

Application by National Highways for an Order Granting Development Consent for the A428 Black Cat to Caxton Gibbet Road Improvement scheme

Responses to Examining Authority's (ExA) WQ3 questions & other deadline actions

Prepared by
Central Bedfordshire Council

Deadline 8 (14.1.22)

Responses to relevant ExA WQ3 questions

Question number	Question	Answer
Q3.1.2.1	Environment Act 2021 The ExA is aware that the Environment Act 2021 received royal assent on 9 November 2021. All Parties and the Applicant are invited to explain, with reasons, whether the assent of the Act has any implications on the Proposed Development,	<p>CBC note the main concerns were regarding Section 99 and Schedule 15 relating to biodiversity.</p> <p>In relation to water, flood risk in particular, after looking into the Environment Act for the team late last year it has very little direct influence on CBC approach to operating. Therefore, from CBC perspective we don't believe it will have had any implications to the proposed development in terms of flood risk. Important to note that sustainable drainage features can be</p>

	<p>including with regard to Air Quality, Biodiversity, Water, Waste and Monitoring. More specifically, Section 99 and Schedule 15 of the Act and the subsequent amendments to the Planning Act 2008 will require certain NSIPs to increase biodiversity by 10% compared to predevelopment values. Do you believe there are any implications on the Proposed Development, if so explain with reasons, including if relevant, how any additional measures could be delivered.</p>	<p>used to biodiversity increase but in this development it doesn't appear to be the case. Any water quality and main river issues should be being handled by the EA.</p> <p>Notwithstanding the Environment Act 2021 delivers key aspects of the Clean Air Strategy 2019 (which proposes tackling pollution from a wide range of sources, including transport).</p> <p>The Government will, through commitments made in the Environment Act 2021, adopt a binding standard for PM2.5 particulates. However, specific targets have yet to be set out and so it is difficult to project the full implications on the Black Cat development, but the Act will set targets for air pollution by October 2022 and will include:</p> <ul style="list-style-type: none"> • Reducing annual mean PM2.5 in ambient air • Reducing population exposure to PM2.5 <p>At this time, CBC are not sure of the potential impacts on other pollutants (i.e. NO2) and potential changes to their current target values/objectives, which may result.</p> <p>The government says the "principle of a population exposure reduction target is to prioritise action that is most beneficial for public health and drive continuous improvement". Additionally, Defra have stated that the Environment Act 21 "strengthens the LAQM framework to enable greater cooperation at a local level and broaden the range of organisations that play a role in improving local air quality. Responsibility for tackling local air pollution will now be shared with designated relevant public authorities, all tiers of local government and neighbouring authorities". This puts the onus</p>
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Q3.3.2.1 e)	<p>Metric for calculating BNG NE and LAs, with particular reference to Rules 3 and 5 of the DEFRA User Guide [REP6-068] and the Cambridgeshire Council's position</p>	<p>CBC have no comment on this question</p>

	<p>[REP6-062 Sections 3, 4, and 6] comment on the Applicant's position at ISH4 [EV-060] that a quantitative increase of low quality habitat outweighs or is equivalent to the high value habitats being replaced. Applicant may explain.</p>	
<p>Q3.3.4.2</p>	<p>Eversden and Wimpole Woods SAC a) Applicant and NE, following your meeting on 23 November 2021, provide an update regarding [REP4-044, Paragraph 4.2.7]:</p> <ul style="list-style-type: none"> • justification of the survey approaches undertaken at Transect locations 3, 5, 7 & 8, and at Pillar Plantation; and • justification as to why Natural England's recommendation to survey 40 crossing points [REP1-032] was scoped out of the assessment. b) Applicant and NE highlight any areas of disagreement, if any, regarding the scope of the 2018 surveys and the current survey. If there are disagreements, can they be resolved without the applicant undertaking more survey work? 	<p>CBC have no comment on this question</p>

	<p>c) Applicant and NE, with reference to the approach to the 2018 survey are you satisfied that the baseline has been characterised reliably in terms of Barbastelle but also other bats. Explain with reasons. If there are concerns with the scope, approach of the survey, and as such the baseline, has the Applicant addressed these issues in the current survey round? Explain with reasons.</p> <p>d) Applicant, list with EL reference, or ensure copies have been submitted to the Examination, of all surveys/ reports that have led to the conclusion of no likely significant effects on the SAC, including the Cambridgeshire Bat Group and the South Cambridgeshire District Council survey referenced at WQ3 [EV-059]. Details of the times and dates of the surveys should be included. NE/ LAs what is your view of these surveys / reports?</p> <p>e) Applicant and NE, as stated by the Applicant at ISH4 [EV-059] the full suite of 2021 surveys of the Barbastelle bats of</p>	
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	<p>the SAC, including the hibernation suitability at Pillar Plantation, will not be completed until after Deadline 6 has passed, with the consequent reports to be submitted later. In this context, Applicant and NE provide by Deadline 8 your reasoned positions as to whether an Appropriate Assessment is required for the HRA.</p>	
<p>Q3.3.5.1</p>	<p>Adequacy of mitigation measures a-Applicant, for the identified bat crossings of the Proposed Development identify all existing and proposed landscaping features that will help guide bats to these crossing points. What assurance can the ExA have that the proposed landscaping will function as intended? b-What landscaping or other measures will help guide other animal species, including mammals, birds, amphibians to these crossing points? c-Applicant, provide examples of the evidence referred to at ISH4 [EV-060] showing that bats will use multi-</p>	<p>CBC have no comment on this question</p>

