

A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 9

9.101 Applicant's responses to actions arising from Issue Specific Hearing 4 on 30 November 2021, Issue Specific Hearing 5 on 1 December 2021 and Issue Specific Hearing 6 on 2 December 2021 where a response is required at Deadline 8

Planning Act 2008

Rule 8(1)(k)

Infrastructure Planning (Examination Procedure) Rules
2010

January 2022

A428 Black Cat to Caxton Gibbet improvements
Applicant's responses to actions arising from Issue Specific Hearing 4 on 30 November 2021,
Issue Specific Hearing 5 on 1 December 2021 and Issue Specific Hearing 6 on 2 December 2021
Where a response is required at Deadline 8

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Examination Procedure) Rules 2010

A428 Black Cat to Caxton Gibbet improvements Development Consent Order 202[]

9.101 Applicant's responses to actions arising from Issue Specific Hearing 4 on 30 November 2021, Issue Specific Hearing 5 on 1 December 2021 and Issue Specific Hearing 6 on 2 December 2021 where a response is required at Deadline 8

Regulation Reference:	Rule 8(1)(k)
Planning Inspectorate Scheme Reference	TR010044
Application Document Reference	TR010044/EXAM/9.101
Author	A428 Black Cat to Caxton Gibbet improvements Project Team, National Highways

Version	Date	Status of Version
Rev 1	14 January 2021	Deadline 8

A428 Black Cat to Caxton Gibbet improvements

Applicant's responses to actions arising from Issue Specific Hearing 4 on 30 November 2021.

Issue Specific Hearing 5 on 1 December 2021 and Issue Specific Hearing 6 on 2 December 2021

Where a response is required at Deadline 8

Table of contents

Chapter	Pages
1 Applicant's Responses to actions arising from Issue Specific Hearing 4 on 30 November 2021	1
2 Applicant's Responses to actions arising from Issue Specific Hearing 5 on 1 December 2021	2
3 Applicant's Responses to actions arising from Issue Specific Hearing 6 on 2 December 2021	4

Table of Tables

Table 1-1 Applicant's responses to actions arising from Issue Specific Hearing 4	1
Table 2-1 Applicant's responses to actions arising from Issue Specific Hearing 5	2
Table 3-1 Applicant's responses to actions arising from Issue Specific Hearing 6	4

1 Applicant's Responses to actions arising from Issue Specific Hearing 4 on 30 November 2021

1.1.1 Following Issue Specific Hearing 4 (ISH4) which was held on Tuesday 30 November 2021 the Examining Authority (ExA) published a list of actions arising from ISH4 on 3 December 2021 which required a response or update at Deadline 8.

1.1.2 Of the actions identified a number were identified for the Applicant whilst others were directed to other interested parties.

Table 1-1 Applicant's responses to actions arising from Issue Specific Hearing 4

Action No.	Action	Party	Response at Deadline 8
7.	Local Authorities to be involved in discussions on design of bat crossings and routes to those crossing point.	Applicant Natural England	A meeting was held between the Applicant, Natural England and the Local Authorities on 7 January 2022 covering a review of the basis for proposed bat underpasses; the assessment and decision making process; and review of progress towards common ground and identification of outstanding matters.
11.	Technical note regarding groundwater and surface water modelling and sensitivity testing. IPs to provide comment at following deadline or include Statement of Common Ground.	Applicant and Interested Parties	The Applicant submitted the following at Deadline 6: (1) Flood Risk Assessment Technical Note [REP6-042] . (2) Groundwater Risk Assessment Technical Note [REP6-043] . The Applicant has received an email confirmation from the Environment Agency that they are satisfied with the Groundwater Risk Assessment Technical Note [REP6-043] . The Applicant has no further update for Deadline 8.

A428 Black Cat to Caxton Gibbet improvements
 Applicant's responses to actions arising from Issue Specific Hearing 4 on 30 November 2021.
 Issue Specific Hearing 5 on 1 December 2021 and Issue Specific Hearing 6 on 2 December 2021
 Where a response is required at Deadline 8

2 Applicant's Responses to actions arising from Issue Specific Hearing 5 on 1 December 2021

- 2.1.1 Following Issue Specific Hearing 5 (ISH5) which was held on Wednesday 1 December 2021 the Examining Authority (ExA) published a list of actions arising on 3 December 2021 which required a response or update at Deadline 8.
- 2.1.2 Of the actions identified a number were identified for the Applicant whilst others were directed to other interested parties.

