



Dear Councillor

**OVERVIEW AND SCRUTINY PANEL (PERFORMANCE AND GROWTH) -
WEDNESDAY, 2 JUNE 2021**

I am now able to enclose for consideration at the above meeting the following reports that were unavailable when the agenda was printed.

**Agenda Item
No.**

**5. A428 DEVELOPMENT CONSENT ORDER UPDATE AND DELEGATED
AUTHORITY (Pages 3 - 12)**

The panel is invited to note the update and next steps on the A428 Black Cat to Caxton Gibbet Improvements Scheme.

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Public
Key Decision - Yes

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: A428 Black Cat to Caxton Gibbet Improvements Scheme

Meeting/Date: Overview & Scrutiny (Performance & Growth) – 2 June 2021

Executive Portfolio: Executive Councillor for Strategic Planning

Report by: Strategic Growth Manager

Ward(s) affected: All Wards

Addendum to Cabinet Report

As outlined in para 5.5 of the Cabinet Report and the recommendation for authority to be delegated to finalise the preparation and submission of the documents required from the Council as part of the legal A428 Development Consent Order process, the joint Relevant Representations have now been finalised and are attached as Appendix 3.

In order to ensure submission of the Relevant Representations to the Planning Inspectorate (PINS) by 10th June, a copy of the draft Relevant Representations with comments made by Overview and Scrutiny Panel will then be circulated to the Cabinet for approval ahead of the Cabinet meeting. Delegated authority will be recommended to the Executive Councillor for Strategic Planning in consultation with the Strategic Growth Manager to finalise the joint Relevant Representations response to be submitted with Cambridgeshire County Council and South Cambridgeshire District Council.

RECOMMENDATION

The Overview and Scrutiny Panel is invited to:

- a) Note the draft joint Relevant Representations and provide comment to be circulated to Cabinet for approval ahead of the Cabinet meeting.
- b) Note delegated authority to the Executive Councillor for Strategic Planning in consultation with the Strategic Growth Manager to finalise the joint Relevant Representations response to be submitted with Cambridgeshire County Council and South Cambridgeshire District Council.

APPENDIX 3

FINAL DRAFT FOR SIGN OFF LIMITED CIRCULATION
28th May 2021

A428 Relevant Representations

Cambridgeshire County Council (CCC), Huntingdonshire District Council (HDC) and South Cambridgeshire District Council (SCDC) are reviewing the A428 Black Cat to Caxton Gibbet Development Consent Order Application (the Application) and believe that discussion, further information, and changes to the Application will be required in the areas set out below. This is based on the current understanding of the information and may be altered, added to or amended as the review continues and discussion with Highways England begins.

Note: Cambridgeshire County Council are submitting this response in advance of a Committee resolution but will be considering at the next Highways and Transport Committee.

Biodiversity

- There are concerns about the robustness of the baseline survey data
- The assessment of net gain and the total has not used standard methodology
- Likely to request changes to species mix and habitats in some areas
- Likely to request mitigation for impact to habitats (e.g. arable field margins) which needs to be discussed and agreed
- Likely to request update of Environmental Masterplan – currently it's incomplete, doesn't reflect general works arrangement & doesn't maximise biodiversity opportunities
- CCC requirements from other disciplines (e.g. requirement for underpasses / works to the local roads) will need to be incorporated into the ecological assessment
- The borrow pit remediation should be reconsidered to improve biodiversity
- The Councils are seeking firm commitment to biodiversity net gain from an agreed baseline and measured using established methodology
- Further consideration of the impact on Hen Brook and Wintringham Brook is required in terms of biodiversity and water quality.
- Some of the assessments of ecological impact do not present robust evidence to justify the predicted impact.