	<p>purpose underpasses, including ones used by humans.</p> <p>d-What evidence is there that other animal species will use such multipurpose underpasses?</p>	
Q3.3.6.1	<p>Mitigation measures</p> <p>a-Applicant and EA have you reached agreement that the various biodiversity measures identified by EA [RR-036] would be addressed by the Proposed Development within iterations of the Environmental Management Plan (EMP). How is this secured?</p> <p>b)Applicant, respond to the Cambridgeshire Council's concerns regarding Pond 83 [REP4-054]?</p>	CBC have no comment on this question
Q3.4.1.1	<p>Assessment of effects for the Proposed Development alone and cumulatively at a local and regional level</p> <p>a-Applicant, your response to [REP4-037, WQ2.4.1.1] and your position at ISH4 [EV-062] is unclear to the ExA. Indicate what level of emissions would be considered significant in this context, for the Proposed</p>	CBC have no information we could add. We feel that these questions are aimed at the applicant to answer.

	<p>Development alone and for cumulative and in-combination effects. In particular, with reference to Paragraph 5.18 of the NPS NN, what increase in carbon emissions would be considered “so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets”?</p> <p>b-Paragraph 5.17 of the NPS NN requires applicants to “provide evidence of the carbon impact of the project”. This is addressed at various locations within the examination library, including [APP-254 paragraph 4.4.7]. Applicant, the GHG emissions of the Proposed Development of - £127.0 million in discounted 2010 prices is a greater negative sum than the combined accident and journey time reliability benefits [APP-240 Table 4-4]. Explain how environmental effects of such a scale are not considered to be significant.</p> <p>c-Applicant, TAN, would the changes to the Green Book and increased carbon values</p>	
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	<p>adopted by BEIS and DfT in September and October 2021 [REP6-134] [REP6-135] affect the assessment of cumulative effects? d-BBC and the Cambridgeshire Councils, evidence to show carbon budgets for Bedford [REP6-134 Annex 1], Huntingdonshire and South Cambridgeshire [REP6-063] produced by the Tyndall Centre has been provided. However, for all cases the Carbon Budgets are described as “Energy Only”. Confirm whether this would include transport emissions such as would be produced by the Proposed Development during construction and operation. Applicant and TAN may comment. e-TAN, BBC and the Cambridgeshire Councils, what would be the effect on these local and regional carbon budgets [REP6-134 Annex 1] [REP6-063] of the Proposed Development over the 60-year project lifetime, with particular regard to the apportionment of carbon emissions for road transport used by BEIS</p>	
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	<p>[REP6-121]? Applicant may comment. f-Applicant and LAs, in what way would the Proposed Development affect the ability of LAs to meet any locally or regionally adopted carbon reduction targets? g-Does the cancellation of the Oxford Cambridge Expressway project in March 2021 in any way change the need for the Proposed Development and, or, effect the economic justification and the BCR for the scheme?</p>	
<p>Q3.4.1.2</p>	<p>Legislation, policy and international obligations a-Applicant, do any UK Government obligations made at the United Nations Climate Change Conference (COP26) affect the assessment of carbon emissions of the Proposed Development? Given a climate emergency has been declared what additional measures would the Applicant propose are adopted to reduce the anticipated carbon emissions of the Proposed Development. b-The UK is committed to</p>	<p>CBC have no information we could add. We feel that these questions are aimed at the applicant to answer.</p>

	<p>achieving net-zero carbon emissions by 2050 and has established carbon budgets to both inform and measure progress. Applicant, what assurance can the ExA have that carbon emissions up to and beyond 2050 will be satisfactorily mitigated, in light of forecasts in the Decarbonising Transport Strategy [REP6-131] and by the Climate Change Committee [REP6-118] [REP6-119]?</p>	
Q3.4.2.1	<p>Climate change resilience Applicant, with reference to the Green Book advice referenced by TAN at Deadline 6 [REP6-113], what assessment has been made of the resilience of the Proposed Development to a global temperature increase of 4 degrees Celsius?</p>	<p>CBC have no information we could add. We feel that these questions are aimed at the applicant to answer.</p>
Q3.6.2.1	<p>Borrow pits Comment on Annex R Borrow Pits Management Plan in the First Iteration EMP [REP6-008].</p>	<p>CBC have had a look at Annex R and could not see any amendments that would cause us to change our position on borrow pits.</p>
Q3.6.3.1	<p>First Iteration EMP a-Applicant, set out a schedule of the fundamental changes proposed in the First Iteration EMP [ref]. Is there any relevance to the colour coding in</p>	<p>The arrival and departures of delivery vehicles should be included within activities controlled by time, as there is scope for deliveries to cause both noise and disturbance.</p> <p>In addition, it is noted that (by cross—reference) restrictions will</p>

