



Hearing Action Points

Application by National Highways (formerly Highways England) for an Order Granting Development Consent for the A417 Missing Link Project [TR010056].

Actions arising from the Open Floor, Issue Specific and Compulsory Acquisition Hearings held virtually via Microsoft Teams on Monday 24, Tuesday 25, Wednesday 26 and Thursday 27 January 2022.

Monday 24 January 2022			
Open Floor Hearing 1 (OFH1)			
Reference Number	Action	Party	Deadline
OFH1-AP ¹	Update EqIA report to include amended tables where National Star Foundation had been omitted in error and any other necessary changes.	APP ²	D ³
OFH1-AP2	Check whether the traffic model cumulative assessment for flows on Leckhampton Hill included recent residential permissions as referenced by Leckhampton with Warden Hill Parish Council.	APP	D3
OFH1-AP3	Reminder to all parties present that written summary of their oral submissions made in today's hearing should be submitted by Wednesday 2 February 2022.	ALL	D3

¹ OFH1-AP – Open Floor Hearing 1 - Action Point

² APP – Applicant (National Highways)

³ D – Deadline



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Tuesday 25 January 2022

Issue Specific Hearing 1 (ISH1) on the draft Development Consent Order

Reference Number	Action	Party	Deadline
ISH1-AP ⁴ 1	Provide written commentary regarding disapplication of s28E of Wildlife and Countryside Act and consents from Natural England.	APP	D3
ISH1-AP2	Check and confirm whether any statutory undertakers' interests are located in SSSI and implications with disapplication of s28E for Article 10.	APP	D3
ISH1-AP3	Provide outcome of on-going lighting assessment by D4 with a view to any changes agreed with the Joint Councils to be finalised and submitted by D6.	APP	D4/D6
ISH1-AP4	Joint Councils to confirm whether they have any issues regarding the absence of lighting under the green bridge.	Joint Councils	D3
ISH1-AP5	Applicant confirmed it would provide a response to R17 request for information on Article 20 issues by D3. As part of this, to include any suggested amendments to the drafting of Article 20 (without prejudice).	APP	D3
ISH1-AP6	Identify the location and details of the meteorological station (and those replacing).	APP	D3
ISH1-AP7	Provide signpost to specific reference in the REAC that refers to 'Low Carbon Construction Plan'.	APP	D3
ISH1-AP8	Joint Councils to consider and respond to Applicant's position outlined regarding consultation and re-consultation in both Requirement 4 and Requirement 15.	Joint Councils	D3
ISH1-AP9	Make further attempt to contact statutory undertakers who have not responded in respect of protective provisions to try and obtain clear response on their positions.	APP	Update on progress at appropriate future Deadline

⁴ ISH1-AP – Issue Specific Hearing 1 - Action Point



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ISH1-AP10	EA ⁵ to confirm its position on protective provisions for the EA in the dDCO ⁶ .	EA	D4
ISH1-AP11	Update Statement of Commonality to include any additional legal agreements that are in preparation or considered may be necessary.	APP	D3
ISH1-AP12	Written update and representation in relation to explaining the use of 'Designated Funds' and the interaction with the Proposed Development and the DCO.	APP	D4
ISH1-AP13	Provide submissions on the use and application of agreements under s253 Highways Act and the interaction with the DCO and Proposed Development.	APP	D3

⁵ EA – Environment Agency

⁶ dDCO – Draft Development Consent Order rev 1.



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Wednesday 26 January

Compulsory Acquisition Hearing 1 (CAH1)

Reference Number	Action	Party	Deadline
CAH1-AP ⁷ 1	Submit revised EqIA at D3 in tracked and clean form (also referenced in OFH1-AP1).	APP	D3
CAH1-AP2	National Star Foundation to review Applicant's position in relation to NS ⁸ in EqIA and respond in writing (suggested at D4).	NS	D4
CAH1-AP3	Submit additional Position Statements that are in draft with other parties not yet submitted into the Examination.	APP	D3
CAH1-AP4	Make further attempt to illicit responses from statutory undertakers on protective provisions (reflects ISH1-AP9).	APP	
CAH1-AP5	Reminder to all parties that their written summaries of oral submissions for today's hearing should be submitted by Wednesday 2 February 2022.	ALL	D3
CAH1-AP6	Set out and explain the effect of the Proposed Development and impact on land interests on the parcel of land at Rushwood Kennels where Mr de Lisle Wells has raised issues regarding potentially blocking access to his land.	APP	D3
CAH1-AP7	Set out a justification for the location of the main compound and the overall compound strategy as part of its written summary of its oral representations.	APP	D3
CAH1-AP8	Explain how design iterations/ changes evolved and justification in respect of those parts of the Proposed Development affecting Alexander & Angell land including consideration of the suitability of land	APP	D3

