides a stable, long-term plan for improving England's motorways and trunk roads. It requires National Highways to work alongside DfT, Office of Rail and Road, and Transport Focus to deliver on the commitments set out for the current period, whilst also looking ahead to the next period to continue improving the SRN's performance for road users, local communities and the environment. Any interventions taken forward would be subject to securing necessary consents.
- ## 1.7 Local Highway Authority Duty to Monitor and Manage
- 1.7.1 Local highway authorities have a legal duty to maintain the highway under section 41 of the Highways Act 1980, as amended. It is for each authority to procure and decide on their maintenance regime based on their needs, priorities and funding.
- 1.7.2 The Applicant will provide the LHA with available data to inform the LHA maintenance programme and any additional funding application the LHA wishes to make.
- 1.7.3 Central government funding for local authority revenue maintenance is provided via the Revenue Support Grant (RSG). In relation to highways, the quantum of the funds is based on the length of the highway which is factored into the 'Relative Needs Formulae'. The RSG is then established through the annual 'local government finance settlement'. Each year, Government publishes a provisional local government finance settlement for statutory consultation. The local authority can then comment on whether they are happy with the final finance settlement.
- 1.7.4 Additional funds available to Local Authorities include the Local Pinch Point Funds (LPPF), the Major Road Network (MRN) and Local Growth Fund (LGF). The delivery of any schemes identified through the appraisal process is subject to the provision of businesses cases being provided in line with standard government approaches and the availability of sufficient funding

- 1.7.5 Funding for future interventions on the SRN, MRN and wider LRN must come through the standard funding frameworks led by DfT. These funding frameworks currently include the following:
- a. The RIS framework for investment in and management of the SRN
  - b. Funding for local road improvements, such as the MRN programme and Large Local Majors programme
  - c. Funding to local highway authorities to operate and maintain existing road networks
- 1.7.6 The MRN programme provides a specific funding stream dedicated to improvements on MRN roads. The MRN was set up to form a middle tier of the country's busiest and most economically important local authority 'A' roads, sitting between the national SRN and the rest of the LRN. The Large Local Majors programme is currently the mechanism for funding exceptionally large local highway authority transport schemes that cannot be funded through the other available routes, such as the Local Growth Fund or other devolved allocations.
- 1.7.7 The Government and DfT also provide funding to local highway authorities for routine maintenance and significant renewal of assets on existing road networks.
- 1.7.8 National Highways can support Local Authorities deliver further benefits beyond the scope of the scheme requirements through Designated funds. If applications meet the strategic objectives. The LHA would normally manage delivery of such schemes. If approved, funds would be available in line with the proposed spending profile as set out in the application.

## 1.8 Network Management Duty

- 1.8.1 Section 16 of the Traffic Management Act 2004 (TMA 2004), places a Network Management Duty (NMD) on the relevant highway authority, so far as is reasonably practicable, to ensure the expeditious movement of traffic on the authority's road network and facilitate the expeditious movement of traffic on road networks for which another authority is the traffic authority.
- 1.8.2 The action which the authority may take in performing that duty includes, in particular, any action which they consider will contribute to securing (a) the more efficient use of their road network; or (b) the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network or a road network for which another authority is the traffic authority; and may involve the exercise of any power to regulate or co-ordinate the uses made of any road (or part of a road) in the road network (whether or not the power was conferred on them in their capacity as a traffic authority).
- 1.8.3 NH is appointed as the highway authority for the strategic road network. Local Authorities are responsible for all other adopted highways within their administrative area.