	<p>the track change versions [REP6-007]? b-All relevant Parties comment, if you have concerns, to the changes proposed in the First Iteration EMP [REP6-008]. c-The ES provides detail of construction related activities that would fall outside the defined construction working hours [APP-071 Annex K, paragraph 1.4]. Applicant, no reference to 'departure' is made in the updated First Iteration EMP [REP6-008, 1.4.3 a. or b.] Therefore, would the departure of delivery vehicles from site and the departure of vehicles from the works compounds fall within the scope of the set construction hours? d-All Parties, provide comment as to whether those activities referred to in First Iteration EMP [REP6-008, 1.4.3 a or b] are reasonable to be excluded from the set construction hours set out in the ES. How would they be controlled?</p>	<p>not apply to the exceptions detailed in para 2.6.246 of Document APP-071. This excludes earthworks, piling and concrete pours, and also includes the wording – “These activities include, but are not limited to...” As such there appears to be a relatively open-ended exclusion from working hours for engineering activities. CBC would seek any such activities to be agreed by exception rather than by default.</p> <p>In more detail B) No changes noted in respect of Air Quality or Noise & Vibration sections, and no concerns identified as a result. D) For a) CBC would not normally expect or permit these to be excluded from controlled construction hours for construction sites. The only exception to this has been for construction sites during the pandemic where some relaxation of working hours was demonstrated as necessary to ensure covid safety, and then only if the contractor could demonstrate that there would be minimal noise impacts which could be controlled and/or mitigated. CBC would not consider it reasonable to exclude the arrival of delivery vehicles per se unless it can be clearly demonstrated there will be no noise impacts on noise sensitive receptors as a result. For b) CBC would not normally include the arrival of workers personal vehicles in a works compound in the definition of construction activities, and as such we think it reasonable for these to be excluded.</p>
Q3.7.2.1	<p>Pre-commence and pre-commencement All relevant parties comment on the</p>	<p>The additional text in paras. 3.1.48 to 3.1.54 is noted and welcomed, however CBC remain of the view that some of the works defined as 'pre-</p>

	<p>Pre-commencement plan [REP6-028] and definition of pre-commencement in Article 2 of the dDCO [REP6-003].</p>	<p>commencement' could have relatively significant traffic management implications, particularly site compound set up, the diversion and laying of underground apparatus and utilities and the protection of services. As such we would be seeking for the need for traffic management on the Local Road Network to be agreed in consultation with the relevant LHA as part of the process for significant pre-commencement works. At present it appears that the applicant will only approach the LHA where it is determined (presumably by the applicant) that traffic management is required.</p> <p>It is noted that the working hours proposed extend beyond those generally permitted within CBC, and with an additional hour before and after for 'set-up' and 'shut down'. Construction traffic activities within CBC (whether related to pre-commencement or other works) should be limited to the same hours of operation as prescribed within the CBC construction code of practice.</p> <p>CBC have previously advised that we do not agree with the proposed hours for construction works within Central Bedfordshire. The works detailed in this document are within the Cambridgeshire authorities' jurisdiction. However, we note that the proposed works to Breedon's Quarry are some 500m from the nearest noise sensitive receptors (at the closest point) in Central Bedfordshire. The proposed hours of work include a 1 hr period for setting up and closing down of works which could extend the impacts of noise beyond the construction hours specified in the document further. This is not something that CBC would</p>
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		accept for other construction sites within Central Bedfordshire, and would be concerned for further noise impacts on noise sensitive receptors as a result.
Q3.8.3.1	<p>Excavating the archaeological remains Provide any relevant updates and confirm a projection for progress before the close of Examination.</p>	<p><u>CB/20/04391/FULL – Land West of 1 The Barns, Field 34, Little Barford Rd, Little Barford, PE19 6YF</u></p> <p>Planning permission for advanced archaeological works in relation to the diversion of the high-pressure National Grid pipeline in Field 34 (Site 4 – part of)</p> <ul style="list-style-type: none"> • The archaeological fieldwork commenced the week beginning 22nd March 2021 and was completed on 21st April 2021. Regular monitoring meetings were held during the course of the excavations • The excavation summary report was released the LPA on 10th May 2021 • The post excavation programme was released to the LPA on 16th August 2021 and the projected issue date for the post excavation assessment (as required by condition 6, part b.2) was due to be submitted on 18th October 2021. This deadline was missed due to delays in the assessment of the ICP and soil micromorphology results (undertaken by an external contractor), a revised deadline of 22nd October 2021 was agreed • The post excavation assessment report was received by the Central Bedfordshire Council Archaeologist on 27th

