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00:08

Everyone, it's now one minute two, I can see the panel every joined us now. So I will hand over to Andrew to take over for the rest of this issue Pacific eating.

00:21

Thank you, Miss Williams. Hello, everyone, and welcome back. Yes, hopefully the it difficulties that that have been affecting slightly today have disappeared as as if by magic, my colleague Mr. Scrivens appears on the screen. So that's a good sign. All alone is to William sorry. Just Just a quick one, just to double check that everybody he was he was here previously for? We were talking through a question on the 1212 stage to concept options. So I was just checking that everybody who was there previously is now back in the room.

01:11

I Andrew, I can confirm that everyone that was here prior to us taking the break has returned now and the screens are all popping up.

01:18

That's great. Thanks. Cheers. Okay, thanks very much. So we were just talking through the stage two option concept options and how to work two options were discounted on road safety grounds, amongst others. options, one D and one E. I think Can I just double check Mr. Lyness, the reference number for where that was in the evidence. I've got Appendix C to the overview report.

01:58

So there are a number of Scott Lyness for the applicant. So there are a few references, perhaps one place to start is Appendix A to the overview report, which gives the plant indicating diagrammatic representation of all of the junction concept junction layouts, including one D and one e and for reasons we'll come on to may be worth having those up on screen. But then as another appendix to the review, overview document Appendix C, there was the Black Cat junction options assessment red or green rag table, which is Appendix C to the review report. Those are the two references that were made before lunch following on from the table 4.4 reference in the man body the report.

02:50

That's right. Sorry, I'm looking at the the IS rep. Rep 4033, which is appendices G to K. Yes. So it's just it's just wearing that document. It would be because obviously appendix you're talking about appendices. ANC?

03:08

Yes. The others will correct me, Scott Lyness, for the for the applicant. The detailed assessment of those 12 options isn't contained within appendices G to K, although the I think the annex to the T A R,

which is in appendices GDK describes the the 12 junction options that have been assessed but doesn't itself conduct the assessment that assessment is included in the appendix C documentation as well as table 4.4. So there's a reference to 12 Junction options within appendices G to K. On the annex, the technical appraisal report, is it Appendix H. But that's simply refers to undescribed 12 options without conducting a detailed assessment of them. Yeah.

04:05

Thank you. Thank you slides. Could you just give me the examination library reference number for that document, please?

04:10

It's the appendices. GDK documents or so. Bear with me.

04:19

Rep for Nashville. Three, three.

04:23

Yes. For

04:24

sorry. We're talking slightly caught cross purposes here. I know that a pending rep oh three, three, which which includes appendices. GTK. Yeah. I'm just wondering within that document, or Appendix A and C in that document we're aware.

04:43

Sir, I'm sorry, sir. Scott Lyness for the applicant. Appendices A and C are included within rap 4032, which is the overview document. So if one goes back to that, you'll have the main body of the document which includes table For my poem scroll down appendices A, B, and C, are at the back of that along with the E and F. Okay. And I think that's why appendices. GTK follows in a separate document, because some of the appendices are at the back of the review document.

05:25

Thank you. Thank you for clarifying. Sorry,

05:27

sorry, I should have explained that before.

05:35

Thank you. Yes. So if perhaps this is something that we could we could perhaps revisit what we were discussing before, in terms of whether two options were considered likely and it was explained that it was it was it was options one day and one day, we just counted on road safety grounds. And this was particularly in terms of the number of conflict points that I think Mr. Wayles identified. And, and also the fact that there were other options that weren't discounted, which, which also had some conflict points.

And it's just trying to understand from that the process of something is up, and you suggested it was through the red Amber green table, in Appendix C, I think,

06:29

sorry, Scott Lyness job concert, perhaps I don't know if it's necessary to share a screen. But the easiest way to get away into this processes. If you go back to appendix F, you have the overview document. Up on up on screen. Appendix A, that I referred to a few moments ago has a list of V. Diagrams include options, one D and one A, perhaps be instructive to get option one EOP. And I can ask for that to be sort of walkthrough if you'd like to, because that'll help inform the discussion on this option, and you can understand the basis of the of the CFD issues that were raised.

07:14

Yes, that'd be that'd be helpful and slides. Thank you.

07:17

So perhaps I can ask, if option one, it's figure four dash five, within Appendix A within rep four dash 032. And that's one of the options that was just kind of one he is for his finger for Dash five, and perhaps f1 can use that as a starting point. We can ask for the roll approach on on the rejection of these options to be explained, which will take in the ROG table as well please.

07:55

Mr. Wayles on behalf of the applicant, Porsche, I've lost the need for my screen. I've still got it issues at this end. But I can describe it from my memory of that option. And what we had was for four roundabouts or two dumbbell roundabouts. So I've been provided with another copy. Thank you. And what that meant was if you were for instance, you were travelling from Bedford end on the air four to eight and travelling down to the air one in a South southerly direction, you'd have to turn off and go through the roundabout that Shawn which is great Barford bypass, you go off that roundabout, you turn right there, so in that manoeuvre, you've taken one manoeuvre to go off the junction, you've then gone through the roundabout on the north side of the four to eight, and you're passing two other conflict points there, you got three by the time you then turn to go over the bridge, then we get to the roundabout on the southern side of the air four to eight. You then have to pass the slip road that's coming from the four to eight from the east, and then make the manoeuvre on the new link road towards the dumbbell roundabout on the air one. And then to travel south, you've got to then bypass the first of all the roundabouts that you've got on the west side of the year one where you are the first of all, you got the slip road that takes you to the North, you've got the next conflict point is where you go off the bridge link. Then you turn onto the roundabout to go past the southbound off slip from the A one coming from the from the from the north, and then you return right to go past another conflict point and head down the slip road on to the Air One. And that involves obviously considerable number of manoeuvres and there's quite a number of us there. I think it's 16 conflict points was was judged in the the rag rating for that and it's it differs for different movements. It's slightly less if you do or the middle goobers there. But that's the one the ones with the most significant number of conflict points, and every one of those, there is a risk of a collision. And the other important matter to note with this one, for instance, is unlike the proposals that were put forward at the non statue consultation and deepen the proposed scheme, there isn't a free flow link that he's taking you from the four to eight to the west, up to

the air one to the north. So actually, the manoeuvre I've just talked about is traffic doing that manoeuvre, is going to be quite a considerable amount of traffic, because there's a lot of traffic turning picked to be chopping up to the north on the year one. But also, that would be conflicted with a lot of the traffic that's coming from the year one north towards the air four to eight travelling west. So the roundabouts, particularly on the Dumbo roundabouts, either side of the air, one would actually have an awful lot of traffic passing through them, because of the high floors that are making that manoeuvre in both directions from the air four to eight, the west to the air, one in the north, as well as the Victory District through manoeuvres on the air one and the F or to one. So that was just trying to put a bit of context around that it is a very complicated non standard arrangement that to get between the two, the two key roads there the 41 corridor on the one corridor, and this we do believe would have operational issues just because of the traffic issues. That would be traffic flaws or high traffic laws and so on using these junctions as well.

11:39

Thank you, I'm just looking at the the other options that were taken forward from that. So looking at one day, and one day, I can see that they've got the dumbbell roundabouts on them. But there does seem to be other other other options that were taken forward, which have a similar dumbbell roundabouts on them as well. So I guess just trying to understand how that was considered.

12:10

So again, the rug tip or farewells on behalf of the applicant, the rug table shows that there was actually a broad range of criteria assessed for this, he wasn't just down to these manoeuvres, although there were safety is obviously one of the overriding principles that is fundamental to the design of any scheme. And you're absolutely right that a number of the others had significant number of conflicts, I believe, scheme that stakeholders option they had about the 11 whereas others have fewer, far fewer. And schemas tempo for option C, which was three B had only three generally uncertain manoeuvres if yours comparable manoeuvres. And some of that was down to them having free flow links in or not having to make such a convoluted manoeuvres around the complex junction arrangement.

13:11

Thank you, Mr Scriven. So anything you want to say on that? Or is it all fairly straightforward from what you've seen?

13:18

I wouldn't say it's straightforward, but I understand the logic. I'm just I'm just trying to understand when so going through the sifting process and it might be that I missed part of the conversation when I was checked out, but is in terms of the Road Safety view of any of these sort of very early stage options? Was it a formal Road Safety Audit view? Or was it a effectively I suppose a highway engineers view of road safety?

