

A63 Castle Street Improvements, Hull Environmental Statement

**Volume 3 Appendix 4.1
CONSULTATION – RESPONSE TO PINS AND STAKEHOLDER
SCOPING OPINION COMMENTS**

**TR010016/APP/6.3
HE514508-MMSJV-EGN-S0-RP-LE-000030
31 July 2018**

APPENDIX 4.1A: Response to PINS & Stakeholder Scoping Opinion Comments

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	1.0 INTRODUCTION						
	Background						
1.1	On 4 March 2013, the Secretary of State (SoS) received a scoping report submitted by the Highways Agency (the Applicant) under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) in order to request a scoping opinion for the proposed A63 Castle Street Improvements. This Scoping Opinion is made in response to this request and should be read in conjunction with the Applicant's Scoping Report.	None		N/A			
1.2	In submitting the information included in their request for a scoping opinion, the Applicant is deemed to have notified the SoS under Regulation 6(1)(b) of the EIA Regulations that it proposes to provide an ES in respect of the proposed A63 Castle Street Improvements. Therefore the proposed development is determined to be an EIA development in accordance with Regulation 4(2)(a) of the EIA Regulations.	None		N/A			
1.3	The proposed development concerns road improvement and construction. It falls within the description of a Schedule 2 development under the EIA Regulations as being an infrastructure project. An EIA is not mandatory for Schedule 2 development but depends upon the sensitivity of the receiving environment, the likelihood of significant environmental effects and the scale of the proposals.	None		N/A			
1.4	Before adopting a scoping opinion the SoS must take into account: (a) the specific characteristics of the particular development; (b) the specific characteristics of the development of the type concerned; and (c) environmental features likely to be affected by the development'. (EIA Regulation 8 (9))	None		N/A			
1.5	This Opinion sets out what information the SoS considers should be included in the ES for the proposed development. The Opinion has taken account of: i the EIA Regulations ii the nature and scale of the proposed development iii the nature of the receiving environment, and iv current best practice in the preparation of environmental statements.	None		N/A			
1.6	The SoS has also taken account of the responses received from the statutory consultees (see Appendix 2 of this Opinion). The matters addressed by the Applicant have been carefully considered and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the SoS will take account of relevant legislation and guidelines (as appropriate). The SoS will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with that application when considering the application for a development consent order (DCO).	None		N/A			
1.7	This Opinion should not be construed as implying that the SoS agrees with the information or comments provided by the Applicant in their request for an opinion from the SoS. In particular, comments from the SoS in this Opinion are without prejudice to any decision taken by the SoS (on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a nationally significant infrastructure project (NSIP), or associated development, or development that does not require development consent.	None		N/A			
1.8	Regulation 8(3) of the EIA Regulations states that a request for a scoping opinion must include: (a) 'a plan sufficient to identify the land; (b) a brief description of the nature and purpose of the development and of its possible effects on the environment; and (c) such other information or representations as the person making the request may wish to provide or make'. (EIA Regulation 8 (3))	None		N/A			
1.9	The SoS considers that this has been provided in the Applicant's Scoping Report.	None		N/A			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
The Secretary of State's Consultation							
1.1	The SoS has a duty under Regulation 8(6) of the EIA Regulations to consult widely before adopting a scoping opinion. A full list of the consultation bodies is provided at Appendix 1. The list has been compiled by the SoS under their duty to notify the consultees in accordance with Regulation 9(1)(a). The Applicant should note that whilst the SoS's list can inform their consultation, it should not be relied upon for that purpose.	Transfer list of consultees to SoCC	AS	Details of the SoCC are within the Consultation Report. ES Chapter 4 Consultation Table 4.1 summarises the process.			
1.11	The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided at Appendix 2 along with copies of their comments, to which the Applicant should refer in undertaking the EIA.	None		N/A			
1.12	The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.	Produce register of ES Consultees.	AS	List of consultees as contacted by PINS available in Appendix 4.1 to ES.			