Landscape

- Commitment to timing of planting, and maintenance regime needs to be clarified
- Likely to request changes to some planting mixes and species
- Some areas (St Neots, Caxton-Toseland) are likely to need more mitigation

- Limited connections are provided between some habitats (specifically near Hen Brook) and should be improved
- Hedgerows are not considered in the application and this is potentially a significant issue
- The borrow pit remediation should be reconsidered from a landscape perspective
- An agricultural mitigation strategy should be provided to clarify the removal and reinstatement of agricultural grade land

Noise

- Commitment to hours of operation of works, and monitoring required during construction and operation is required
- Commitment to officer input and control required during construction is required
- Cambourne West receptors have not been assessed
- Commitment to detailed local management plans required for specific areas is required
- Insufficient reasons have been given for the decision to discount mitigation at the eastern end of the scheme. Further explanation must be given and discussed with the Councils. Commitment is required for works not to start until certain conditions are met (i.e. affected properties insulated or residents relocated)

Air Quality

- Summary report reviewed and not currently an expected to be a significant issue, unless there are changes to the Transport Assessment
- Commitment to officer input and control required during construction

Contaminated Land

- Summary report reviewed, unlikely to be a material issue but commitment and further detail on approach to backfilling borrow pits required

Cultural Heritage

- Requirement for the joint authorities' archaeology brief to be fully integrated into the application
- Officers require agreement and approval of areas of the excavation strategy affected by an over-simplification of evaluation evidence
- Commitment that temporary works will not affect archaeological excavation areas
- Changes needed on applicant's objectives and methods for archaeological investigation and post excavation assessment
- Inconsistency of approach within the proposed scheme at specific areas e.g. land adjacent to Wintringham Scheduled Ancient Monument needs adjustment for clarification

- Consideration within the application of archaeology at affected watercourses required, key areas likely to be Hen Brook and Wintringham Brook
- Changes to the DCO document likely to be sought, to include mapping the archaeological investigation and protection areas on the General Arrangements Maps
- Engagement with CCC Museums Liaison Officer required for the Public Archaeology and Community Engagement Strategy
- Commitment to skills development and training in this area

Minerals and Waste

- Insufficient detail exists on the borrow pits to meaningfully assess the proposals and impacts that will arise from them, including cumulative impacts and implications for wider specialisms such as cultural heritage if the works and associated haul routes etc. are not controlled properly from the outset
- Clarity required on the restoration and biodiversity net gain benefits from the borrow pits
- Borrow pits have not been considered in cumulative assessment which is a potentially significant concern
- Changes to drafting and Requirements needed

Flooding and Drainage

- Lead Local Flooding Authorities (LLFA) are responding jointly to the application, noting that the Environment Agency's concerns largely addressed
- Protective Provisions for CCC as Lead Local Flood Authority are required
- The dis-application of s23 of the Land Drainage Act 1991 has not been agreed
- CCC noted as maintaining ponds and outfalls although this hasn't been discussed and isn't agreed
- Preference for the design to include reed planting instead of treatment plants
- Design for watercourses and ponds needs early engagement as soon as possible
- There is a need to discuss and agree how much work will be using LLFA consenting routes
- Further consideration of the impact on Hen Brook and Wintringham Brook is required in terms of biodiversity and water quality
- Further evidence is needed to demonstrate there are no downstream flooding issues at Wintringham Brook
- Flood modelling impact on neighbouring communities needs to be updated and reviewed if changes are made to the scheme

Climate

- Concerns about the carbon and climate change impact of the project
- Impact of induced traffic potentially significant

- Clarity needed on conflicts within the documents (i.e. are EV in assessment)
- Impacts on neighbouring communities were raised in scoping but are not covered in the application
- 6th Carbon Budget and its assessment within the DCO required clarification and discussion
- The cumulative impact and relationship of the project with EastWestRail / other projects require clarification and discussion

NMU and Rights of Way

- Lots of detailed design, routing, and procedural issues to discuss and resolve
- Consideration of policy requirements needed supporting NMU including Government Guidelines, the Cambridgeshire and Peterborough Local Transport Plan and Local Plan policies, which require new development to contribute to an enhanced transport network that supports an increasing proportion of journeys being undertaken by sustainable travel modes and seeks a proposal affecting a PROW or other formal NMU route to protect and enhance it.
- Changes to DCO drafting are required
- Some NMU provision is proposed to be downgraded, this hasn't been agreed
- Comments in work packages have not been addressed
- Generally, connectivity to local communities is poor
- There are unnecessary gaps in continuous route provision