		<p>October 2021 (having been submitted to National Highways on 22nd October 2021)</p> <ul style="list-style-type: none"> • A meeting was held with the National Highways Archaeological Lead (Steve Sherlock), Hannah Firth (CBC Archaeologist) on 12th November 2021 to discuss the contents of the assessment report • Comments on the post excavation assessment report made by the Central Bedfordshire Council Archaeologist were sent to National Highways for circulation to MOLA on 16th November 2021 • A meeting was held with the National Highways Archaeological Lead (Steve Sherlock), Hannah Firth (CBC Archaeologist) Gary Brogan and Louise Fowler from MOLA on 19th November to discuss questions relating to the document • To date (29th December 2021) there has been no re-issued document <p><u>CB/20/04185/FULL – Land to the west of Hills Farm, Station Road, Tempsford SG19 2BP</u></p> <p>Planning permission for advanced archaeological works in relation to the diversion of the high-pressure gas main in Field 44 (Site 7)</p> <ul style="list-style-type: none"> • The archaeological fieldwork commenced the week beginning 19th July 2021 (compound works and road upgrading started around 5th July)
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Q3.9.2.2	<p>Drainage and Flood Risk Management</p> <p>a-EA you have stated [REP4-068] that you have not yet seen the FRA Technical Note, but this seems to contradict your signed SOCG that states the FRA Technical Note was issued on 15 July 2021. Provide an update.</p> <p>b-Applicant, has the latest version of the FRA Technical Note also been made available to other parties, in particular the LLFAs and BRIIDB?</p> <p>c-Applicant, what further updates to the FRA Technical Note are proposed? When will the final version be submitted to the ExA? Will the FRA</p>	<p>-Part a) question directed to the EA.</p> <p>-Part b) CBC have not received or viewed an updated FRA Technical Note. Having looked on the National Infrastructure Planning page for the project I cannot locate it.</p> <p>-Part c) CBC cannot comment on what further updates have been proposed due to the answer to part b).</p>

	or relevant ES chapters [APP-077] [APP-082] require updating in light of the FRA Technical Note?	
Q3.11.2.1	<p>Operational phase monitoring and evaluation</p> <p>Further to discussion at ISH5 [EV-069], the Applicant has provided a technical note regarding the 'monitor and manage' approach [REP6-041]. The Technical Note explains that the locations referred to in the Transport Assessment Annexe [APP-243], identified as requiring a 'monitor and manage' approach on the Strategic Road Network, would be dealt with under the 'business as usual' activities of the Applicant, under its 2015 Operating Licence. As such, the Applicant does not consider that the 'monitor and manage' approach needs to be secured separately through the DCO. The Applicant has previously explained that post scheme monitoring of the local road network could occur at certain junctions across the extent of the scheme [REP5-</p>	<p>CBC submits the following as a joint approach agreed with the other local highway authorities (LHA) and some additions that are CBC specific.</p> <p>c) It is the view of CBC that the approach to Monitor and Manage has not been clearly laid out throughout the DCO process, a concern that has been reflected in the representations made at each deadline. However, it may have been reasonable to interpret the way in which 'Monitor and Manage' was referenced within the Transport Assessment Annex APP-243, as a process being proposed by the applicant to provide mitigation, if found to be necessary, at a number of locations across the highway network. For example, in the case of the Sandy A1/A603 junction, para. 3.18.29 of the Transport Assessment Annex states:</p> <p>"Highways England propose to adopt a 'monitor and manage' approach at the A1/A603 roundabout at Sandy, in which the performance of the network will be monitored and consideration given to the need for intervention if required."</p> <p>The most recently submitted technical note by National Highways (REP6-041) does provide clarity on the 'Monitor and Manage' process, but only in so far as confirming that it is not intended to be applied as a specific means of mitigation with regards to the A428 DCO and is limited to the 'business as usual' activities of National Highways. It is also made clear in paras. 1.1.6</p>