1.13	Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Planning Inspectorate's website. The Applicant should also give due consideration to those comments in carrying out the EIA.	Check PINS website regularly	AS	There is a late responses document on the PINS website for the A63 (Pre-Application Documents). It has not been updated since 2013. Link below: https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/a63-castle-street-improvement-hull/?ipcsection=docs			
Structure of the Document							
1.14	This Scoping Opinion is structured as follows: Section 1 Introduction Section 2 The proposed development Section 3 EIA approach and topic areas Section 4 Other information. The Scoping Opinion is accompanied by the following Appendices: Appendix 1 List of consultees Appendix 2 Respondents to consultation and copies of replies Appendix 3 Presentation of the environmental statement.	None		N/A			
2.0 THE PROPOSED DEVELOPMENT							
Introduction							
2.1	The following is a summary of the information on the proposed development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the proposed development and the potential receptors/resources.	None		N/A			
The Applicant's Information							
Overview of the Proposed Development							
2.2	The proposed development is for highways improvements to the A63 Castle Street in the centre of Hull. The scheme extends from Porter Street to Myton Bridge for a distance of approximately 1.5km. The proposal includes realigning part of the existing road and the construction of new highways infrastructure along the route.	None		N/A			
Description of the site and surroundings							
The Application Site							
2.3	The A63 Castle Street is located in Hull city centre. It currently comprises a dual carriageway which is largely at grade and runs in an east-west alignment. The development is located within the administrative boundary of Hull City.	None		N/A			
2.4	The site is located within an Air Quality Management Area (AQMA).	None		N/A			
2.5	The majority of the study area is designated as an 'Area of Archaeological Interest' as defined in the Hull City Plan. 22 listed buildings are located within the application site and a 250m study area. 18 of these are Grade II listed, 2 are Grade II* listed (The Old Grammar School and Minerva Lodge on Dagger Lane), and 2 are Grade I structures (Holy Trinity Church and King William III's statue).	None		N/A			
2.6	The central and eastern part of the site falls within the Old Town Conservation Area and incorporates the Trinity Burial Ground. The Trinity Burial Ground is a designated Site of Nature Conservation Interest (SNCI). The Trinity Burial ground is also designated as public open space, along with William Street pocket park which is partially located within the scheme boundary on its northern limit.	None		N/A			
2.7	The site lies within a Groundwater Drinking Water Protection Area (DrWPA). The site lies within a Flood Zone 3.	None		N/A			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
2.8	Figure 13A within Appendix A of the Scoping Report illustrates the locations of Public Rights of Way (PRoW) within the site boundary. On the northern side of Hesse Road there is also a combined pedestrian and cycle route, and further combined routes are provided at Mytongate Junction. There are several at-grade crossing points along the A63 and the adjacent side roads which are listed in paragraphs 13.3.5-13.3.6 of the Scoping Report.	None		N/A			
The Surrounding Area							
2.9	The A63 Castle Street is a link between the M62 motorway, the A15 and the Humber Bridge to the west of the development, and the Port of Hull to the east.	None		N/A			
2.1	Hull Marina and Dock are located immediately to the south of the development and Princes Quay Shopping Centre to the north. A large retail park development, 'Kingston Park' is located to the south west of the scheme, and Paragon Shopping Centre is located to the North. The Hull Arena ice rink is located 200m to the south of the site. A number of these features are identified on Figure 7B within Appendix A of the Scoping Report.	None		N/A			
2.11	There are a number of schools and hospitals located within 2km of the site boundary including Hull Trinity House School, Victoria Dock Primary School, Adelaide Primary School, Hull College, Princess Royal Hospital, Queens Gardens and Hull Royal Infirmary.	None		N/A			
2.12	The Humber Estuary is located 500m to the south of the site. The Estuary is designated as a Special Protection Area (SPA), a Special Area of Conservation (SAC), a Ramsar site, and a Site of Special Scientific Interest (SSSI). There are 3 SNCI's located within the wider vicinity of the site, including one on the River Hull.	None		N/A			
2.13	The Great Passage Street pocket park is located to the northwest edge of Mytongate Junction and is locally designated as public open space.	None		N/A			
2.14	The River Humber is located 500m to the south of the proposed development beyond the Hull Marina. The River Hull is located to the east of the development. There are two licensed chalk groundwater abstractions for commercial use within 1km of the site.	None		N/A			
2.15	There are a number of PRoW within the wider vicinity of the site, including part of the Trans Pennine Trail.	None		N/A			
Description of the Proposed Development							
2.16	A Scheme Plan and Long Section (Figure 3A) showing the Scheme are located in Appendix A of the Scoping Report.	None		N/A			
2.17	The proposed development would involve lowering the level of the existing A63 in the vicinity of Mytongate Junction (Ferensway/Commercial Road) by approximately 7m with Ferensway and Commercial Road being raised by approximately 1m and passing over the A63 on a new bridge.	None		N/A			
2.18	Between Mytongate Junction and Market Place, the eastbound carriageway would be widened to three lanes, with the nearside lane being marked for local traffic only and would be physically segregated from the main eastbound carriageway from Mytongate Junction as far as Prince's Dock Street.	None		N/A			
2.19	The realigned A63 and the westbound exit slip road to Commercial Road would pass through the northern part of the Trinity Burial Ground.	None		N/A			
2.2	East of Mytongate Junction the A63 would tie back into existing ground level where a pedestrian footbridge would be provided in front of Princes Quay Shopping Centre and the Humber Dock Marina. This bridge would be approximately 7m above the existing road level.	None		N/A			
2.21	It is proposed to remove the existing signalised pedestrian crossings at Market Place and replace them with a new pedestrian footbridge.	None		N/A			
