

Comments on the other parties' D6 submissions

This document sets out the comments on other parties' Deadline 6 (D6) submissions by Cambridgeshire County Council (**CCC**), Huntingdonshire District Council (**HDC**) and South Cambridgeshire District Council (**SCDC**) (together, the **Councils**). The tables below set out the document in question that the Councils are commenting on, together with the relevant paragraph or reference number.

Except where expressly stated otherwise below, the Councils reiterate and rely on their comments submitted to the ExA at previous deadlines.

Central Bedfordshire Council

Document Name & Reference	Topic	Paragraph Number	Councils' Comment
Post-Hearing Submission Including Oral Submissions at Issue Specific Hearings 4 – 6 on 30 November – 2 December 2021 [REP6-091]	Non-motorised users (NMU) – Adequacy of provision	5a (i) 47 – 51, 53, 55-56, 58, 61	CCC supports Central Bedfordshire's comments regarding the adequacy of intended NMU provision where new local highway infrastructure would be provided, or existing highway be de-trunked. CCC has made similar comments on the Applicant's proposals for NMUs.
Post-Hearing Submission Including Oral Submissions at Issue Specific Hearings 4 – 6 on 30 November – 2 December 2021 [REP6-091]	Non-motorised users (NMU) – potential for Designated Funds schemes	5b 62-67	CCC supports Central Bedfordshire's comments regarding the fact that designated funding decisions are made separately to the A428 process, and there are no guarantees as to when and what funding may be provided. As a result of the uncertainty, both Authorities see Designated Funding as having very little weight in terms of providing necessary mitigation. CCC has made similar representations regarding the uncertainty and risk to Local Highway Authorities when designated funds are being stated as a means of mitigation.

East West Railway Company

Document Name & Reference	Topic	Paragraph Number	Councils' Comment
<p>EWR Company: Written submission of oral case at ISH5 [REP6-094]</p>	<p>Side agreement</p>	<p>General</p>	<p>Paragraph 1.3 states “i. EWR Co confirmed that the approach taken to the drafting of the protective provisions was to provide the ability for the Scheme’s design to flex to accommodate the EWR Project, subject to the caveat that any such changes do not result in any materially new or materially different environmental effects from those reported in the environmental statement. ii. EWR Co confirmed that the majority of the potential interfaces would be with side roads rather than the NSIP itself. Therefore, it would be possible to address these changes under 1990 Act applications, to the extent that the Scheme’s design could not be flexed within the confines of the DCO.”</p> <p>CCC wishes to reiterate that any flex of the Scheme design or layout pursuant to the side agreement would require significant control by CCC. Such a process could result in the realignment of local highway assets that has not been given effect by a legal order and therefore require CCC to implement the necessary legal instruments to rectify the legal status of the highway and to update the Definitive Map and Statement in relation to public rights of way. This could result in a costly and time-consuming process for CCC. It should also be noted that the implementation of the required legal instruments would require a public process, the outcome of which could not be guaranteed.</p>