- 1.8.4 Section 17 of the TMA 2004 provides further details as to the arrangements for traffic management. At subsection 17(4), it is made clear that:
- "nothing in this subsection is to be taken to require the identification or consideration of anything appearing to have only an insignificant effect (or potential effect) on the movement of traffic on their road network."*
- 1.8.5 Whilst there is a requirement to facilitate the expeditious movement of traffic on road networks for which another authority is the traffic authority, this does not extend to a requirement for NH to address pre-existing local network impacts or provide betterment to LHA networks beyond the Scheme. As is set out above, the policy requirement in NPSNN is to provide mitigation which is proportionate, reasonable, focussed and which relates to the Scheme. The Network Management Duty should be read as consistent with this. The Applicant is not required to monitor and mitigate impacts on every arm of every local junction potentially impacted by the Scheme, in the same way that LHAs are not expected to mitigate the impact of cumulative growth in their areas which has resulted in the need for these improvements to the SRN. Separate funding channels exist for the prioritisation of local and strategic highway schemes and it is not the purpose of the DCO process to circumvent this.
- 1.8.6 The Scheme will produce significant benefits by reducing congestion and journey times along the A428 between Caxton Gibbet and the A1 at Black Cat Junction as set out above. A free-flowing SRN supports the Local Highway Authorities (LHA) by removing rat running and resulting congestion on lower grade, local roads, not built to take high volumes, as traffic transfers to the Scheme.
- 1.8.7 The Applicant has therefore complied with its duties under section 16 of the TMA 2004, to ensure the expeditious movement of traffic on the strategic network and facilitate this on the LHA's networks.
- 1.8.8 Further, in the highly unlikely future event that the Secretary of State considers that the Applicant may be failing to properly perform any of their duties under sections 16 of 17 of the TMA 2004, it may accordingly make an intervention order. This enforcement mechanism should provide the Examining Authority with comfort as to the accountability of the Applicant to comply with its duty under the TMA 2004.

## 1.9 Managing Construction Traffic Impacts

### General traffic

- 1.9.1 The Scheme has been designed to minimise construction impacts on the local traffic network by selecting an off-line route which reduces interfaces with the existing A428 and local roads and selecting a construction method which allows the existing A428 to remain open for the vast majority of the construction phase.
- 1.9.2 NH monitor the SRN as part of their network duties and will monitor the SRN in the vicinity of the Scheme to ensure continued smooth running to deter self-diversion onto local highways.

- 1.9.3 The OCTMP [APP-244] provides that network monitoring and provision of real time information via VMS will be used to monitor and manage the performance of the SRN. If this, or information from the LHAs, shows that traffic is self-diverting onto inappropriate routes, the project team will review this information against performance on the SRN. Should a relationship between network performance and self-diverting traffic be established, the project team will work with the relevant LHA to determine suitable temporary traffic management measures, which may include temporary chicanes with priority arrows or additional closures on local roads, weight restrictions or other measures to act as a deterrent to self-diverting traffic. The Applicant will work with the relevant LHA and Police to determine suitable measures and means of enforcement.
- 1.9.4 Further to the above, in terms of the construction stage of the Scheme, para 9.12.5 of the Transport Assessment [APP-241] sets out a commitment on the part of NH and the Principal Contractor to manage and respond to traffic impact issues, and to liaise with the local highway authorities to ensure a coordinated response is provided.
- Construction Vehicles**
- 1.9.5 Where approved routes and haul roads utilise local roads to get from the SRN to site entrances, condition will be assessed by the applicant prior to construction start and during works. The condition of these routes and plant crossing points will be assessed prior to the start of work and remediated to a similar or better condition once the Scheme is complete, or during works if so severe that more timely intervention is required
- 1.9.6 There are no significant adverse effects predicted from HGV construction traffic following mitigation and therefore monitoring is not required to be secured under the EIA Regulations as explained above.
- 1.9.7 The starting point for any baseline monitoring would be the predicted HGV flows for both construction and other HGV movements that can be obtained from the strategic traffic model.
- 1.9.8 Construction traffic impact assessment has assumed that Scheme construction related HGV's will be restricted to the designated HGV routes within the OCTMP.
- 1.9.9 In advance of construction, the supply chain will be advised of the approved construction routes. Restricted routes for construction vehicles is contained within the OCTMP [TR010044/APP/7.4]. However, all three main compounds are adjacent to the SRN, two of which will directly access the SRN, reducing scheme HGV use of local roads.
- 1.9.10 Monitoring of Scheme construction vehicle traffic will be included within the overall traffic monitoring on the SRN. This will take the form of CCTV review of traffic managed areas. The Principal Contractor will address any instances of suppliers not complying with the Restricted routes.