	<p>014], in response to representations of the joint Cambridgeshire authorities [REP4-58]. However, this appears to be entirely different from the 'monitor and manage' process as the Applicant does not consider it their duty to monitor and manage beyond the SRN. Instead, the Technical Note explains that a Post Opening Project Evaluation (POPE) will occur and sections of the local road network will likely be included, albeit the scope is as yet undefined. Additionally, the Technical Note [REP6-041, Paragraph 1.5.5] also states that there is no requirement to intervene upon the evaluation of the Proposed Development, although any findings may inform future solutions.</p> <p>a-Applicant, confirm whether the operational monitoring described in the Technical Note is intended to form any form of mitigation relied upon in the ES to reduce effects of the Proposed Development.</p> <p>b-Applicant, explain with reasons if</p>	<p>and 1.1.7 of REP6-041 that the Local Highway Authorities are expected to take on the responsibility for addressing unforeseen impacts arising from the scheme, in terms of applying for central government funding, rather than a funding pot specific to addressing scheme impacts. It is not considered that impacts as identified within the DCO application (and supporting modelling work) as meriting Monitor and Manage could reasonably be considered as 'unforeseen', nor is it considered appropriate for the responsibility for addressing these impacts to be passed to the Local Highway Authorities, in particular where there is no certainty over the funding sources referenced within REP6-041.</p> <p>As outlined in paras 17 to 28 of the CBC deadline 6 submission REP6-091 the residual effects on elements of the CBC network have the potential to be severe if discounting any scope for intervention via a robust 'Monitor and Manage' process. As outlined in the CBC response, there is scope for significant variation in predicted impacts, depending upon which model results are relied upon, with a worst case resulting in significantly increased flows on local roads through Sandy, increased delay on local road approaches to Strategic junctions, and related impacts upon pedestrian and driver delay, pedestrian amenity, and severance, and therefore also upon accessibility. This is considered particularly important as 'Monitor and Manage' is the only approach to mitigation proposed within the CBC network, on key routes within the Authority area. In the absence of a robust Monitor and Manage process this would result in the development impacts at these</p>
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	<p>there has been a divergence in your approach to operational monitoring of the effects of the Proposed Development on the local road network during the Examination.</p> <p>c-LHAs comment on the content of the Technical Note [REP6-041], including whether the approach explained in the document differs from that previously presented by the Applicant. If not, what are the implications, if any, of the residual effects after mitigation that is secured in the dDCO, excluding 'monitor and manage'.</p> <p>d-Applicant, is the POPE intended to be secured in the DCO, if so how? Would LHAs see any value in the POPE being secured in the DCO given it appears to be a generic approach to post scheme evaluation of the Applicant?</p> <p>e-If the POPE, or other traffic monitoring on the local road network, is not secured in the DCO, how can LHAs have any certainty that the monitoring previously suggested by the</p>	<p>locations being entirely unmitigated.</p> <p>h) The monitoring and management of traffic at certain locations on the local network, requested by the LHAs arises from the predicted impacts of the Scheme. As the need to monitor and manage local traffic at these locations is a direct consequence of the Scheme, the LHAs consider that this monitoring and mitigation ought to be funded by the Applicant, as would be expected for other predicted Scheme impacts such as noise impacts. This is common practice for major developments and the LHAs do not consider there to be a conflict between this approach and the LHAs' broader network management duty. Indeed, the LHAs consider that securing the monitoring and management of predicted areas of congestion at an early stage to be a proactive method of discharging that network management duty.</p> <p>The evidence submitted by the Applicant indicates that some areas will see a reduction in traffic levels, whilst other areas will see an increase in traffic as a direct result of the introduction of the scheme namely those located on the A1 south of the scheme. The example of Sandy has previously been given, and the rationale for its inclusion within Monitor and Manage fully detailed within the CBC submission at Deadline 6 (REP6-091).</p> <p>Therefore, the Councils have requested monitoring of the impacts of the scheme at appropriate locations. The areas where operational phase monitoring has been requested within CBC are detailed within Appendix 1 of the representation (REP6-091).</p>
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	<p>Applicant [REP5-014] would be undertaken by the Applicant?</p> <p>NPS NN (Paragraph 5.211), explains that the ExA and SoS should give due consideration to impacts on local transport networks, and that where development would worsen accessibility such impacts should be mitigated as far as possible (Paragraph 5.2156).</p> <p>f-Notwithstanding no definition of 'accessibility' in this regard is provided in the NPS NN how can the Applicant be confident that no adverse impact affecting accessibility to, or within, the local transport networks would occur and not require mitigation without operational phase monitoring of traffic on such networks?</p> <p>The affected LHAs have provided a document [REP6-074] outlining how they consider a joint approach with the Applicant to an operational 'monitor and manage scheme' should be taken forward through the use of a Requirement in the DCO.</p>	<p>i) CBC are in agreement with CCC and BBC that the A14 sets a reasonable, recent, and relevant precedent for the approach the LHA's are looking to see delivered in the case of the A428 project.</p> <p>The A14 Cambridge to Huntingdon Improvement Scheme DCO contains the following Requirement:</p> <p>"Traffic Monitoring and Mitigation 17.—</p> <p>(1) No part of the authorised development is to commence until written details of a traffic impact monitoring and mitigation scheme has been submitted to and approved in writing by the highway authority.</p> <p>(2) The traffic impact monitoring and mitigation scheme must include— (i) a before and after survey to assess the changes in traffic; (ii) the locations to be monitored and the methodology to be used to collect the required data; (iii) the periods over which traffic is to be monitored; (iv) the method of assessment of traffic data; (v) control sites to monitor background growth; (vi) the implementation of monitoring no less than 3 months before the implementation of traffic management on the existing A14; (vii) agreement of baseline traffic levels; (viii) the submission of survey data and interpretative report to the highway authority; and (ix) a mechanism for the future agreement of mitigation measures</p> <p>(3) The scheme approved under sub-paragraph (1) must be implemented by the undertaker."</p> <p>The approved monitoring and mitigation scheme required monitoring to take into account of the impact of specific development traffic and</p>
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	<p>g-Applicant, comment on the proposed Requirement associated with an operational monitor and manage scheme submitted by the LHAs [REP6-074].</p> <p>h-It would appear that LHAs consider the full costs associated with the requested monitor and manage scheme should be met in full by the Applicant. How is this justified given your own statutory duties to manage the expeditious movement of traffic on the local network?</p> <p>i-Are LHAs aware of similar Requirements being included in other made DCO road schemes such as the recently constructed A14 Cambridge to Huntingdon Improvement Scheme? How is it justified in relation to the Proposed Development? Applicant to also respond.</p> <p>j-LHAs, what would be the trigger point(s) of such a Requirement? (See related questions to <i>Monitoring of traffic re-routing during construction</i>)</p>	<p>background growth from the base year counts undertaken before any works or advanced signage was erected with the surveys being undertaken in April 2016. The monitoring of the A14 scheme impacts is ongoing.</p> <p>The present DCO application is not viewed differently in this respect by the LHAs, but greater detail in the DCO as per the wording put forward by the LHAs would be beneficial to all parties and is necessary to clarify the extent of responsibilities.</p> <p>j) The LHAs have proposed a draft Requirement to address the impacts of this Scheme on the local road network at document REP6-074 and REP6-091. The Requirement would require a monitor and manage scheme to be submitted to and approved by the Secretary of State, in consultation with the relevant local highway authorities, prior to the commencement of the authorised development.</p> <p>Under the A14 monitoring and mitigation scheme, if the monitoring highlighted an adverse impact as a direct result of the A14 scheme then the Applicant was to fund mitigation that should be agreed with CCC and the local Parish Council. The triggers for the mitigation measures were influenced by the predicted traffic impacts shown by the model and were discussed and agreed by National Highways, CCC and the local Parish Council on a site-by-site basis as some sites may be more directly impacted by scheme traffic than other sites.</p> <p>It is considered that a similar approach would be appropriate in the case of the A428 project for locations within the CBC network.</p>
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		<p>At Issue Specific Hearing 5, NH's barrister was suggesting NH has gone much further on the A428 DCO than others, but it would appear that this is incorrect in terms of DCO requirements and the operational Monitor and Manage for the local highway network as demonstrated by the A14 DCO.</p>
<p>Q3.11.6.1</p>	<p>Providing opportunities for NMUs At ISH5 [EV-070] and throughout the Examination to date, it is clear various parties including Local Highway Authorities, CamCycle, the British Horse Society and individual representations consider the Applicant should go further in terms of NMU provision across the extent of the Order Limits of the Proposed Development. The scheme objectives [APP-071], also referred to in the Statement of Reasons [APP-030], include ensuring the safety of cyclists, walkers and horse riders and those who use public transport by improving the routes and connections between communities improving accessibility. The ExA note this local</p>	<p>With regards to the Barford Road Bridge, to confirm that CBC are seeking a bridge deck which will allow for the future (retrofit) implementation of a footway / cycleway and has put forward suggesting wording for a DCO requirement at Deadline 6, which continues to be requested by CBC.</p> <p>The introduction of the bridge, on what is currently an at-grade route, would significantly add to the engineering challenges and costs of delivering a future footway / cycleway scheme on Barford Road, as there would be a significant cost differential between providing an at-grade length of footway / cycleway alongside the existing carriageway (as would be required in the current scenario), with that of adding a 'bolt-on' or separate pedestrian / cycle bridge, which would be required following the delivery of the scheme.</p>