2.22	In order to construct the eastbound entry slip road, nearside eastbound local traffic lane and improved A63, two Grade II listed properties would require demolition; the Castle Buildings and the former Earl de Grey Public House.	None		N/A			
2.23	It would be necessary to close the accesses from the A63 to the Holiday Inn Hotel, Spruce Road and Waverley Street, on safety grounds. Alternative access would be provided for the hotel from Commercial Road and access to Spruce Road/Waverley Street is currently proposed via a new road off St James Square/St James Street.	None		N/A			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
2.24	In addition to the pedestrian footbridges opposite Princes Quay and at Market Place, a footbridge would also be provided near Porter Street to replace the current signalised pedestrian crossing facility at this location. Pedestrian footways would also be provided along the length of scheme with a replacement cycleway to the north of the A63.	None		N/A			
Proposed Access							
2.25	The description of the proposed development above describes how accesses along the route would operate as a result of the proposed development.	None		N/A			
2.26	The Scoping Report does not describe how construction vehicles would access the development and which routes would be used to transport plant and materials to and from the site.	Consider in ES. Vehicle access points and routes need to be defined.	AS	As confirmed in Chapter 2 The Scheme - Construction traffic would use the existing local road network to access the site and compounds. No temporary haul roads would be constructed. Details of traffic management during construction can be found on Figures 2.11.1 to 2.11.7: Temporary Traffic Management Phases 0 to 7.			
Construction							
2.27	The construction of the development is anticipated to commence in October 2015 with operation commencing in 2019 as shown on the Project Programme provided in Table 4.1 of the Scoping Report	None		N/A			
2.28	Paragraph 6.6.2 of the Scoping Report indicates that a Construction Environmental Management Plan (CEMP) would be provided as part of the scheme to deliver mitigation/enhancement and monitoring measures associated with the construction of the development. The Scoping Report also indicates that a Site Waste Management Plan (SWMP) would be provided as part of any subsequent application.	Outline CEMP and SWMP to be provided	AS / LC	OEMP is provided - see document reference TR010016/APP/7.3. OSWMP is provided at Volume 3, Appendix 13.2.			
2.29	Table 11.1 in the Scoping Report gives an indication of materials that would be used during the construction of the development including bulk materials for earthworks, timber, road surface material, concrete, and steel.	None		N/A			
2.3	Construction activities would include demolition works, excavation and foundations works including piling, construction of carriageways, bridges, drainage and services, surfacing works, and the installation of signage, gantries and road markings.	None		N/A			
2.31	Paragraph 11.1.5 of the Scoping Report indicates that construction waste would be produced by the development including demolition waste, excavated soils, and surplus material brought onto site but not used.	None		N/A			
2.32	Figure 1E within Appendix A of the Scoping Report illustrates where construction compounds and material storage could be facilitated.	None		N/A			
2.33	Paragraph 12.4.3 indicates that some night time working would be anticipated.	None		N/A			
Operation and Maintenance							
2.34	The operational and maintenance requirements of the scheme have not been described within the Scoping Report.	Include operational and maintenance impact in ES. See also 2.47	AS	Chapter 2 The Scheme, Section 10 covers operation and maintenance			
The Secretary of State's Comments							
Description of the Application Site and Surrounding Area							
2.35	In addition to detailed baseline information to be provided within topic specific chapters of the ES, the SoS would expect the ES to include a section that summarises the site and surroundings. This would identify the context of the proposed development, any relevant designations and sensitive receptors. This section should identify land that could be directly or indirectly affected by the proposed development and any associated auxiliary facilities, landscaping areas and potential off site mitigation or compensation schemes.	Include section on site and surroundings in ES	AS	This detail is included in Chapter 2 The Scheme			
2.36	The SoS is pleased to note that a suite of plans were provided within the Scoping Report to illustrate the locations of receptors within the application site and the surrounding area. The Applicant should ensure that all plans used to set out the context of the site and surrounding area are clear and legible and include a key on all plans for ease of reference.	None		N/A			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	Description of the Proposed Development						
2.37	The Applicant should ensure that the description of the proposed development that is being applied for is as accurate and firm as possible as this will form the basis of the environmental impact assessment. It is understood that at this stage in the evolution of the scheme the description of the proposals and even the location of the site may not be confirmed. The Applicant should be aware however, that the description of the development in the ES must be sufficiently certain to meet the requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations and there should therefore be more certainty by the time the ES is submitted with the DCO.	Ensure the description of the development in the ES is sufficiently certain to meet the requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations: Description of the development, including in particular— (a) a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases; (b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used; (c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the	AS	This detail is included in Chapter 2 The Scheme			
2.38	Potential land requirements for the construction phase are illustrated in Figure 1E in Appendix A of the Scoping Report. These areas are not included within the red-line boundary of the development as shown on this plan. The DCO boundary should encompass both temporary and permanent land requirements.	Include temporary and permanent landtake (including compounds) within DCO red line boundary	AS	Details of permanent land take, permanent rights and temporary land take boundaries can be found on Figures 2.5.1 to 2.5.7: Scheme Proposals.			