13:44

It wasn't there wasn't a road safety audit done on these but it's broader than just the highway engineers there are other members of the project team including this and I wasn't involved at that time. It's not unusual to have people from the operations team involved because they're obviously very interested in

the legacy scheme that will be left and they will have to adopt to maintain an operational safety is an absolute key consideration in in this not only the construction safety as well. But it is it is fundamental as you probably aware it's one of national highways key imperatives for for delivery of schemes

14:28

Yes, completely understand. So it's just I just wanted to clarify that it wasn't for Road Safety Audit at whatever stage of a road safety audit undertaken on these one state before you confirm not so that's yeah, that's that's it for me I think was to park and

14:42

I'm curious to Scriven. Thank you. So that's interesting. So we've got we've got that now. Now it starts to get a little bit complicated. Mr. Lyness. I'll direct them to you. Oh, want Mr. Wayles or whoever, from the applicant side? So the three stage two options that were taken forward to non statutory consultation stage. So, one A and Option A became was a combination of one A and C. Five and six are merged and became option B, and three B became option C, if I've understand that if I've understood things correctly, and we're all we're considered to have, like, we're likely we're considered likely to have an impact on Brook cottages in terms of potential demolition, which again, is set out in Table four, four of the overview report, Rep. 4032. In terms of what Mr. Lyness said earlier, in terms of the process of sifting, and how you how you look at the different options, and you go through it, would it be possible just in terms of, for my benefit in terms of clarifying in light of that, in light of those results, whether it was thought appropriate or not white wasn't thought appropriate to go back again to the stage two options, given that you've got three options here, which are all considered likely to have an impact on Brook cottages in terms of potential demolition, it wasn't worth it wasn't considered appropriate to go back and look up some more options that were unlikely to result in the demolition of the listed building.

16:27

Scott laughs applicant, alas, Mr. Wayles to pick that up. But I think in summary, maybe that's f1 has rejected options at the earlier stage, say on Highway Safety, groans, then those were reasons which are going to essentially mean no option is going to be rejected. And if one then moves on to later stage of the process, it doesn't necessarily mean that you go back to an earlier stage when they're independent reasons, justifying the dismissal of a particular option. Because there wouldn't be any point in in doing so. For example, there were clear safety reasons that are justified, dismissing an option. But I asked Mr. asked Mr. Wayles to explain that further, please.

17:16

Mr. Wayles on behalf of the applicant? Yes, it's a very robust process that is taken through here with the sifting process. And Mr. Lyness is absolutely correct, that you tend not to revisit any of those options or the decisions unless something of great significance comes to light. And in terms of the design and the

17:40

tropes, you would you not say the demolition of illicit buildings was a an issue of great significance that perhaps would warrant that, which is why the question was asked.

17:50

Mr. Wayles on behalf of the applicant? Yes, it clearly is a key consideration in amongst many other key constraints in the area that have to be considered in the development of the scheme. And I think that's why, at the time when the options were assessed, the and this goes back to the critical question they had, there was no definitive view at that point on whether the the brook cottages would be demolished, there was there was the the information indicated it would be, but it hadn't been done at that high level, there was still a potential, then that design could have developed not to, but it was only when the developed developed designs were progressed following the non statute consultation, it was it was deemed that they're obviously, at that point, and this is when they mentioned about them in doing in three dimensions and greater level of detail, it was deemed that they would be all have that impact. But of course, when that was realised, that's when the applicant looked at the option which is termed option C plus to see if a scheme could be avoided, that did avoid the need to demolish for a cottages. And this is partly again, the constraints you've got in that area, whether it be on the air, one corridor, we've got other significant cultural heritage assets in the area, whether it be the Thames footbridge or the site Charleston, as well as other key constraints, such as the floodplains taking all those matters into account and the development of C plus looked at this in some detail. It was found that there still was no reasonable alternative to actually avoid demolition of Brook cottages as was confirmed earlier by Bedford Borough Council.

19:46

Yeah, just just not just on that though. I'm looking at the at the stage the options and you're saying that stage two options are three that were taken forward which were In most cases, an amalgam of one of the 12 options or several of the 12 options, and they were all considered likely to have this impact on broadcasters use in terms of potential demolition. Although it wasn't it wasn't a definitive judgement at that stage and you're still there was still scope potentially for them to to not require the demolition. Is that exactly is that a summary of what you've just said?

20:27

Yeah, from from the work sort of Mr Wayles on behalf of the applicant, yes, from the work that was done at that time in terms of involving design and being and as I said, these are 2d, these judgments made are based on two dimensional high level concept designs, until you got the level of detail in terms of development in three dimensions, understanding the the overall traffic impact and accounting for other constraints in the areas until you've done that further development, you don't definitively know whether there would be that that the impact that we found when then you do that the design and you find it the demolition that cannot be avoided.

21:10

Okay, thank you. So, moving on. This is all leading up to the non statutory consultation process. And the position there seems to have changed somewhat from from the position leading up to the step non statutory consultation. So non constitute consultation, options B and C, identified that they may result in the removal of the great deal. This is built into the north of blackcap junction, which is what you effectively have just just said, you know, it's not a definitive judgement whilst there, Option A, and this is in APA 72. And table three, two and up 35. B to page 33. There's no mention of demolition for option A

whatsoever. It's not it's not an equivocal judgement. It's, it's categoric is there's no demolition required for option now. And this is the non statutory consultation.

22:13

My recollection was that it indicated it could affect the demolition could could involve the demolition, or kind of kind of draw your

22:21

attention to if you go to app 72 and three two in that document.

22:30

Working on one screen is quite and let me do could you just repeat the reference? Fine, please?

22:56

Yes, it was up up 70 272 And it's table three two.

23:22

Sorry, I am be defined someone's going to help me with the screen here. I think

23:47

so yeah. So on the police helps Mr. Wayles on behalf of the applicant. Yeah, I've got I've got that table in front of me now. And he talks about may affect the setting of the listed building to north of blackcat. Junction. I think that's what you're referring to parking.

24:08

Yes, yes, that's I'm saying it may affect the setting of it. But nowhere in that assessment, is there any mention of demolition? I do. I do mean to have to press you on this unfortunately because compared to the other options B and C It says it may involve the demolition of it whereas option A says it may only affect the setting of listed building. And what I'm trying to get get out here if you can perhaps help me with is how was option a you know how was this houses identified in this way? What work was undertaken to identify Option A is not requiring demolition or book cottages because obviously some work had been done since the previous stage to get to the position where you could you could make a statement here and in the in the non statutory consultation The option I didn't require the demolition of Brook cottages.

25:06

Yes. Mr. Wayles on behalf of the applicant, yes, at that time as is shown by the the high level concept drawings, they actually showed an alignment for the slip road that was effectively non standard would not have actually been, you would not be able to construct a design it in that way. So at the judgement on that, at that time based on that alignment, because it's the slip road appeared to tie in before the before the boy you got two cottages on that one northbound it did appear that may only affect the setting. However, as far as later development of the auction showed that the view changed. And that further developments has been mentioned about the 3d three dimensional assessment development

design that showed that she had greater implications that was shown at that time. And just picking up on the the results of the Don statute consultation. There was clearly a so

26:09

if you can just perhaps go through it in a sort of chronological order, they'd rather not jump through to it to that part of the non surgery consultation. What I'm trying to understand is prior to the non statutory consultation, you had option A which was developed for options one A and one C from the initial 12 sifts options that were identified. And that concluded that it will be likely that you would need to demolish reconstitutes to produce option A yet opt at the non statutory consultation period. You've gone from being likely to require the demolition to not require the demolition. I'm trying to understand how you got how you made that journey.

26:51

Mr. Wayles on behalf of the applicant. I think it's down to the the assessment and trying to provide information on with the with the the stage of development that the scheme was taken to at that point. And debris, my involvement with the scheme. I'll just add at this point. However, what what was clear from the development of the scheme was that as as the scheme was developed from that early, the Sefton got the 12 schemes that we developed for the non statutory consultation and the high level concept designs were shown and assessed based on those those the three layouts that are shown in the non statutory consultation materials. And it's because of the uncertainty about the design. At that point, I agree that it says it may affect the setting but because of the design has not been detailed and developed in detail at that point, it was not known if it would actually impact on more directly on Brook cottages.