	<p>concern, particularly where there may be scope to maximise future and potentially lock-in benefits of the Proposed Development, specifically along the A428 to be de-trunked and Barford Road bridge.</p> <p>a-A428 corridor</p> <p>The Applicant has previously explained how it considers that the construction of a NMU link along the existing A428, once de-trunked, to be beyond the scope of the Proposed Development [Q2.11.6.1, REP4-037], also that there is an absence of likely usage or feasibility information to justify such provision. Notwithstanding likely usage data is somewhat unclear, the development of such a route, by virtue of the communities served and underlying topography, may assist in meeting the objectives of the scheme, the NPS-NN, local policies and LTN 1/20, particularly in terms of modal shift, improving health and wellbeing. CCC have provided a pre-feasibility document [REP6-065] outlining the form such a</p>	
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	<p>scheme could take. The Applicant has explained there is nothing to prevent the LHA from pursuing such a scheme once de-trunked. Would the Applicant commit, through the dDCO or other means, to undertaking detailed design of such a route, in liaison with the LHA, so as to enable a scheme to be constructed in future by the LHA, potentially through designated funds or other funding streams? Would parties consider this to be sufficient given the current status of such a scheme?</p> <p>b-Barford Road bridge</p> <p>At ISH5 [EV-070] the Applicant explained that any future aspirations of CBC for the provision of NMU infrastructure at or near the proposed Barford Road bridge could be dealt with by either a bolt-on structure to that intended as part of the Proposed Development or the creation of a separate crossing facility. The ExA is unaware of such a design having been considered previously by the Applicant,</p>	
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	<p>particularly in terms of visual impact or the suitability of the proposed road bridge to accommodate such a bolt-on structure. As such, should the intended bridge not provide a crossing with sufficient deck space to retrofit NMU facilities within its footprint in future?</p>	
<p>Q3.11.7.1</p>	<p>Construction Workers Travel Plan The Applicant has provided an Outline Travel Plan [REP5-016] for workers associated with the construction of the proposed development. a-The Examining Authority invites comments on its content and scope from any Interested Party so as to inform any future iterations of the document. b-Does the Applicant intend to investigate further the feasibility of provision of temporary bus stops or the creation of welfare facilities that may encourage sustainable travel to site compounds? c-Is it the intention of the Applicant that the Travel Plan would relate to pre-commencement works? If not,</p>	<p>CBC would welcome the opportunity to work with the applicant on the delivery of the proposed Travel Plan where relevant. However, at present the content of the plan remains at too high a level for meaningful detailed comments to be made. It is assumed that the consultation on the Second Iteration EMP will also include any updated Travel Plan Appended.</p>