2.39	If a draft DCO is to be submitted, the Applicant should clearly define what elements of the proposed development are integral to the NSIP and which are 'associated development' under the Planning Act 2008 or are an ancillary matter.	Establish what is integral and what is ancillary. What is definition of internal and ancillary. When understood review with design team.	AS	BDB Response 4 Nov 2016 "The principal development is the NSIP as defined under the Planning Act 2008 which in this case is the Highway (which satisfies the definition of an NSIP under s.22 of the Act). Everything else is 'associated development' which can be permitted under section 115 of the Planning Act 2008. In the case of the A63 this will be the bridges, drainage (other than that within the road boundaries), service relocations, setting out of replacement land (for open space), some of the works in the churchyard (that do not form part of the road structure, i.e. not the retaining wall) and any other elements of the development that are not the highway." Elements of associated development are described in Chapter 1.			
2.40	Any proposed works and/or infrastructure required as associated development, or as an ancillary matter, (whether on or off-site) should be considered as part of an integrated approach to environmental assessment.	Ensure ancillary matters considered in ES	AS	See response to 2.39. Additional advice received from BDB and included in ES Chapter 1.3.3 "Other elements of the Scheme that are not directly related to the highway are termed 'associated development' and permitted under Section 115 of the 2008 Act. For this Scheme, this includes the bridges, drainage (other than that within the road boundaries), service relocations, setting out of replacement land for public open space and some of the works in Trinity Burial Ground which do not form part of the highway structure." Additional advice received from BDB; Section 120(3) of the Planning Act 2008 does provide that an order granting development consent may make provision relating to, or to matters ancillary to, the development for which consent is granted. Examples of such ancillary matters are provided at Schedule 5 of the Planning Act 2008 and include the provision for compulsory acquisition of land or rights in land. It is these ancillary matters that are being referred to in the PINS comments rather than another category of development.			
2.41	The SoS recommends that the ES should include a clear description of all aspects of the proposed development, at the construction, operation and decommissioning stages, and include: • temporary and permanent land use requirements • site preparation and enabling works • construction processes and methods • transport routes, access points and temporary construction routes • operational requirements including the main characteristics of the production process and the nature and quantity of materials used, as well as waste arisings and their disposal • maintenance activities including any potential environmental impacts, and • emissions - water, air and soil pollution, noise, vibration, light, heat, radiation.	Covered in above points See also paras 2.44, 2.45, 2.46	AS	All available detail is included in Chapter 2 The Scheme			
2.42	It should be noted that if the proposed development changes substantially during the EIA process, prior to submission of the DCO application, the Applicant may wish to consider the need to request a new scoping opinion from the SoS.	Check as the scheme progresses.	AS	BDB have been consulted with on a number of occasions. No re-scoping has been required.			
	Construction						
2.43	The SoS is pleased to note that a section on 'Materials' will be included within the ES and will consider the impacts relating to construction materials as part of the development.	None		N/A			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
2.44	Within the description of the development, the SoS would expect to see a detailed description of the construction phase of the development. Such information should include, but not be limited to: <ul style="list-style-type: none"> • construction methods, activities and plant associated with each phase • siting of construction compounds (including on and off site) • lighting equipment/requirements • number of workers required during construction, if they are full/part time, and if shift work is required, and • number, movements and parking of construction vehicles (both HGVs and staff) 	See also paras 2.41, 2.45, 2.46	AS	All available data has been included in Chapter 2 The Scheme			
2.45	It is noted that piling may be used during the construction phase. The ES should describe the type of piling technique that would be adopted, and ensure the impacts of the specific method/s are assessed within the noise and vibration chapter.	See also paras 2.41, 2.44, 2.46	AS	All available data has been included in Chapter 2. A Geotechnical Works technical statement has been included at Volume 3, Appendix 2.1. Specific methods are assessed in Chapter 7 Noise and Vibration			
2.46	The ES should include a detailed description of the construction access arrangements with a clear indication of the transport routes and access to construction compounds.	See also paras 2.41, 2.44, 2.45	AS	Chapter 2 The Scheme includes available detail from the Site Compound reports. There are no haul routes - see response to 2.26.			