Traffic Modelling

- Some routing in the base and forecast year models isn't realistic, insufficient information supplied to check
- Strategic model flows have been used to build the local junction models but these flows haven't been validated for this purpose
- Impacts of the scheme on particular areas of the local road network are of concern and need to be understood in more detail (specifically St Neots, Girton Interchange, Coton, others)
- Construction traffic flows need to be understood in more detail to assess impacts on local communities and the highway asset

Cycling

- LTN 1/20 compliance required for any asset to be maintained by, or handed over to CCC, and a compliant route required between Cambourne and St Neots
- Provision for users seems to be sub-standard with a lack of segregation and gaps in provision (for example at Eltisley)
- Crossings are not acceptable, specifically at A1198 where a grade separated crossing would meet LTN 1/20 guidance and an underpass for cyclists and pedestrians could also be used as a bat crossing.

- Eltisleys Link North roundabout needs to facilitate cyclists who wish to continue north up the B1040 with a suitable transition from off to on road and be designed to slow traffic speeds.
- Lack of crossing facility on the old A428 between Abbotsley Rd and the proposed footway/cycle track on Toseland Rd
- The proposed footway/cycle track on the proposed bridge on Toseland Rd needs to allow for cyclists continuing north with a suitable transition from off to on road
- Lack of safe crossing facilities at New Cambridge Rd junction where the proposed footway/cycle track crosses the slip roads. The proposed bridge on the B1046 should have provision for cyclists and pedestrians to facilitate a future segregated route between the villages and St. Neots.
- Some provision for cyclists (Toseland Road) has been removed from the application

Highway Design

- Commitment to Vision Zero required
- Approval In Principle for highway design including Standards not yet agreed
- The submitted plans do not take account of the County Council's requirements regarding Local Road Highway Design Principles. As such the proposals include unnecessary Departures of Standard for carriageway widths/cross sections.

The principles to be applied in the design and construction of the Scheme's local roads within Cambridgeshire are as follows:

- Consistent application of MCDHW standards and specifications
- Full compliance with standards wherever possible, but departures from standard are not justified for carriageway width/cross section
- The methods of highway drainage should be considered at the preliminary design stage
- Holistic design approach is required to avoid unnecessary maintenance risk/cost to the County Council
- A lighting strategy is not in place and will be required to secure acceptable lighting design for both the new assets and those on the sections to be detrunked.
- Commitment to the principle that no street lighting assets should be older than 2 years old at the point of handover whether on new or detrunked sections is required.
- Detrunking and Assets requires extensive discussion
- Boundaries need to be defined, including the land to be handed over. In principle, CCC will not accept land that is not required for highways purposes.
- Changes to DCO drafting required to ensure appropriate protective provisions in relation to asset handover of local road network, NMU routes, and RoW

- Detrunking process as set out is unacceptable and requires changes to the drafting of the DCO to follow a process agreed with the Highway Authority
- In particular the DCO should require either Protective Provisions with regard to Highway matters, or entry into an agreement as to handover of new and de-trunked roads. The agreed Handover Plan and Legal Agreement to be required under the DCO
- Numbering of detrunked roads needs to be included within the application

Highway Network Impact

- Impact on network from construction traffic and re-routing needs to be understood and how any adverse impacts will be mitigated
- Proposals in the DCO relating to Traffic Manager responsibilities are unacceptable and will require redrafting
- Permitted construction network routes need to be revised and the restrictions clarified
- Effective ways of measuring and managing temporary traffic diversions need to be secured
- More information required on the construction programme and timings for closures

Digital Connectivity

- The Councils request that the opportunity is taken as part of this major investment to install a fibre backbone along the route to enable connectivity along the corridor

Other Matters

- There has been no discussion to date of Development Consent Obligations
- There is no provision or discussion of a legal agreement covering Highway matters although this has been requested
- There has been no discussion to date of the detail of drafting in the DCO
- There has been limited discussion to date of matters for the Statement of Common Ground

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