27:59

Well, for options B and C, you're not saying that it definitely will require demolition, either you're basically saying it might need it for options B and C are for option A, you say nothing about demolition. And I'm just I'm trying to understand the difference between option A, but it does it from what from what's written and what's what was in the non Satury consultation brochure that was circulated at that time. Option eight doesn't require demolition of Brook cottages. Yet options B and C may do. I still don't really understand the difference between what you're saying you basically you're saying, well all three of them might do. If that's the case, shouldn't all three of them been said set up in the same way so that B C and E were all said White might involve the demolition if you're if you were uncertain about the information that was available at the time.

28:48

Mr. Parkin, if I could just add to that question that definitely answer that question Mr. Wayles but just take into account. The reason why we're confused is because option A was made up of stage two options one A and one C. And both had identified in that assessment table that they would require an effect on Brook cottages which was likely to be demolition. So how did the managing have two options stage two options that both required demolition lead to an option that may only affect the setting of Brook cottages? And I guess that's the point of our confusion. Is that what what changed between one A and one C combining both requiring demolition leading to an option A which did not require demolition? Because that and the reason we're asking this question is a we just want to understand the

journey that you've taken, but also be just to understand the information that was presented at the three options that were finally presented at consultation stage so And what was the basis for them? So I'll just, I'll just leave that there. I've just added to Mr. Parkins. question a little bit.

30:12

Mr. Wayles on behalf of the applicant. Yeah. In reality between the combining of one A and one C to create option A, there was no significant difference in the overall impact. However, I acknowledge that it was reported differently in this table within the non statute consultation brochure. Does Matter my reading of this along? I'd read it in terms of the main effect the setting, because of the level of development at that point, it could the setting could impact on a more direct impact at that point as well.

30:51

Mr. Lyness could I just thanks a lot for that. Mr. Wayles. I'm sure Mr. Parkin has more follow up questions. But I'm just going to say that it will help us understand that and it will help us understand that from the very unit that the policy tests that you've set up for, hopefully set up for us in paragraph 5.133. I think, you know, it will help us understand the the justification that you have provided. And then indeed, the consultation that you undertook, and all the rest of it, to have a slightly clearer idea of how that option A came about, and how it was presented. Because at the moment what we've got at this hearing, unless Mr. Parkin has something else to say, I think is not adequate. It particularly in terms of that, your response to that question?

31:50

Scott Lyness for the applicant. Now, of course, we can take that particular point away. I think the important point to bear in mind is that, as I said before, this is a process. So that's there's not necessarily black and white judgments to be reached based on parsing the wording of a document that there are shades of judgement. That can mean a different view is taken as one looks further at an option and that can perfectly justifiably explain why something which was identified for demolition in options, one A and one see further on further consideration. We're thought well, for the purposes of the consultation, we may not want to be as definitive. So we put it in option as set out in the consultation. And we can provide further explanations, if you wish, but I think one mustn't lose sight of the other point that as the blackcat junction options report explains, Option A was then further reviewed after the public consultation, consultation as well. So paragraph four, point 2.4 of the junctions report, which is apt 247. It explains that we did look again at at Option A, that was determined that stage that the demolition of brick colleges was required. So in some ways, it appears to be in the position that you had one A and one C demolition required. She had a shared a judgement which reached a public consultation stage people were allowed to comment on that. But then further work was done on the back of that as a further review of option A, and we returned the position where demolition was required. We'll say it's perhaps understandable to obviously ask these questions, but a lot of it is about is a lot about judgments based on an evolving process.

33:39

I fully appreciate that. Mr. Lyness and I think as far as it's possible, if we as the examining authority can see what the evidence some of that judgement was based on it will help us then report to Secretary of State on this matter. Quite, you know, categorically say

33:57

Scott Lyness sale because that's understood. I would say that there will be a point where on on factual material or plans, which you haven't found a view which may not change significantly, there will still be scoped for highways engineer and overall per engine layers to look at similar information. But having thought thought further about that information thought we needed to reach a different views was not necessarily going to be the case that would be a ream of further factual information that comes forward. It may well be an explanation of why why our position that particular view is expressed or why have you moved on based on material not necessarily changed substantially but I understand why the way the questions been. Put Marmont, if you would find it useful I'm sure we can explain the thought processes that were in play at the time.

34:51

Absolutely understood that the material may not be factual but it'll be an explanation. You if you give us that explanation by deadline six If you have you know, we'll make an assessment then if that's adequate for us, if you have further questions we'll ask you in the next round of written questions, but I just thought I'd highlight that point. Mr. Parkin, thanks. That's all from me,

35:13

Scott Lyness of South Kent that's understood Marland, as we do that, it'll probably helpful to place that in the context of the further review of option A that we've mentioned in the function options report, because I think it needs to be seen as part of an overall process, ma'am.

35:28

Yes, that'd be very helpful, because I have sight of some of Mr. Parkin thinking, I can tell you that some of his subsequent questions, we'll cover that. So I'll leave, I'll leave it to him.

35:42

Thank you. Thank you slightest. That isn't, that's interesting. And I look forward to seeing what you what you were able to bring forward in that regard. I'm working through this as best I can in terms of chronology in terms of how we get to how we got to where we were. So the nonstatutory consultation phase, which we've had some discussions on already. And from from that, there were the three options that were considered by by members of the public, an option C was the most popular, I think attracting this port of around 60% of those who expressed an opinion with Option A The next most popular attracting around half the the level of support that option seeded, which is about 27%. In addition to what what I'm sort of slightly concerned about is through is about the robustness of this non statutory consultation process and how they're the findings from it, were then used by you in taking forward the development of the scheme. So we've already got textual information, which is, it's quite clear that option A wouldn't require demolition of book cottages, whereas B and C may do the option plans that were in the non statutory consultation brochure. These these plans don't actually identify Brook cottages as a listed building, as far as I can see. So it is identified as a building, but it doesn't say this is a grade two listed building. It's just it's just a structure on the plan. The plans for options A and C show no effects on Brook cottages from the proposed development for options A and C, whereas the plan for option B shows a slip road running through what constitutes to me that that means that that demolition

is likely to be certain rather than just a possibility. This is in it's in B to page 27 of AP 035. So we've got we've got some textual anomalies. And then we've also got these slightly confusing plans, which I imagine public consultation events, plans are the documents that people tend to gravitate towards more, because it's easier to see perhaps what's going on for a non technical from an analytical perspective. What was the what what would be the likely effects of, of this information, which is somewhat contradictory in places and perhaps, limited in some respects? How would people participating in this non statutory consultation exercise of we're not technical experts, generally speaking, how would they have been likely to interpret what the effects on ricotta cheese would be from the three options? That simple that seems lies.

39:02

Scott Lyness for the applicant can ask Mr. Wayles to to pick that up. I think one broad comment I would raise, though is, sir, that, again, it's important not to parse the words of the document too closely in the sense that if if, for example, a an option in the document is identified as potentially requiring a demolition of opera cottages, but a plan shows that the road is going through it, in my estimation, that isn't a defect in the consultation document at all in the sense that even if the plan is showing it going through, most reasonable people looking at the public consultation would recognise that as part of an evolving process that design hasn't developed in detail at that stage. And the information shown on the plan has been sufficient to justify what has said In the, in the text about as far as option B is concerned, the potential for demolition of those of those cottages. So I don't I don't in My Submissions think that any there's any tension or discrepancy between the plans and the texts that would cause an issue with public consultation. The second point would raise is that was needed check the position on hybrid cottages is is described. But I think clearly, if those looking at the public consultation are reading that there's been a specific reference to, to brick cottages, it would follow that anyone who's interested in brick cottages is obviously going to be aware of their their importance, but be even though is reading the document. Clean as it were, are going to know that there's something about brick brick cottages, which has sufficient importance to justify them being given the treatment in the console and the consultation documents. So subject to checking whatever references there are elsewhere in the document to brick colleges itself. I don't accept that the mere failure to identify them as specific listed buildings would of itself mean that there's any issue with the with the with the consultation process. And the third point I would raise is that, whilst you said that some of the wording is equivocal. Fundamentally, anyone who has an interest in colleges, who is concerned about their potential retention is able to comment on the different options that are in front of them if there was a concern about B or C demolishing brick cottages they could say so if there is a concern about cottages in terms of setting effects, under option as it's put, they could indicate their concern. So anyone who had a particular concern about potential impacts, in their broader sense on public colleges, had the opportunity to comment as part of the public as part of the public consultation with Mr. Wade has anything to add to that.