⁷ CAH1-AP – Compulsory Acquisition Hearing 1 - Action Point

⁸ NS – National Star Foundation



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	and location for calcareous grass land.		
CAH1-AP9	Alexander & Angell Ltd to provide written comments on Applicant's oral submissions in respect of the changes to the use of their land and the suitability of those plots for the intended purposes including calcareous grassland.	Alexander & Angell Ltd	D3
CAH1-AP10	Fly-Up Ltd to confirm planning position in respect of car parking on their site including detail of where parking is located numbers and layout and what planning permissions are relevant to which areas.	Fly-Up Ltd	D3
CAH1-AP11	Provide detail (including plans) of proposed design changes suggested at Fly-Up including what impact the changes would have procedurally including any 'additional land'.	APP	D3
CAH1-AP12	Provide a technical response to drainage issues raised by National Star Foundation.	APP	D3
CAH1-AP13	Provide a written response to the specific plot references raised by Tim Broomhead, the need for them and how they fit into the broader 'essential mitigation' strategy in this area.	APP	D3
CAH1-AP14	Provide details of layby in written response including lengths of emergency lay-by and max lengths of normal lay-by etc.	APP	D3



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Thursday 27 January

Issue Specific Hearing 2 (ISH2) on Environmental Matters

Reference Number	Action	Party	Deadline
ISH2-AP1	Provide written response commenting on why different junction designs were used in schemes 12 and 30 and if this affected costings and consequently the cost benefit assessment of options 12 and 30.	APP	D3
ISH2-AP2	Provide written note on other options considered in 2001-2003 appraisal of options to improve A417.	APP	D3
ISH2-AP3	Confirm when the scheme budget limit was set, why that level was chosen and what the parameters were.	APP	D3
ISH2-AP4	Natural England to seek advice and respond in relation to nitrogen deposition issues and potential timeframe for degradation of ancient woodland.	Natural England	D3
ISH2-AP5	GWT ⁹ to respond in writing to Examining Authority's question about Applicant's classification and mitigation of Emma's Grove / Ullenwood woodland.	GWT	D3
ISH2-AP6	Steve Mendel to submit full details regarding his concerns of the impact on Shab Hill Farm beech woodland.	Steve Mendel	D3
ISH2-AP7	Submit updated HRA matrices into Examination.	APP	D3
ISH2-AP8	Consider Andrew Boswell's submissions on carbon assessment to date and respond.	APP	D3
ISH2-AP9	Andrew Boswell (CEPP ¹⁰) to submit documents from climate change committee into the Examination.	Andrew Boswell (CEPP)	D3
ISH2-AP10	Andrew Boswell (CEPP) to submit information around the quashing of the A38 Derby Junctions report.	Andrew Boswell (CEPP)	D3

⁹ GWT – Gloucestershire Wildlife Trust

¹⁰ CEPP – Climate Emergency Policy and Planning



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ISH2-AP11	Cotswolds Conservation Board to provide written response to Applicant's oral submission on characterisation of historic landscape and holistic landscape approach.	Cotswolds Conservation Board	D3
ISH2-AP12	Provide references to other specific DCOs where a similar approach to design detail has been adopted in sensitive landscapes (AONBs/National Parks).	APP	D3
ISH2-AP13	Consider design code for bridges and structures and respond in writing.	APP	D3
ISH2-AP14	Joint Councils to add to oral representation on scheme design under item 7 in their written summary.	Joint Councils	D3
ISH2-AP15	Richard Hamilton to provide details of the 'historic bridge' including detail including a local map.	Richard Hamilton	D3
ISH2-AP16	Provide further detail on consideration of the suggested bridleway at Leckhampton Hill reflecting that set out in Statement of Common Ground.	APP	D3
ISH2-AP17	Address confusion over some road naming and their convention, in particular regarding Cowley Wood Lane/Daisey Bank Road.	APP	D3
ISH2-AP18	Provide traffic data counts it has on Cowley Lane.	APP	D3
ISH2-AP19	To avoid confusion, Richard Hamilton will identify the Bridleway to be closed referenced during his representations regarding effect on Cowley Lane and whether its closure had been taken into account.	Richard Hamilton	D3
ISH2-AP20	Set out how the existing road network and activity affects its operation presently.	NS	D3
ISH2-AP21	Review speed limit on B4070 at Birdlip between the end of the scheme and entering Birdlip and comment on whether any changes required.	APP	D3
ISH2-AP22	Confirm the position regarding the future maintenance responsibility for the bus shelter proposed to be used	APP	D3



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	as bat mitigation and how that is to be secured.		
ISH2-AP23	Steve Mendel to include written detail of his concerns regarding the introduction of BOAT ¹¹ referenced in his oral representations.	Steve Mendel	D3

¹¹ BOAT – Byway Open to All Traffic