Operation and Maintenance							
2.47	Information on the operation and maintenance of the proposed development should be included in the ES. This could include details of routine maintenance work and the proposed approaches to maintenance.	See also 2.34	AS	Operation and maintenance of the Scheme is covered in Chapter 2 Section 10 with reference made to Highways England's Routine and Winter Service Code and Network Management Manual (RWSC and NMM) RWSC. In addition the HEMP requirements are covered in Chapter 5 Environmental Impact Assessment process, Section 11 Environmental Management Plan.			
3.0 EIA APPROACH AND TOPIC AREAS							
Introduction							
3.1	This section contains the SoS's specific comments on the approach to the ES and topic areas as set out in the Scoping Report. General advice on the presentation of an ES is provided at Appendix 3 of this Scoping Opinion and should be read in conjunction with this Section.	None		N/A			
3.2	Applicants are advised that the scope of the DCO application should be clearly addressed and assessed consistently within the ES.	Include in ES briefing notes	AS	Outlined in Chapter 1 Introduction and Chapter 2 The Scheme and detailed in the topic chapters.			
ES Approach							
3.3	The information provided in the Scoping Report sets out the proposed approach to the preparation of the ES. Whilst early engagement on the scope of the ES is to be welcomed, the SoS notes that the level of information provided at this stage is not always sufficient to allow for detailed comments from either the SoS or the consultees.	None		N/A			
3.4	The SoS would suggest that the Applicant ensures that appropriate consultation is undertaken with the relevant consultees in order to agree wherever possible the timing and relevance of survey work as well as the methodologies to be used.	None		N/A			
3.5	The SoS recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.	Include in ES briefing notes	AS	Study areas are discussed in general in Chapter 5 Environmental Impact Assessment process. Study areas are defined per topic and are in line with DMRB guidance where it is available. Each study area is described in the relevant topic Chapters 6 to 16.			
Matters to be Scoped Out							
3.6	The Applicant has identified in the relevant sections of the Scoping Report the matters proposed to be 'scoped out'. These include: <ul style="list-style-type: none"> • Operational ground borne vibration (see section 12) • Impacts on local geology and geomorphology (see section 10) • Impact on geological designated sites (see section 10) • Impacts to soils and land under agricultural use (see section 10) • Impacts on bridleways and users (see section 10) 	None		N/A			
3.7	Matters are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the SoS.	None		N/A			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
3.8	Section 12.4 of the Scoping Report states that impacts arising from operational ground borne vibration will not be considered further in light of the low likelihood that newly constructed carriageways will generate significant levels of such vibration. The SoS does not consider that sufficient information has been provided in the Scoping Report to allow this aspect to be scoped out of the assessment at this stage.	Provide justification, consult and agree to scope out or include in ES	AMS	Clause A5.26 of DMRB HD 213/11 states " Significant ground-borne vibrations may be generated by irregularities in the road surface. Such vibrations are unlikely to be important when considering disturbance from new roads and an assessment will only be necessary in exceptional circumstances."			
3.9	Section 10.6 of the Scoping Report states that no areas of geological concern have been identified within the study area, and given previous disturbance to local geology from construction of the A63 and other developments no significant impacts on local geology and geomorphology are predicted. As a result this area is intended to be subject to further assessment. The SoS considers that while the assessment to date referred to in the Scoping Report (Pell Frischmann 2010. A63 Castle Street Improvement Hull, Environmental Assessment Report (Options Selection Stage)) may be sufficient to rule out significant impacts, this information is not presented in the Scoping Report and advises that this should be presented in the ES and updated as required.	Present in ES and update as required.	LC	This will be covered in the ES. The ES will state what the existing geology is and why it is not considered unique or important.			
3.10	The above section of the Scoping Report also states that no geological designated sites have been identified within the study area, and impact of the scheme was previously assessed as neutral. The supporting information from the previous assessment (PF, 2010) is not presented in the scoping report. Provided that the study area is clearly defined and justified in the ES and that it continues to be the case that no designated sites are identified within it, the SoS agrees that impacts on geological designated sites can be scoped out of further assessment, provided that appropriate supporting information is provided in the ES.	Clearly define study area and justification in ES as to why scoped out.	LC	Enquiry sent to East Yorkshire RIGS group. Response stated that no RIGs in or near site area. A summary of the response from East Yorkshire RIGS is included in the ES.			