42:23

Yeah, Mr. Wayles on behalf of the applicant, the delay or the type of drawings that were produced for the nonstarchy consoles are pretty consistent with what you would see at any consultation, in terms of showing that conceptual layout is the same, obviously not such a consultation, we had the routes be short, and there were just lines on on along the route single lines. So they were a standard and a

sufficient information that you would normally see at a consultation. It's not normal because of these sort of conceptualised layouts that you'd highlight every single receptor or constraint on on those those plans do they are described at that time in other information to provide information around the so people can understand the impact on the scheme. You also mentioned about would people be able to interpret the drawings. I think as I said these are these are typical of what will be produced at this stage of scheme development. And I firmly believe there is sufficient information there for people to understand the nature of the the disjunction that's been proposed and allow people to understand the impact of Mr. Lyness said if you had specific interests on tend to bridge you're able to see for instance that the scheme ties in before temps for bridge for Brook cottages you would understand as shown there and as described in the complementary text documents that commonly do the drawings that you couldn't see what the impact was and, and ask questions at the events for instance, or through when representations made to end to understand further detail.

44:08

Scott Lyness for the applicant. So just to add to that within the consultation brochure just to pick up one of your points. There's a reference under Section 10 Comparison of options blackcat roundabout and under the heading which deals with cultural heritage. There is a reference to for example, options B and C may result in the removal of Greer two listed building to the north of blackcap roundabout. So, there are references within the consultation document itself where even if you don't have a form of word which says brick cottages equals grade two listed buildings, there are other references within the document, which make it clear that cultural heritage impacts would potentially include the demolition of the grid to list of building and an AR ma submission. That's, that's adequate for the purpose of the consultation document.

45:00

Thank you, Mr. Lyness No, that's fine. I mean, that table that you're referring to is the same table. It's in the in apps up 77. Two. And yes, if I understand what you're saying there that is clearly clearly clearly referenced that may require the demolition of reconstitutes. But then also, we've got from that we've got a clear statement that option A doesn't require the demolition of broadcast use. And it's also supported by one of the option plans. Well, we can move on now to perhaps see if we can shed a bit more light on this. In terms of the non surgery, consultation, and slyness, I wonder if you could explain to us, please, how option C becomes became the preferred option, the preferred route announcement stage, and despite option a scoring better in terms of the environmental effects, in terms of cultural heritage, which is what we've just been discussing, it also scores better in terms of the benefit cost ratio. And this is in rep four dash 033. And it's on right at the very end on page 478. Table 10.2.

46:16

Or was I'm sorry, sorry, Scott Lyness out. Can you just give me that reference again, please?

46:22

Yes, certainly. It's, it's in rep. 403 Dash Oh, three, three, which is the appendices? GCK? And it's right at the very end of that documents, and it's table 10.2.

46:45

Okay, thank you, sir. I'll ask Mr. Wayles to pick up why why option C, first of all, was preferred to to Option A noting that, as I said previously, the junctions design options report explains what happened following the nonstop public consultation where the three different options were preferred. But perhaps you can ask Mr. Whales to explain what the reasoning was behind selecting option C? Yes,

47:24

certainly. And perhaps this may help. Mr. Wayles, it's in the scheme assessment reports. In the appendix, it'll be appendix K. And it's the option comparison table, whereby you're looking at the different options for it. And it's also perhaps worth noting, in addition, that option a having a better benefits cost ratio than option C equals options A and C also have a similar effect in terms of addressing addressing the identified problems, meeting the scheme objectives, the deliverability, feasibility, traffic benefits, road safety, and the effects on the non motorised users. Got I'll pass it over to Mr. Wellstone to speak to

48:08

Scott Lyness just to check for that. That is drawn from the table. Uh, yeah, that's intersection town of the ology section, section 10. Of the of the document the conclusion section on the technical system? I think that's the table you're reading from, sir. Is that correct?

48:26

Yes, it's on? Yeah, it's on page 478? I think it is. It's right at the very end of the the appendices document.

48:36

For how about the the junctions assessment started on page internal page 31. Very well, I've asked Mr. Wills to explain that process, please.

48:55

Sorry, Mr. Wayles on behalf of the applicant, Mr. Doherty will pick up this this response after I've just given an initial introduction. But the the, the key driver from the preference for option C was around it's a standard layout that is easy to understand had fewer conflict points. And we're seeing definitely from an operational safety point of view to provide a more understandable layout for the road user. And, and it catered for all the the movements because I think it was option A and I'm sorry, again, slightly restricted to him not have been the screens to refer to here did not provide all of those movements.

49:40

Sorry, sorry, it's Mr Wayles long enough to interrupt you that slightly. I'm looking at the look at table 10.2. And in terms of road safety, there's no difference between any of the options. So the road safety aspect doesn't really doesn't really add up in that sense.

50:00

So this is this table here is summarising it, you're quite right the comparison of the high level. But what can sit underneath this as well is all the considerations that are missed up material to making those those decisions for

50:17

the option comparison table, so I would have for everything that was pertinent to the option comparison would need to be in this table.

50:26

This is ultimately a summary of those, those, that assessment and that that option comparison. And guess that there's clearly a lot of detail in here. But all that also, there are other factors that do influence the decision making, and

50:44

how long they've been. Perhaps you could just let me know what what factors that should be in table, or should be considered an option comparison weren't included in table 10.2. And why they weren't included.

50:59

As to why this is, as is often the case that these this stage of development, because of the not all the information is currently designed is well developed to understand the full implications, you have to make some sort of judgments here.

51:17

Not this, this, this, this is after the non salary consultation and after you've after you've, you've done further work on option C to create options. So you plus by the way, just just so you know the context of this table. So it's a it's quite a bit further on in terms of the the development of the options ideas.

51:39

This, this clearly gives quite a high level summary comfort for this comparison, I would say my reading of this. So if you look at the traffic benefits, for instance, there is a lot of quantity of information that's that sits behind that this high level summary was put into here. This was just to inform and record the decisions

52:03

that were made at that time. I understand but but the four or five options that looked at their traffic benefits are identical.

52:14

Yeah, so I would suggest that. And I don't have the detail just in front of me here. But they they're obviously similar in the overall context, but there would still be differences between between them at a more granular level, Mr. Parkin

52:29

and if I could just jump in here just in the interest of moving this along. Given that we have a hearing action related to new answers to how a decision was arrived at whether that is evidence based Well, everything has to be evidence based. But whether that's a hard facts or a narrative. Perhaps this is one

other one where we just need to understand the reasoning and that I completely understand may not be factual could be I think, from what Mr. Wayles saying. So it would be helpful to actually have that.

53:09

Sorry, Mrs Sahai in that it would probably help us if we could understand if we've got a general statement that applies to all of the options. Is that Is there a threshold within that where the different options vary? Or are they exactly because the way you read it is they're exactly the same. In reality, I think we understand there's likely to be differing levels of road safety impact of different traffic impacts. And to understand that in a better way than we've currently got that in front of us.

53:38

Mr. Wayles on behalf of the applicant. Yeah, that's perfectly understandable. And I'm sure we can prepare a summary that provides that information

53:47

to Scott Lyness staff. Ma'am, what we're what we're contemplating is that you also ask questions in relation to the rug assessment that we're looking at Appendix C to the review reports on NIDA table that is at section 10. Of the schema assessment report. Perhaps the easiest thing to do is to work off each of those tables. And then whether we use footnotes or other notes is to explain by reference to each of the individual entries in the table any further information that we want to see, you can see clearly what the further information relates back to. I think those are the two documents where these questions have been raised, it's probably useful to adopt those as a starting point for providing the further information.

54:32

So those footnotes were signpost us to other parts of the either the examination library where that information lies or just

54:42

information generally, After reflecting on the questions of input. Again, there's further information were judgments that we need to express. We can put those into the same document. It's just a matter of signposting just to be clear as to where we are referring to when we're providing that further material.