	explain with reasoning. If so, provide wording for cross-referencing between the two certified documents.	
Q3.11.7.2	<p>Adequacy of updated Outline CTMP</p> <p>All parties comment on and highlight any pending concerns with the updated Outline CTMP [REP4-011], giving due regards to the Applicant's summary table detailing how comments received to date from IPs and particularly LHAs have been addressed or considered [REP4-037, WQ2.11.7.2].</p>	<p>The inspection of diversion routes is welcomed, as is the confirmation that local road space booking processes will be adhered to.</p> <p>The concerns with regards to the use of Station Road, Tempsford remain, and the CBC position remains as per REP6-091 paras 76-78.</p> <p>It appears that the concerns with regards to the A603 diversion route may have been misinterpreted. Whilst the before and after condition surveys as outlined in amended para. 3.5.8 are welcomed, the concern is with regards to the safe operation of the junction of the A603 with Vinegar Hill, which is known to be an existing constraint, and which will require active traffic management (most likely in the form of signals) in order to function effectively as part of a diversion route.</p> <p>The addition of para. 3.5.10 is not considered sufficient to address the previous concerns raised by the LHAs, as this places the responsibility for monitoring potential self-diverting routes upon the LHAs rather than the applicant.</p> <p>In addition, without the monitoring (both baseline and during construction) requested by the LHAs within the submission at Deadline 6, demonstrating a relationship between network performance and diverting traffic would be very difficult.</p>

<p>Q3.11.7.4</p>	<p>Local impacts of construction traffic Notwithstanding the Applicant's response to ISH5 Action Point 11 [REP6-031], the ExA is concerned that there is a lack adequate evidence before it in relation to the likely construction traffic effects of the Proposed Development, particularly with regard to likely HGV movements in, or near, residential areas. At ISH5 [EV-071], the ExA requested that the construction traffic restriction maps contained in the Outline CTMP [REP4-011] be annotated to give an indication of potential HGV movements, ideally by construction phase, providing an indication of a range if there was uncertainty. However, this was rejected by the Applicant. The ExA note that the Applicant does not consider impacts associated with construction traffic would be significant following mitigation [REP6-41, Paragraph 1.9.6] based upon the findings of the strategic traffic model.</p>	<p>The model is understood to include use classes specific to construction HGV traffic, although the TA does not provide accessible disaggregated information on construction traffic routing. The strategic traffic model does however provide combined flow plot information, which identifies the combined impacts of construction including self-diverting traffic.</p> <p>This highlights the importance of a suitable monitoring regime, to capture effects which are either lesser, or greater, than predicted within the forecast modelling work.</p> <p>CBC continues to request the DCO requirements it put forward at Deadline 6.</p>
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	<p>a-How does the strategic traffic model provide a reliable picture of likely construction traffic movements in the absence of such data being available to the ExA?</p> <p>b-Applicant, provide the HGV data referred to for each site compound or signpost to where in the Examination this information has been presented.</p> <p>c-Applicant, for clarity what mitigation measures described in the Schedule of Mitigation [APP-235] relate to HGV construction traffic? How has the effectiveness of the mitigation been assessed in the absence of HGV numbers?</p>	
Q3.11.7.5	<p>Monitoring of traffic re-routing during construction</p> <p>The ExA are unconvinced that there is currently a robust mechanism or methodology agreed between the Applicant and LHAs to effectively monitor and manage the impact of traffic re-routing on to the local network during the construction phases of the Proposed Development.</p>	<p>CBC submits the following as a joint approach agreed with the other local highway authorities (LHA) some specific additions that are CBC specific.</p> <p>a) CBC agrees with the response put forward at Deadline 6 by the Cambridgeshire authorities. The lack of a monitor and manage of the construction traffic on the local highway network on the A14 DCO has apparently caused a real issue on for Cambridgeshire and, therefore, is the justification for the approach put forward by the LHAs at Deadline 6. It is necessary to avoid the same situation and impacts repeating.</p>