3.11	Paragraphs 10.6.4 and 10.6.5 of the Scoping Report state that no further assessment of impacts on soils and land under agricultural use is proposed, given the urban nature of the scheme extent and the results of the previous assessment referred to in the Scoping Report (PF, 2010). This previous assessment is not presented in the Scoping Report. While the previous assessment may be sufficient to rule out significant impacts, the SoS advises that this information, updated if necessary, is presented in the ES.	Summarise findings of the PF 2010 report in the ES.	LC	Now covered in the ES with brief summary of findings from the PF 2010 scoping report			
3.12	Paragraph 13.3.2 of the Scoping Report states that no bridleways have been identified within the study area, and no evidence of use of the area by equestrians has been found during surveys to date. Therefore no impacts are predicted on bridleways or equestrian users. The SoS agrees that this sub-topic can be scoped out of the assessment.	None		N/A			
3.13	In order to demonstrate that topics have not simply been overlooked, where topics are scoped out prior to submission of the DCO application, the ES should still explain the reasoning and justify the approach taken.	Include in ES briefing notes	AS	No topics have been scoped out. On occasion where some aspect of the topic assessment has not been undertaken, the reasons for this are clearly stated in the chapter e.g. assessment of equestrian use in Chapter 15 Effects on all Travellers was excluded given the urban nature of the Project and the lack of evidence of equestrian use, which was further supported by NMU surveys.			
ES Structure							
3.14	Section 1.6 of the Scoping Report sets out the proposed environmental topics to be included within the ES on which the Applicant seeks the Opinion of the SoS. The list of headings follows those set out within the Scoping Report. Section 1.7 sets out the proposed structure of the ES. As set out in the Scoping Report the EIA would cover assessments under the headings of: <ul style="list-style-type: none"> * Air Quality * Cultural Heritage * Landscape * Nature Conservation * Geology and Soils * Materials * Noise and Vibration * Effects on All Travellers * Community and Private Assets * Road Drainage and the Water Environment * Consideration of Combined and Cumulative Effects. 	None		N/A			

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3.15	The Scoping Report also states that aspects associated with climate change will be covered within both the Air Quality chapter and a Sustainability Appraisal which will accompany the ES. The SoS recommends that aspects associated with climate change, such as effects on flora and fauna and changes to flood risk, may be appropriate to address within the EIA and should be included within the relevant topic chapters within the ES.	Explain revised approach to reporting climate change effects in ES	AS / TS / MM	The effects of 'in-combination' climate change on flora and fauna, flooding etc is reported as part of the Chapter 17 Combined and Cumulative Effects.			
Topic Areas							
Air Quality (see Scoping Report Section 6)							
3.16	The SoS notes that the site lies within an AQMA within which monitoring has shown that concentrations of NO2 have exceeded air quality objectives for several years. The SoS considers that adverse change to air quality should be assessed in relation to compliance with European air quality limit values and AQMAs.	Consider in ES.	Julia B	Changes in air quality have been assessed in relation to compliance with EU limit values and concentrations within the AQMA, see Chapter 6 Air Quality, Section 6.8.			
3.17	The SoS notes from the Scoping Report the proximity of national and European-designated nature conservation sites on the River Humber, as well as a number of features of historic interest within the study area. Expanding on the receptors identified within Table 6.4 of the Scoping Report, the SoS advises that the impacts on the River Humber and on these other potentially sensitive receptors should be carefully assessed. There is the need to consider potential effects due to an increase in airborne pollution including fugitive dust especially during site preparation and construction, and of emissions, particularly during operation. This information will also inform the ecological and cultural heritage assessments.	Consider for sites sensitive to air pollution as per DMRB	Julia B / DW / CH	Air quality effects on the Humber Estuary Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) & Ramsar sites, have been assessed within Chapter 6 Air Quality at Section 6.8. Potential effects from airborne pollutants in construction and emissions during operation have been considered in Chapter 8 Cultural Heritage and Chapter 10 Ecology and Nature Conservation. Water-dependent European and National designated nature conservation sites have been considered in Chapter 11 Road Drainage and Water Environment.			