54:58

Yeah, that I think that would be absolutely fine. It's just that in this particular case, I think what Mr. mails are saying that there might in fact be factual information. That's not maybe. Yeah. So then so, you know, you may just have to think about an efficient way of providing that to us. But I think that's a very good starting point as a method that seems sensible.

55:21

Yes, ma'am. And Scott Lyness the applicant, the way wrong this topic, the blackcat junction design options report does indicate by reference to the preferred route announcement, which I knew was at a later stage. The decision to choose refined options see as the preferred option, and the report indicates the PRA gives some reasons for supporting option C as well. So if we need to tie that in as part of the overall process, we can do that too.

55:57

Okay, yeah. That is just being careful in terms of that logical the logical during their how we got to that place rather than Yes, going backwards. That's the only I suppose that the risk there

56:07

no Scott Lyness outcome, we understand the way it's being put in the chronological order that's being taken in the question. So we'll bear that in mind, sir. Thank you.

56:20

Thank you. I think that's been helpful. Following on again, some of these may be picked up, but I think there's probably it's probably helpful just to go through a little bit of it. Following the non statutory consultation work, further work was undertaken on the three options which included the all three may now result in the demolition of a brick constitutes an a further option in light of the preferred option C and Ric being likely to require the demolition of a cottage a further option, c plus was developed from option C. This was then discounted for Highway Safety and costs reasons, which is in route 403, to paragraph four, point 5.30. Just looking at looking at installations, you could perhaps just put city wide by why it was just option C, was looked at again in this in this context, to deal with Option C plus, given that we've had some information that is just the option A you might also have been a viable option. If you possibly, I don't know if this is something that you could work up into the submission that you're thinking of putting forward are included in that or whether you want to answer it now. Wherever you think the most effective Sorry, sorry, Mr. Lyness you muted.

57:52

Apologies, sorry, Scott Lyness for the applicant, perhaps we can at least begin to answer it now and then mindful of the need to keep the chronology separate, we could feed this into the notes that we are preparing. I think the fundamental answer is that certainly option A had been rejected by that by that stage and there wasn't sufficiently good reason to go back and revisit it but perhaps I think Mr. Doherty is straining straining at the leash. And the same remember how so you'd like to provide some more detail on that please.

58:24

Ted Doherty representing the applicant? Not sure I'm straining at a bit, I must admit that. Yeah, I personally, I think the complexity of option A was a was a key driver. I think in terms of the responses we get at the onset consultation. Option C is by far the perfect most preferred option. It is a standard junction arrangement. It is easy to understand operationally, you know those benefits and safety benefits in comparison to to Option C. So I think it's further information that that will be can be provided to substantiate that then we will provide that. I think in terms of the development of C, do you need more detail on you know, the direction we were taking them in terms of why we started looking at that and but principally if you are, we were directed to develop? Look, see the decision have been almost we were very much going down the line of options See, we wanted to see develop an option consider an option that did negate the need for demolition of Brook cottages that resulted in what I would say as I engineer a very convoluted and operationally inadequate junction arrangement. The I think could you seem from the junction options report it was the fact that we had to move the slip roads, the northbound

have an on slips to the same side of the junction, because we couldn't merge the northbound on slip with the freeflow link. And then that then that that led to a more complex junction arrangement that led to operational issues in, for example, a one, you know, is a pump drainage system. And if that fails, then that cutting a one cutting would potentially flat and that would be that arrangement, you would end up with closing the a one with our current proposal, the submitted application proposal, if that happens in the unlikely event, obviously, we will the design will look to manage that issue as at risk. As far as reasonably practical if it did happen, we still have the up and over through the junction, which will obviously mitigate impacts of selected incident happening. The knock on effects of that arrangement were that we were unable to tie Bedford road into the GY rate, we had to take it divert it up too long boxton mode, and then there was a link road, which then tied into the northwest corner of the DJI raceway. As a consequence of that, we had to take the free flow link into cutting so there was additional retaining walls, there was additional structure to take that link across to the the driver he added to that there was the the impact on the high pressure gas make all these matters. I remember looking at it with the team, I said this is just not right. We cannot take this forward. This this, this is unacceptable. Let's let conventional

1:01:47

slightly appreciate that you're going to integrate detail in terms of what we're what we're what we've asked you to look at. I just wonder given that it is such technical detail whether this actually should be better put into a written format. What I think we're trying to understand is we've got we've got documents in the evidence, which seemed to show one thing, and then what you're saying now, is something completely different. And so we're trying to find out where the where the evidence is to support what you're saying in terms of the decision making and the option assessment process.

1:02:20

If I could just add to that to what Mr. Parkin just said Mr. Doherty. I think the way you've just explained it is really, really clear. But it's the story that we've tried to piece together from the submissions you've given us. That's not, that's not very clear. And when you tell it to us the way that you just have, there are bits that we just need to see evidence to support the things that you've said, because obviously, when we've when we've pieced together, the chronology of things that have happened, as Mr. Parkin just really clearly said that that's not coming across. That's not hitting us between the eyes. So, so I think Mr. Parkin Mr. Parkin, I agree with you. I think it is best described in writing. And I think it's just worth just highlighting that that you know, you have submitted three deadlines now submissions, which have helped a lot in enabling our understanding. It's just piecing some of that together tying, you know, just just tying it all together in the way that Mr. Lynas you described earlier would really help.

1:03:33

Sorry, can Ted Doherty representing the applicant? Can I just just clarify because I think in terms of the development and the impacts of the option C plus, I've add feel that that is those those details I referred to just now clearly explained in the junction options report, which was originally submitted with the application. I think maybe there's this issue about the chronology that we maybe should be more, provide more clarity on that. But I do feel that there is, you know, sufficient and ample information that we have supplied.

1:04:10

Mr. Parkin, I think you're probably best placed to answer this question. I what I will say is that, while there is enough information in terms of what's happened, what you thought, and the judgments, particularly that you made, we are not clear about the evidence supporting some of those judgments and decisions, and that's what we're after. And that's what, you know, the two hearing actions that have emerged so far, I believe they're just two are all relating to some of the evidence to support some of those judgments that you've made.

1:04:48

Scott Lyness for the applicant. That's understood. Ma'am. I think this this question began with an explanation or are seeking an explanation as to why option A hadn't been pursued further. Notwithstanding that, we had determined on a further review that the demolition of brick colleges was going to be required. What what we could do is, if we go back to the junction, design report, design junction design options, we have a note of what Mr. Doherty said, and we can understand where we think that needs to be referred to particular paragraphs within that report, again, to signpost, the nature of discussions taking place this afternoon. And we can include that in the same note, mindful of the need to respect the chronology that we've discussed before.

1:05:44

Mr. Parkin, yes, they will be helpful. And whilst I think we've we've perhaps called that this almost almost to sufficient detail to be able to move on in the way that we've, we've, we're hopefully we'll be able to get some more information for. And one further point, which I think it just might be useful to perhaps, either probably incorporate into into whatever you put together in terms of write a written submission, which is, again, looking at a table 10.2. Why why you got option C. C plus, which was was the option which you designed specifically to retain Brook cottages. Why that option wasn't combined with the preferred route option, the orange routes, route one. Why was it combined with the other two routes, the purple routes, route five, and the pink route route six, but not with the orange route, which is your preferred route?

1:06:45

Scott Lyness for the applicant? Can I ask Mr. Wayles to deal with this, please?

1:06:55

Mr Wayles on behalf of the applicant, yet, this was a report that evolved through this stage. And in fact, in earlier iterations, it's come to light that the worthies comparisons across all of the options. However, when this final report was put together, it was left in this format, which left the just the opposite to see plus aligned to the pink and purple options, which are opposites five, and six. I'm sure we can provide further information just to clarify that as a separate submission, because it does exist from his earlier assessments that just showed the chronology of that assessment around the development of all those options, which is the route options, one, two, and 3156. It was so it wasn't it with the the ABC options, we have that information, and we can provide that just to show that piece, but it did ultimately come together in this final version of the PSA, which was done to try and show that comparator. And in particular, there was reference to one of the the tables which showed the the economics and the and that the the the discounted costs. And in that it was it was done to try and get the comparison or the the

various options in a consistent basis as best as possible. With the benefit cost ratio and the dip scheme benefits. I think.