Table 2-1 Applicant's responses to actions arising from Issue Specific Hearing 5

Action No.	Action	Party	Response at Deadline 8
1.	Update to be provided on discussions regarding potential road space reallocation related design changes referred to by Cambridgeshire County Council (CCC) and Bedford Borough Council (BBC) in Agenda Item 3.	Applicant CCC BBC	The Applicant has addressed action point 1 in the Applicant's Responses to issues raised at Issue Specific Hearing 5 on 1 December 2021 [TR010044/EXAM/9.105] , submitted at Deadline 8.
2.	Further modelling at M11 Junction 13 and Eltisley Junction to be undertaken and flow checks to be provided for Potton Road and Toseland Road for CCC. Update/outcome to be submitted to Examination.	Applicant CCC	The Applicant has addressed action point 2 as follows: <u>M11 Junction 13</u> Please refer to: (1) Results of additional VISSIM modelling at M11 Junction 13 [TR010044/EXAM/9.102] , submitted at Deadline 8. <u>Modelling of Eltisley Junction</u> Please refer to: Applicant's Responses to issues raised at Issue Specific Hearing 5 on 1 December 2021 [TR010044/EXAM/9.105] , submitted at Deadline 8. <u>Flow Checks at Potton Road and Toseland Road</u> Please refer to: Applicant's Responses to issues raised at Issue Specific Hearing 5 on 1 December 2021

A428 Black Cat to Caxton Gibbet improvements

Applicant's responses to actions arising from Issue Specific Hearing 4 on 30 November 2021.

Issue Specific Hearing 5 on 1 December 2021 and Issue Specific Hearing 6 on 2 December 2021

Where a response is required at Deadline 8

Action No.	Action	Party	Response at Deadline 8
			[TR010044/EXAM/9.105], submitted at Deadline 8.

A428 Black Cat to Caxton Gibbet improvements
 Applicant's responses to actions arising from Issue Specific Hearing 4 on 30 November 2021.
 Issue Specific Hearing 5 on 1 December 2021 and Issue Specific Hearing 6 on 2 December 2021
 Where a response is required at Deadline 8

3 Applicant's Responses to actions arising from Issue Specific Hearing 6 on 2 December 2021

3.1.1 Following Issue Specific Hearing 6 (ISH6) which was held on Thursday 2 December 2021 the Examining Authority (ExA) published a list of actions arising from ISH6 on 3 December 2021 which required a response or update at Deadline 8.

Table 3-1 Applicant's responses to actions arising from Issue Specific Hearing 6

Action No.	Action	Party	Response at Deadline 8
8.	Update to be provided on the progress made with de-trunking agreements at each deadline going forward until agreed.	Applicant	<p>The Applicant has agreed timetables for progress of legal agreements with each of the councils, as set out in the Applicant's response to actions arising from ISH6 [REP6-033] at action 6. The Applicant continues to engage with the councils as a matter of priority (as evidenced in this update). Nevertheless, the Applicant reiterates its previous response to actions arising from ISH6 at action 7 [REP6-033] in respect of the role of the side agreements given the changes made by the Applicant to the dDCO submitted at Deadline 6 [REP6-003].</p> <p>Bedford Borough Council (BBC)</p> <p>The Applicant awaits BBC's comments on the draft legal agreement in so far as they relate to the new highway assets. These comments were due by 17 December 2021 under the agreed timetable but are yet to be received. Additional comments on the elements of the legal agreement relating to de-trunked assets are expected by 14 January 2022.</p> <p>Central Bedfordshire Council (CBC)</p> <p>The timetable proposed by the Applicant at Deadline 6 (see above document reference) has not been formally agreed with CBC but progress has nevertheless been made. The parties met on 20 December 2021 to discuss CBC's general comments on the draft legal agreement and amendments they would wish to see ahead of their full written response. Following this meeting the</p>

A428 Black Cat to Caxton Gibbet improvements

Applicant's responses to actions arising from Issue Specific Hearing 4 on 30 November 2021.

Issue Specific Hearing 5 on 1 December 2021 and Issue Specific Hearing 6 on 2 December 2021

Where a response is required at Deadline 8

Action No.	Action	Party	Response at Deadline 8
			<p>Applicant has revised the legal agreement and re-issued it to CBC on 13 January 2021 for approval.</p> <p>Cambridgeshire County Council (CCC)</p> <p>Under the agreed timetable (see above document reference) for progressing the draft legal agreement CCC were to provide further comments on the legal agreement by 14 December 2021. These comments were issued to the Applicant on 15 December 2021, since then the Applicant and CCC have met on two further occasions (23 December 2021 and 6 January 2022) to discuss matters including the dDCO drafting and the legal agreement.</p> <p>The Applicant provided comments and a further amended draft legal agreement to CCC on 7 January 2022 in accordance with the agreed timetable.</p>