

Our Reference: CLA.D10.R17.R
Your Reference: TR010044

Contact: Gareth Blackett
Gareth.Blackett@cambridgeshire.gov.uk

15 February 2022

The Planning Inspectorate
National Infrastructure Planning
Temple Quay House
Temple Quay, Bristol
BS1 6PN

Electronic submission only

Dear Sir / Madam,

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

Response to Rule 17, Request for further information, dated 7 February 2022

0. Introduction

0.1. I am writing on behalf of Cambridgeshire County Council (20028267), Huntingdonshire District Council (20028273) and South Cambridgeshire District Council (20028271) (the Cambridgeshire Authorities) regarding the A428 Black Cat to Caxton Gibbet Road Improvement Scheme (the Scheme) Development Consent Order (DCO) Examination. This letter responds to the Examining Authority (ExA)'s request for further information on 7 February 2022.

1. Habitats Regulations Assessment

- 1.1. The Councils have provided comments on the Applicant's Barbastelle Bat Surveys and Mitigation Technical Note - Rev 4 [REP8-009] in Deadline 10 submission document **CLA.D10.OS.A.C**, and on Natural England's Comments on the Report on the Implications for European Sites (RIES) [REP8-048] in Deadline 10 submission document **CLA.D10.OS.OP.C**, in line with the Examination Timetable [PD-011].
- 1.2. Comments on Natural England's response to the ExA's Third Written Questions (WQ3) [REP8-049] were provided by the Councils in our Deadline 9 submission CLA.D9.WQ3.R.C [REP9-044].

5. Statements of Common Ground (SoCG)

- 5.1. The Councils can confirm that we have worked with the Applicant to ensure that the Statement of Common Ground reflects the most up to date positions of each party.
- 5.2. The Statement of Common Ground has been signed electronically by a representative of each of the Councils. It is submitted to Examination by the Councils as **CLA.D10.SoCG**, and by the Applicant as part of their submission.

6. Deadline 10 submissions

- 6.1. The Councils note the ExA's request for comments on traffic modelling and mitigation measures [REP8-027, REP8-032 and REP8-042] be shared with the Applicant ahead of Deadline 10, to enable the Applicant to provide a response prior to the end of the Examination. We can confirm that we shared this information with the Applicant by email on 8 February 2021. This document is also submitted to the Examination in document **CLA.10.TN**, alongside wider comments in document **CLA.D10.OS.A.C**.

7. Network Management Duty

- 7.1. The Councils have agreed a joint position on this matter with Central Bedfordshire Council and Bedford Borough Council. This is submitted to Examination as **CLA.D10.R17.R.A1**.

9. Designated Funds

- 9.1. The Councils very much support the ExA's request of the Applicant regarding designated funds and NMU schemes, as the lack of clarity over what might now be delivered, albeit through Designated Funds rather than as part of the Scheme, is causing much confusion. There remains the problem that, on our understanding, any scheme delivered through Designated Funds needs to be match-funded by the local authorities and carries significant uncertainty and risk as to whether these schemes will actually be delivered. This is particularly so given that some of the Designated Funded schemes the Applicant is proposing are only for feasibility work, are silent on the arrangements for funding and resourcing future detailed design and construction work and do not address by what legal mechanism the new assets will be achieved. The Councils therefore maintain their objection to this part of the dDCO as drafted on the ground that the NMU provision is inadequate.

Yours faithfully,

Steve Cox

Executive Director for Place and Economy
Cambridgeshire County Council

Clara Kerr

Strategic Growth Manager
Huntingdonshire District Council

Sharon Brown

Assistant Director, Delivery
Greater Cambridge Shared Planning Service on behalf of South Cambridgeshire District Council