3.18	The assessment should take account of recognised professional guidance should be used where available and appropriate. The SoS notes that the Scoping Report identifies that the assessment will take account of guidance within the DMRB (Volume 11, Section 3, Part 1, HA207/07), and IAN 170/12 with respect to air quality dispersion modelling, as well as Defra technical guidance. The Applicant's attention is drawn to comments from Hull City Council (provided in Appendix 2 of this Scoping Opinion) regarding agreement of sensitive receptors to inform any modelling work undertaken as part of the assessment.	Consult with HCC	Julia B	The assessment has been carried out in accordance with current guidance, including DMRB; IAN 170/12; IAN174/13; IAN175/13; IAN185/15 and Defra TG16 - See Chapter 6 Air Quality at Section 6.5. Sensitive receptor locations have been agreed with Hull City Council.			
3.19	The Scoping Report identifies a study area of 200m to be applied to the assessment. The SoS advises that the study area applied should be based on the proportionate changes in air quality predicted to result from the scheme. The study area should allow for adequate consideration of air quality and dust effects on receptors which may be off-site including access roads, local footpaths and cycleways, as well as sensitive receptors as indicated above.	Consider in ES although access roads, footpaths and cycleways are not considered sensitive in any relevant guidance	Julia B	DMRB guidance for identifying affected roads has been used in the air quality assessment as reported at Chapter 6. The study area is considered proportionate to the impacts and has considered appropriate receptors. In accordance with DMRB, sensitive human health receptors and designated sites for ecology within 200m of roads affected by the Scheme have been considered - see Chapter 6 Air Quality at Section 6.4.			
3.20	Consideration should be given to appropriate mitigation measures and to monitoring dust complaints, and the SoS welcomes the intention to develop mitigation strategies to be incorporated into the scheme Construction Environmental Management Plan (CEMP). Mitigation strategies should also be devised in relation to operational impacts, particularly having regard to the existing AQMA. The SoS notes the intention to develop these in line with advice from recognised bodies.	Prepare outline CEMP	AS / Julia B	A qualitative assessment of potential dust effects has been carried out for this assessment. Appropriate mitigation measures have been presented within this assessment which will be incorporated into the Project CEMP (see Chapter 6 Air Quality Section 6.7). The assessment demonstrates that no further operational air quality mitigation is required.			
3.21	The SoS draws the Applicant's attention to comments from the Health Protection Agency (Appendix 2) regarding the scope of the assessment with respect to health impacts arising from emissions to air.	Explain revised approach to HIA in ES	AS / Julia B / MM	HPA comments and concerns are addressed are considered in Chapter 17 Combined and Cumulative Effects which includes a summary of health impacts arising from the Scheme.			
HPA	Emissions to air and water Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, the HPA has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.	Review relevance to the scheme	AS	This is a stock response not relevant to the scheme			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
HPA	<p>When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:</p> <ul style="list-style-type: none"> • should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary • should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment • should consider the construction, operational, and decommissioning phases • should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts • should fully account for fugitive emissions • should include appropriate estimates of background levels • should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air) • should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data 	Include in approach to air quality assessment where relevant	Julia B	<p>The requirements of the assessment have been determined using DMRB screening criteria and detailed dispersion modelling of air quality effects (see Chapter 6 Air Quality, Section 6.5).</p> <p>These comments relate to industrial related air quality and emissions and are therefore not relevant to transport related projects and have not been considered within this assessment. The assessment has considered the main pollutants associated with transport emissions (NO₂, NO_x and PM₁₀). Construction and operation effects have however been considered within this assessment. Transport related projects do not require consideration of a decommissioning phase.</p> <p>Comments are generally not relevant to transport related Projects (except dust emissions, for which a qualitative assessment of potential dust effects has been undertaken). Defra 2015-based background maps for NO_x, NO₂ and PM₁₀ have been used for this assessment. Further information regarding the background levels used are discussed in Chapter 6 Air Quality, Section 6.6.</p> <p>Committed developments have been considered within the traffic data used for the air quality assessment, see Chapter 6, Section 6.5)</p> <p>Monitoring data has been obtained from Defra and the Local Authority. In addition, a Project specific air quality monitoring survey has been undertaken, see Chapter 6, Section 6.6.</p>			
HPA	<ul style="list-style-type: none"> • should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels) <input type="checkbox"/> If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1 <input type="checkbox"/> This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion • should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development 	Include in approach to air quality assessment	Julia B	<p>This has been considered within the assessment of operational effects, see Chapter 6 Air Quality, Section 6.8.</p> <p>All standards relevant to transport related projects have been considered within the air quality assessment, see Section 6.5.</p> <p>In accordance with DMRB, exposure to atmospheric concentrations of pollutants and deposition to land at designated sites for ecology has been considered, see Section 6.5.</p> <p>Residential properties and other sensitive receptors have been considered in the assessment in accordance with Section 6.5.</p>			
HPA	Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.	Include in approach to air quality assessment	Julia B	A qualitative approach for assessing potential dust effects from construction activities has been carried out in accordance with current best practice guidance and is considered appropriate for this assessment. Further discussion of the approach adopted for this assessment is discussed within Chapter 6, Section 6.5. A quantitative assessment has been undertaken for the operational phase.			