1:08:25

Thank you, Mr. Wayles. I mean, I think that's kind of what what we're after, is understanding why why it wasn't combined with the other route options, because you haven't you haven't combined all the route options, as you were saying you've you've only done two of them. So it's, it's understanding that missing path really. And the fact that that was your preferred route option. Just just adds to it really. But yes, if that could be locked up when you do you put together your written submission that would be that'd be helpful.

1:08:59

Does anyone and you've any of the any of the parties at this stage, which to make any comments? Thank you from Historic England or from from Bedford Council. Do you have any comments at all you wish to make at this stage?

1:09:16

No, not from his liking. Thank you.

1:09:19

Thank you. Very good. There's now going to be a slight deviation from the order from the published agenda. On reflection, the exercise decided that it's not necessary to now address the issues from statutory consultation consultation stage and so we're going to skip over those. But that item of the agenda at this stage and also in terms of timing, timekeeping. Could I perhaps, ask a slightly more, more general point we talked about road safety implications for the preferred options and particularly By the options around the blackouts and, and how that's that's been quite an important factor in the consideration of the options that have been taken forward through the various shifts and stages, understandably so. In light in light of these concerns, I'm just curious as to how the proposed development now performs against the dmr. b. Abroad safety standards. Is it satisfactorily meeting those standards now? Or are there other areas where it's perhaps not performing? As well, as it might put called Mr. Lyness first,

1:10:40

Scott Lyness for the applicant can ask Mr. Doherty to take this one, please.

1:10:48

Yes, Ted, the reps in the applicant in respect of the current application design of the compliances with dmr. b. But in terms of standards and safety, the development of that that junction arrangement was probably one of the hardest pieces of the the overall scheme. And there is the need for departures from standard associated with that proposal. But the strategy that we have adopted and we have achieved is that we have secured all necessary departures from standard that have acquired to confirm the delivery that we can deliver that scheme. There were probably number two arches that we've we've applied for and been granted by national highways, particularly there was a vertical alignment departure for the mainline over the the junction, there were proximity. We weaving distance issues with the Barford vote

diverge to the south of the junction, there was a departure associated with the access road in terms of the cross section that's been proposed there. The design and the the existing a one required us to make some quite fundamental changes to the DA rangement. In that area, we had two principal use, you're aware we're closing off a number of the sideway junctions and private means of access onto the a one. And that's principally driven by compliance with dmrB and safety standards. There's a fundamental design standard requirement of achieving required weaving distance, which is comes into effect when you introduce it for grade separated junction. We we provide or achieve the required weaving distance between the north bound merge and the why Boston junction to the north. And that was quite a contributing factor in terms of the the northbound on slip and the fact that we had to merge the free flow link with the slip road off the junction gyratory. Before we then merge with the mainline carriageway, the a one and a safety requirement or an issue raised by the safety audit was to maximise that distance on the slip road between the two slips, the free flow link and the slip road off the junction merge. And then when you merge with the mainline. So that's just a few of the examples. There were other chapters junctions for the South that we closed. Yeah,

1:13:38

it's dusty. Thank you. That's very helpful. I wonder if I could perhaps ask you, perhaps either to draw it to my attention in the examination library or to provide it as a sort of written submission, just just where you have deviated from dmrB standards in the in the design of the proposed development, in terms of in terms of road safety, or where you've where you've had to make an allowance, so that you're perhaps not quite meeting it. But I don't really want you to go through and draw draw. I can try every little bit now. But if you've run into documents or quote me to where it says in the evidence, that'd be helpful.

1:14:17

Yeah. Ted Doherty representing the applicant? I would say that we would we haven't submitted details of the departures from set standard that we've secured. But I, I propose that we submit that as a supplementary information.

1:14:33

Thank you. So could you do that by deadline? Six, do you think I

1:14:36

would say yes, we can do that by deadline six.

1:14:39

Thank you. Very helpful. Thank you. Thanks. All right. Does anyone else have any comments at this stage? Okay. Okay. The final question that I was I wanted to ask on on the assessment of the alternatives is one for both Borough Council and the Historic England as well as the applicant this time the examining authorities obviously been to the into the sites and so we're very well aware of the proximity of the a one to two Brook cottages. And obviously the fact this is a very light flash touched cottage Can I just ask in sort of general terms and you don't need to go into any detail listen. Only great detail, but it's just what what effect does the existing Awan have on the second of the historic setting of Brook cottages this stage? And did this? Did this setting actually have a bearing when you were considering the assessment of alternatives? But perhaps put that first to Bedford Borough Council?

1:16:05

Jack Watkins conservation officer, Council, sorry. So I think you could help briefly, but I'll try and answer the question. And if there's anything I'm missing, please let me know. The A one, I would say makes quite a significant while results in harm to the significance of the building, I think it impacts quite significantly on the appreciation of the asset. And I think when you when you scale back to historical mapping, you see the road has widened quite substantially since it was in the 19th century. And so that encroachment plus the impact of vibration and noise over and above what would have been the case originally, results enhanced significance to the building undoubtedly. I can't answer I suppose the second question in terms of options, I think that's possibly more for the applicant. But I would say that, generally speaking, I think if there was a change to the junction, at the White Cat roundabout, I think, probably about 400 metres away to the south, I think that wouldn't have a particularly strong bearing on the setting of the building, considering how setting currently contributes to significance. Because it's so because of the proximity of the road, any kind of visual impact is going to be negligible. And also any kind of noise or vibration impact from the junction. If obviously, the building was to be retained, wouldn't wouldn't impact on the significance of the building went to the same extent, let's say substantial harm is the amount that we're currently considering at the moment. So I think it would be less than substantial harm, potentially. But it wouldn't be to the same scale, as is currently the case.

1:17:55

Thank you, Mr. Watkins. That's that's helpful. Mr. Eve, perhaps if I can come to you and just get your your general thoughts on on the impact of the a one on the setting and, and how it may? Well, I think no, I've just just on the effects on it sets in place.

1:18:12

Okay. Yes. Thank you very much, David Eve for Historic England, I think largely go with what Mr. Watkins has just said. I'm sorry, I just been plunged into gloom. That way, I'll turn the lights on. I do apologise for making it worse. Oh, yeah. I don't have a great deal for that. I mean, I think it's a curious one in that the one is one of the kingdoms, great historic Route ways of stretching right back into the Middle Ages. But yeah, as Jack says, It's widened into into a large busy carriage, we have an entirely really a modern complexion. And I think that probably is a negative. Crucially, there may be some buildings along here, which are their existence to it. Things like, for example, tall houses or coaching ins, some of which have been bypassed. I mean, those obviously, his proximity to the road is is crucial to their existence, and therefore it does contribute in this we've got an accurate building. Measure. I don't I don't think that is the case. And I'd also agree with Mr. Watkins that should the scheme has been developed in a way that didn't demolish the building, but which introduced considerably more such infrastructure just to the south elevated roadways, all the stuff that's done with it. I don't really think overall that would have really compounded the harmful impact of the road system already has.

1:19:34

Thank you, Mr. Eve sir. That's also helpful. Thank you, Mr. Lyness, from your male team into dicey honest, Mr. Wayles, or whoever? Just a case of the same question really, just the fact of the of the your view on the assessment of all the effects of the setting on the VA one on the sorry, on reconstitutes but also, whether that did have any bearing When you were undertaking your options, alternative way in

1:20:05

Scott Lyness for the applicant, perhaps I can deal with the first aspect of those questions, sir, the environmental step and appendix six the British cottage heritage appraisal includes a description of the colleges, and an overview of historical background, which includes an assessment of significance, including the contribution made by sauteing. But then the college's technical note, which is a s 009 provides an assessment of the setting of brick colleges, including the changes that have been caused by improvements to the A one and short. I think the broad proposition whichever one's an agreement with the A one forms a significant feature, and the landscape surrounding the colleges and detract from its heritage, staffing, largely because the carriage whereas moved closer to this building results in noise and visual intrusion that affects the ability to understand and appreciate the building with them. It's historic setting. So I think there's a broad level of agreement about the impact that it has. But as for the second question, in terms of the extent to which that had a bearing on the assertion of alternatives, perhaps I could ask Mr. Wayles to pick that up, please.