	<p>a-Do the Applicant and LHAs agree that such an approach is necessary, for the purposes of effective traffic management during construction phases, beyond any existing arrangements for collaboration? Explain with reasoning.</p> <p>b-The Applicant is asked to respond to the proposed Requirement of the LHAs [REP6-074] relating to a construction phase monitor and manage scheme.</p> <p>c-It would appear that LHAs consider the full costs associated with the requested monitor and manage scheme should be met in full by the Applicant. How is this justified given your own statutory duties to manage the expeditious movement of traffic on the local network?</p> <p>d-Are LHAs aware of similar Requirements being included in other made DCO road schemes such as the recently constructed A14 Cambridge to Huntingdon Improvement Scheme? How is it justified in relation to the Proposed Development?</p>	<p>On CBC's review of the A14 DCO, it would appear light on its handling of construction traffic. CBC would submit this would appear to be a significant oversight and the Cambridgeshire County Council has confirmed (see below) it caused major issues in practice. In CBC's view, what is put forward by NH presently is not enough to address the issues and the DCO requirements put forward by the LHAs at Deadline 6 are justified to deal with the issue.</p> <p>The Local Authorities are of the opinion that such an approach is necessary because the impact of unrestricted self-diverting traffic especially HGV traffic away from the SRN can have a significant impact on affected communities.</p> <p>Whilst there is not recent relevant experience within CBC, this is something that has been a real issue in Cambridgeshire during the construction of the A14 where the following issues were experienced:</p> <ul style="list-style-type: none"> • contravening the night-time weight restrictions through villages despite permanent signage and increased large temporary signs, • attempting to drive under low bridges (ignoring signage) and getting stuck, • HGVs driving down narrow streets and getting stuck and damaging walls and even the side of a house, • HGVs using narrow single track country lanes and causing significant damage to verges and laybys and road surface,
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	<p>Applicant to respond. e-LHAs, what would be the trigger point(s) of such a Requirement?</p> <p>(See related questions to <i>Operational phase monitoring and evaluation</i>)</p>	<ul style="list-style-type: none"> • HGVs using narrow lanes through villages causing a noise nuisance to the local residents, as this was mainly at night, as the HGVs attempted to avoid the night time closures on the A14, • Excessive number of additional HGVs on roads through Cambridge at night avoiding the strategic diversion e.g. Huntingdon Road causing vibration and noise nuisance to residents, • HGVs speeding when self-diverting, • HGVs not updating sat navs and continuing to try to find their way onto the old route then ending up getting lost and driving down unsuitable routes and HGVs following sat navs suitable for cars which took them down unsuitable routes <p>CBC therefore remains of the view that the currently methodology as proposed currently by National Highways is not sufficient to either monitor or manage the impacts of self-diverting traffic, and that the approach as outlined in Appendix 1 of REP6-091 is necessary, reasonable, and proportionate.</p> <p>c) As with the operational phase comments above (see response to question 3.11.2.1) the focus of this requirement is to fully understand the precise impact of the scheme in practice and introduce measures to limit the impact of the scheme on local communities. The Applicant's model indicates that certain areas on the local network will be subject to significant adverse effects as a result of the construction of the Scheme and</p>
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		<p>those impacts therefore need to be fully understood and arrangements made for mitigation. The Local Authorities do not consider there to be a conflict with the discharge of their network management duties.</p> <p>d) The A14 DCO included Requirement 17 on Traffic Monitoring and Mitigation (see extract in response to question 3.11.2.1 above). The Requirement does not limit the monitoring and mitigation scheme to solely the construction or operation phase.</p> <p>In practice, the scheme submitted in respect of the A14 development did not specifically include traffic monitoring during the construction phase. The experience of the Cambridgeshire Authorities is that self-diverting traffic during construction was a major issue both in terms of impact on local communities and damage to the local road network and therefore the Councils request that monitoring of construction traffic be specifically included in the DCO (see response to part (a) above). These impacts could have been avoided had construction phase traffic monitoring and mitigation been secured in the scheme under a DCO Requirement.</p> <p>e) The LHAs have proposed a draft Requirement to address the impacts of this Scheme on the local road network at document REP6-074 and REP6-091. The Requirement would require a monitor and manage scheme to be submitted to and approved by the Secretary of State, in consultation with the relevant local highway authorities, prior to the commencement of the authorised development.</p>
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Q3.14.1.1	<p>Surveys a-Are you satisfied with the Applicant's Agricultural Technical Note on Soils and Agricultural Land []? b-Do you have any outstanding concerns in this regard?</p>	CBC have no comment to make
Q3.16.2.1	<p>Operational noise monitoring The Applicant has previously explained that no operational noise monitoring is proposed following the construction of the Proposed Development other than to ensure that 'measures' were installed as required [APP-080, Paragraph 11.10.2] [EV-072]. a-Is this typical of other made DCOs for road schemes? b-Do IPs agree with this approach? If not, explain with reasons. c-Applicant, how would you deal with any unanticipated noise effects during operation, particularly for</p>	<p>A) CBC have no experience of DCOs for other road schemes so cannot comment on whether this is typical. B) However, it is usual for CBC to require post-installation verification of as noise mitigation scheme where this has been identified as necessary to make a development scheme viable, so would expect some degree of post-completion monitoring to be undertaken for such a major infrastructure project.</p>

	<p>residential receptors such as at R16, R17 and R18 [REP6-018], Little Barford as well as receptors around the Potton Road Junction and Cambridge Road Junction[REP6-020]?</p> <p>Low noise surfacing</p> <p>As discussed at ISH5 [EV-072], can the Applicant confirm that the intended low noise surfacing referred to in the Schedule of Mitigation [APP-235, Table 7] will be maintained as such in future?</p>	
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Draft DCO

CBC continues to request the additions and amendments to the DCO requirements submitted at Deadline 6 (14.12.21).