

This Statutory Instrument has been made in consequence of a defect in [S.I. 2016/547](#) and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2017 No. 1121

INFRASTRUCTURE PLANNING

The A14 Cambridge to Huntingdon Improvement Scheme Development Consent (Correction) Order 2017

Made - - - - 13th November 2017

Coming into force - - 14th November 2017

The A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016⁽¹⁾ (“the Order”) contains a correctable error as defined in paragraph 1(3) of Schedule 4 to the Planning Act 2008⁽²⁾ (“the Act”).

Before the end of the relevant period referred to in paragraph 1(6)(a) of Schedule 4 to the Act, the Secretary of State received a request in writing to correct an omission in the Order and in accordance with paragraph 1(7) of Schedule 4 to the Act the Secretary of State has informed each local planning authority for the area in which the land to which the Order relates is situated that the request has been received.

The Secretary of State, in exercise of the powers conferred by section 119 of, and Schedule 4 to, the Act, makes the following Order—

Citation and commencement

1. This Order may be cited as the A14 Cambridge to Huntingdon Improvement Scheme Development Consent (Correction) Order 2017 and comes into force on 14th November 2017.

Correction of original order

2.—(1) The A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016 is amended as follows.

(2) In Schedule 2 (requirements), after paragraph 12, insert—

⁽¹⁾ [S.I. 2016/547](#).

⁽²⁾ [2008 c. 29](#). Paragraph 1 of Schedule 4 was amended by section 128(2) and paragraphs 1 and 70 of Schedule 13 to the Localism Act 2011 ([c. 20](#)). There are other amendments to paragraph 1 that are not relevant to this Order.

“Post-construction noise monitoring and mitigation plan

12A.—(1) No part of the authorised development within the area of South Cambridgeshire District Council is to be opened for public use until a post-construction noise monitoring plan for that part complying with this requirement has been submitted to and approved in writing by the Secretary of State, following consultation with South Cambridgeshire District Council (“the monitoring plan”).

(2) The monitoring plan must make provision for the monitoring of traffic flows with reference to the Important Areas identified within the area of South Cambridgeshire District Council in the environmental statement.

(3) The monitoring plan must provide that—

- (a) during the 12 month period after the authorised development has been opened for public use, and during the 12 month period after the authorised development has been opened for public use for 4 years, traffic monitoring must be undertaken for the locations referred to in sub-paragraph (2) in accordance with the Post Opening Project Evaluation procedure operated by the undertaker;
- (b) if following analysis by the undertaker of the monitoring data derived from the monitoring mentioned in sub-paragraph (a), in consultation with South Cambridgeshire District Council, it reasonably appears to the undertaker that as a result of the authorised development traffic flows are materially greater than those predicted in the environmental statement, the assessment of noise effects at the locations where those materially greater flows are identified is to be re-calculated utilising the monitored data and using the methodology set out in the environmental statement; and
- (c) if it reasonably appears to the undertaker from the re-calculations mentioned in sub-paragraph (b) that the noise effects of the authorised development are materially greater than those predicted in the environmental statement, the undertaker, in consultation with South Cambridgeshire District Council, must develop a scheme of reasonable and sustainable mitigation at each relevant location, which the undertaker must submit to the Secretary of State for approval.

(4) Post-construction noise monitoring must be carried out by the undertaker in accordance with the monitoring plan and the results of the monitoring must be submitted to South Cambridgeshire District Council.

(5) Before considering whether to approve any scheme of mitigation submitted by the undertaker to the Secretary of State, the Secretary of State must consult South Cambridgeshire District Council.

(6) Any scheme of mitigation approved by the Secretary of State must be implemented by the undertaker.”

Signed by the authority of the Secretary of State for Transport

Natasha Kopala
Head of the Transport and Works Act Orders
Unit
Department for Transport

13th November 2017

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order corrects an omission in the A14 Cambridge to Huntingdon Improvement Scheme Development Consent Order 2016. It inserts a requirement in Schedule 2 which was requested by South Cambridgeshire District Council and to which the applicant, Highways England, and the Secretary of State agreed but which was omitted from the Order.