1:21:25

Mr. Wayles on behalf of the applicant? Yeah, in terms of the assessment, the proximity to the air one did not really form part of that sifting process or influence that the the asset was considered the same value and same level of consideration that there's other cultural heritage assets in that area. And along the route, of course, because we were looking at those through the sifting process, as well as other other constraints. But no, they it wasn't the the impact wasn't lessened or given a different consideration. During that sifting assessment. It was considered on its own merits as a grade two listed building, along with other high value assets and other medium level assets, etc, in that vicinity. And given that you wait.

1:22:13

Thank you, Mr. Wayles That's, that's helpful as well, Mr. Lyness Thank you all. Does anyone have any final final comments on the assessment of the alternatives? No, I think we're okay. I think Well, thank you. Thank you all for your contributions. I think that that has moved on quite considerably from where we were at the beginning of the day. So thank you for that. And if we can now move on very well, as quickly as we can to, to agenda item six, which is the heritage matters, particularly book cottages. And it's obviously it's the same parties in the room as before. Just perhaps, Mr. Lyness if you or one of your team could perhaps give us a quick update on where we are with the survey and relocation details or whether that is still pending further for further investigations.

1:23:16

Scott Lyness for the applicant have asked Amy Jones to provide that update, please.

1:23:22

Hi, yes, Amy Jones here on behalf of the applicant. just clarify with regard to the server, we've got two surveys being proposed to intrusive surveys with regard to the first the lesser of the intrusive surveys that we can do before acquisition of the building, I can confirm that that survey has in fact started today. So, that is that is in progress, that people are on site today. So the first stage is underway with regard to the second survey, which is the more intrusive survey which will advise us on the significance of the

building and the condition of the building. That is the more intrusive survey that requires partial demolition and can only take place after acquisition of the building. So the survey itself has not taken place. However, we have produced a scope methodology document to cover that and we are currently working with Historic England and that rebar Council on agreeing that the level of that survey

1:24:34

Thank you circumvent all Bedford Council. Do you wish to add anything at all? Any comments on on that?

1:24:42

If I'm nicer, and David Eve in Historic England, could I ask a question with the advent? I didn't know what is this first survey that's been allowed to take what is able to take place with the gentleman still in the in the residence? What's the nature of that?

1:25:00

Scott Lyness for the applicant ask Amy Jones as I understand it says best horse hazard hazardous materials survey but Mrs Jones can explain further.

1:25:08

Amy Jones on behalf Yes. So the first stage is the asbestos and Anthrax survey, which we are undertaking today. And we'll also be doing a limited intrusive survey which we discussed early on in this process and produced a methodology for which was submitted to yourself stroking and and Bedford Borough Council. It's a very minor intrusive survey

1:25:42

for asbestos,

1:25:44

it there will be a part of it will be asbestos survey, but there also be a structural engineer undertaking minor intrusive works to the exterior of the building and into the unoccupied half of the cottage.

1:26:02

Okay, that's, that's helpful to know, I didn't know that the US you shared one document with us, which actually has a sort of complete process. It doesn't break it down in quite the way. So I didn't know that was going here. But that's that's helpful.

1:26:17

Mrs Jones, can I just ask when you expect that that survey to be reported and submitted into the examination library?

1:26:29

Yes, I'm doing so perhaps we are hoping for the results of the asbestos anthrax stage to be with us within two weeks, at which point our structure engineer can go in and do the his intrusive works. And

we would expect the results of his survey to be within another two to three weeks. So hopefully, we'll have it all completed and reported on by the end of January.

1:27:00

Thank you can I just It's again, we're talking about the chronology of events here. And it's just a relatively minor point and

1:27:19

with well

1:27:21

examining parties is struggling to just just just become understand fully when when both of counsellors are getting good first became aware of the the reason for the delay in conducting the intrusive the intrusive survey of what constitutes just in terms of obviously, the the detail information that we've been awaiting in terms of whether or not it's possible to demolish or reconstruct the building, potentially, just in terms of helping us to understand when you when you first became aware that there was this, there was a there was a it was they were, they would be unable to undertake this survey work until they had vacant possession. I just just just be interested to find out when you when you first became aware of that

1:28:15

David Eve talking, I became involved with the project only at the end of 2019. Previously, a colleague has since left that team. At which point, it became clear that the survey work, the study does fall downwards, as I said, effectively, not only have integral value, I think at that point when I wanted to visit the property, the RET the presence of this, the resident was brought to our attention. I don't think it was stated in my recollections all have got to go on unfortunately. So I don't think it was stated. Vacant possession was needed through a DCO to achieve that. It wasn't I don't think it was said that bluntly, possibly. That wasn't appreciated. I think it was very much a sort of question of well, you know, how's the negotiations going to go? When are we going to, and then of course COVID arrived, which changed situation dramatically. That's my recollection of the timeline. There helps.

1:29:19

Keep straight for Mr. Watkins. To do you all want to be colleagues?

1:29:26

Yes, of course. Jack Watkins Bethabara. Counsel. I think that it's certainly my impression that it was it was certainly pre COVID. That we we were having discussions with the applicant, I think, I don't know the specific date, but we did agree. a timeframe for an intrusive survey with the applicant by email. I think that would that would have been 2020 I think. But but it predates that we were aware that there were problems, gaining access to certainly one half of the property and thing as well, we we wanted the whole building to be surveyed. I think that was the only means by which it could be comprehensive. So I would have to go back and double check, and we can certainly get the answer to you. But yeah, it was it was some time ago. Certainly. And I think, Mr. Eve is correct in his assertions?

1:30:18

I wouldn't you say that right. From the very start, we advised that this kind of intensive invasive survey was going to be necessary, because, of course, the applicant had said, Well, a couple of years before that demolition was miserable. It was it was a possible outcome. So, yeah, we've This has always been always been the position. And I think the Applicant recognise that from that point of least.

1:30:46

Thank you. Thank you. Sorry, I

1:30:50

got last applicant. Yes. Just why? Mrs Jones has anything to add in terms of chronology and the documentation that was sent to Historic England. Particular.

1:31:08

Hi Amy Jones off the applicant, just with regard to the survey that's being undertaken. Now, a scope for that survey was submitted to both historic and Bethabara Council in August 2020. And then a slightly revised document was submitted again in September of this year. Just Just to clarify that point. Thank you.

1:31:34

Thank you. That's, that's helpful. Okay, so are there any you appreciate this maybe something that you've touched on in your written submissions, both Historic England and Bedford Borough Council. But have you at this stage any further comments on the scale of harm that will be caused by the removal of cottages? And any mitigation facts from its potential relocation? Or has things not moved on since Boston? This was this was discussed.

1:32:12

If I could actually have somewhat we've, I mean, you had asked the question in the previous written questions about the likelihood of substantial harm being consequence, even with relocation as a mitigation strategy. And we indicated that whilst we don't know the answer, really, because the work hasn't been done, it does seem likely I think we are reasonable to not sort of prompt for that side of the line, as it were. However, one thing I would say, which does some he's very good, since you're talking about the effects of relocation. One thing we say in our representations, and would be saying, again, to the applicant, in consideration for the methodology, which isn't a greater problem is being implemented. That's slightly curious isn't great yet. But one thing that's in there, as we've said, in, in our representations, in fact, 330 at 345 of the paragraphs, if you wish to return to our representations, that the Applicant makes a series of statements in in the in the really in the draft, the so but certainly in the US as well, about the nature of dismantling, which appears to presuppose, the rest of the building will be dismantled disposed of, except for elements of a structural timber frame, which would then be shipped off and redirected. There's no evidence to suggest that is the only outcome, what we would expect to happen. And we have said this before, and I mean, really needs to be built into the survey, is that a range of options, different ways of dismantling different ways of reconstructing are explored, it may be considerably more could be retained, or it could be the less could be retained. But again, we don't have the evidence to say that. So as I say, it appears to be kind of in in the draft climate 16, which

the applicant has submitted yourself, but we've been talking to the applicant about that. And in the methodology, there appears to be a presumption still running through that the only way of doing this is as I say, to collect a series of structural timbers this entirely dismantled and there are other ways of doing that, which we would expect a conservation architect and an engineer to explore as part of this process. So whilst I would agree with the central home passage, Mr. Watkins on that one, I think the effect of the relocation is still rather unclear.

1:34:53

Thank you, mystery, self. I mean, Mr. Lyness, I don't know is it is it worth yourselves in Historic England? Perhaps offline having some discussions about this? These alternatives that might perhaps be more might reveal more information as to the practicalities or value of of demolition and or relocation?

1:35:18

Scott Lyness for the applicant, I understand that we are discussing up with Historic England. And certainly, it's a matter we'd envisage having further discussions with them on so the answer to that is yes. In short,

1:35:34

thanks and other local authority involved in those discussions at all or is it just dissolves?

1:35:40

Just bear with me for a moment Charles need to take instructions for a moment.

1:35:45

Jack Watkins Bedford Borough Council, I think I don't believe we've been in the in the most recent round of discussions regarding the requirement or the methodology methodology for demolition.

1:35:56

Do you think the merit in you being in as part of the local planning authority,

1:36:02

Jack Watkins Borough Council, yes, I would hope so. Yes. Certainly. I think certainly, if we're we will be involved in the requirement process as well. Should it go that way? Then? Of course, you haven't any way we can shape? The discussion should be great. Thank you.

1:36:18

Sorry, for the Oh, sorry.

1:36:23

Mr Lyness. I think I'm about to confess to some responsibility being as if I may, that Amy Jones has sent us a couple of documents, which we really do want to discuss. I think the borrower should be involved. We are somewhat racing to catch up a little bit. We're very much one one of those conversations. My apologies, I've had to bring in colleagues from other parts of our organisation.

diarization has proved difficult. But we we are very much involved in that and want to be productive. And I do think the borrower would be a valuable addition to that sort of

1:36:56

history this last sorry.

1:36:59

Sorry, sorry, Scott Lyness for the applicant. Yes, we don't have a problem in principle with the council being involved, that the reason that they hadn't been involved in as much detail up until now is that we're keen to make progress with a star game and understand possession as far as possible before we could then indicate what progress have been made to the council. But we see we see no reason why the council shouldn't be involved at some stage as part of the discussions.

1:37:27

Excellent, nothing up the floor be sensible. Thank you all for for that. And it's all dovetailing quite nicely with with those discussions and the next point is open to discusses his requirements 16 in the draft, develop draft development concerns order concerning the demolition and potential reconstruction of of the grade two listed buildings per corsages. If I could put puts two to the applicants to stalking the answer to Bedford Borough Council, that the examining authorities has looked at requirements 16 requirement 16. To be which requires and thinks greater clarity, in terms of the specific and detailed reasons that would prevent reconstruction is needed. I think at the moment, it just says if appropriate. So do you have any comments or suggestions on that, on that, on that specific point to do with the the draft DCO and potential change to requirements 16? Perhaps start with Mr. Lyness

1:38:40

Scott Lyness. So the study think the drafting partly reflects the fact that unintrusive surveys required before the answer you've put can be fully answered, that can take place once the building's been acquired. So while it may be possible to anticipate to some degree what might prevent reconstruction, the colleges, we can't know that for certain until the interest of surveys have been completed, so we know what's physically capable? I think that's the that's the short answer. And then as soon as the intrusive surveys have been completed, then it'll need to be a review to determine whether there's a willing receptor, whether the terms of relocation are are feasible. And we'll need to understand what other consents may be needed to relocate any structural elements that that might arise. But, but fundamentally, I think the drafting reflects the fact that the interest of surveyors is required before we know for sure, what what can be achieved.

1:39:49

Thank you. The slides. I mean, I appreciate that. I'm not trying to say that the DCI and the draft DCA will meet will need to force you to do these things but we felt that the way that it's worded at the moment was perhaps too open to interpretation. And it's perhaps something that we could perhaps look to, perhaps put a bit more, a bit more rigour into perhaps not withstanding, as some of the points that you've mentioned. There's a sorry,

1:40:20

sorry. I'm sorry, sir. I was just taking instructions across the room. Just bear with me for a minute. I'm sorry, sir, Scott Lyness for the applicant. I understand that. Beyond what is in the letter submitted DCO and draft requirements 16. We are in discussions with a stalking and by potential drafting changes. And we will pick those up in further conversations and updates the examination at deadline? Well, the neck, we can see what we can do deadlines six, sir. But we're mindful of the remainder of the question. We have been looking at drafting changes, we can we can update the examining authority as soon as we can.

1:41:22

Thank you, Mr Lyness. That's that's very helpful. And this is joined us just before just before I hand over to there's another point that we were looking at with requirements 16, which again, I think is probably going to be some of the discussions that you will be having with Historic England and potentially Bedford Council, which is just a potentially a third provision after the two that are there at the moment in terms of the demolition and potential reconstruction of Brook cottages within a specified timescale and in accordance with the provisions of wanting to have requirement 16. And again, that's that would that would be on a without prejudice or basis at the moment, because I appreciate that the that introduces surveys required before you can come to any firm conclusions in that regard. But again, that's something that perhaps England and yourselves could cover as well, when you're looking at that.

1:42:14

Scott Lyness, for the applicant, we will we will, we will discuss it. I think at this stage, I can say we've noted that point, and we will make sure that his disgust, but I don't think we can make any commitments at this stage on that matter, because we need to we just need to bear in mind, the potential implications, timing requirements, which we're not. We're not convinced about I think it's fair to say at this stage, but obviously we'll pick up on discussions.

1:42:50

Just on that point. Mr. Parkin just looking at the timetable now. Deadline six, of course, is 14th of December. And then deadlines seven is the 14th of January and on the same day is the publication of examining examining authorities proposed sheduled of changes to the draft DCO. So deadlines seven in my view is possibly it's just a bit inconvenient for any, you know, if it's possible, it would be very helpful to have a review of draft requirements 16 by deadline six, so that we can take it into account in the proposed shedule of changes to the draft DCR because deadline sevens is is too late for that.

1:43:40

Scotland's for the applicant, I see nods around the table. Other send mom, we understand the timing implication. So we will do our very best to get that done by deadline six.

1:43:55

Thank you. Thank you, Mr. Eve. Mr. Watkins. Do you have anything further you wish to say or Mrs Jones?

1:44:05

Would it be historic if I said that? Yes, the Applicant have issued as a draft discussion document for requirement 16. And which, like the methodology, which we also haven't drafted has much of what I think we would wish to see in there. Some elements that I think I do need to revise. Unfortunately, some of those relate to a sort of commitments to timeframe from colleagues in the listing team, and also sort of within other parts of the organisation. But I will endeavour to do my utmost to tackle that within your deadline.

1:44:44

Thank you very much strangers were helpful. stalkers.

1:44:50

Jack Watkins, both of our counsel No, nothing further for myself. I mean, again, it'd be it'd be good to be involved in those discussions, but I appreciate it's quite a tight deadline. And so I don't know how that would work out. But by all means, you know, we'd appreciate being involved. But there we go.

1:45:12

Does anyone else have anything further they wish to say? Absolutely on the heritage matters at the moment. Well, message that Mrs Sahai might want to, to just join us for a short while.

1:45:31

And just before Mr. Parkin and I think might be coming up for a break, I just wanted to say to all parties that the examining authority has used its discretion to accept an additional submission today from patrician Kenneth Chamberlain. The submission has been published and can now be found in the examination library with reference number as dash 018. And the reason I'm raising it today is because we would request the applicants report an update on the submission at the second compulsory acquisition hearing on Thursday, the second of December 2021. And this will be covered under Agenda Item four, and five, and if relevant for agenda item three. And finally, if relevant, we will cover matters raised in this submission in the rule 17 request for further and further information that we've already indicated will be issued imminently.

1:46:31

Scott Lyness to the applicant grid for that indication. Ma'am,

1:46:38

okay, great. Thank you. Back to you, Mr. Parkin

1:46:41

Thank you very much Mrs Sahai, Well, I don't know about you, but I could certainly do with it. So just we perhaps have a 10 minute break. Would it be possible for us to come back at five to four? Very long, we've got enough. We got some more discussions to do. So if closed the hearing now and we'll reopen it again at five to four. And see you all thank you very much.