HPA	The HPA's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.	Include in approach to air quality assessment	Julia B	The comment relates to industrial related air quality and emissions and is therefore not relevant to this transport Scheme and has not been considered within this assessment.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
HPA	Additional points specific to emissions to air when considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these: <ul style="list-style-type: none"> should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs) should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions) should include modelling taking into account local topography 	Consider in AQ assessment approach apart from the topography comment which is not appropriate in this ES.	Julia B	DMRB screening criteria identifies that affected roads are partially located within the Hull AQMA. Relevant receptors within the AQMA have been included within this assessment and used to identify effects within the AQMA - Chapter 6 Air Quality Section 6.5. The Humber-side Meteorological Station has been used for this assessment. In line with current advice for transport schemes one year of data has been used - see Chapter 6, Section 6.5. Terrain in the surrounding region is generally flat and therefore has not been included within the assessment. In addition, the receptors assessed are in close proximity to the road, so the effect of terrain on results will be negligible. Nonetheless, the effects of topography on emissions and dispersion are taken into account in the model verification and adjustment process.			
Cultural Heritage (see Scoping Report Section 7)							
3.22	The Scoping Report provides limited information on the spatial scope to be applied to the assessment, stating that an earlier study area of 250m will be expanded to take account of historic landscape character. It will be important to clearly define the study area and methodology of the assessment in the ES, and describe where and why the methods used depart from recognised professional guidance, if applicable. The study area should be wide enough to take account of the impact to all heritage assets likely to be affected by the proposed development, including impacts to their settings, which may require consideration of long distance views.	Define ZTV. Ensure assessment study area adequate	CH / AS	The ZTV has been considered on a professional basis as opposed to a computer generated model. This is in line with the ZVI in Chapter 9 Landscape. A 500m buffer for Grade II Listed Buildings is considered and 1km and professional judgement for Grade I and II* Listed Buildings.			
3.23	The Scoping Report makes reference to DMRB Volume 11 Section 3, but does not make specific reference to the relevant part. The SoS has assumed that the guidance within Part 2 HA 208/07 will be applied, and recommends that all guidance used to undertake the assessment is referenced clearly in the ES.	Include in ES	CH	Part 2 HA 208/07 has been referenced and applied, with additional guidance referenced clearly in the ES.			
3.24	The SoS notes the large number of cultural heritage assets described within the known baseline for the project, including a number of assets considered to be of high and of medium value. The Scoping Report identifies the potential for significant adverse effects on cultural heritage, and the SoS welcomes the intention for a revised detailed assessment including fieldwork investigations. The SoS notes the previous and ongoing consultation with English Heritage (EH) and the Humber Archaeology Partnership (HAP), and encourages the applicant to refine the assessment methodology as this consultation progresses. The ES should clearly present how these consultations have been taken into account in the assessment.	Agree with EH and HAP via CHLG meetings.	CH / LC	Details of the consultation held with Historic England, HAP and HCC has been provided in the ES. Statement of Common Ground (SoCG) for Trinity Burial Ground referenced.			
3.25	The SoS notes that given the history of the scheme a number of previous assessments have been undertaken, and advises that the baseline conditions used to underpin the assessment should be clearly defined and agreed with consultees.	Agree with EH via CHLG meetings.	CH / LC	A summary of the previous assessments has been provided in the ES. Baseline conditions have been agreed during CHLG meetings.			
3.26	The Scoping Report outlines the potential mitigation strategies that may be put into place as part of the scheme in order to avoid, or reduce, impacts on cultural heritage assets. The consultation undertaken with the relevant bodies should help to refine appropriate mitigation for the scheme, including that which forms part of the detailed scheme design.	Agree with EH via CHLG meetings.	CH / LC	A schedule of proposed archaeological mitigation works have been developed through consultation and will be provided in the ES. A Statement of Common Ground between Highways England and Historic England has been prepared which details where agreement on the scope of the clearance methodology and analysis of remains from the burial ground has been reached and matters which have not been agreed.			
3.27	The SoS notes from the Scoping Report that changes to the water table may be a source of impacts on buried archaeological remains. The proposed studies associated with the assessment of impacts to drainage and flood risk will inform this aspect of the cultural heritage assessment and appropriate cross reference should be made between these topic areas within the ES.	Liaise with hydrology, hydrogeology and archaeological contractor (Archaeological Deposit Model)	CH / SH	Archaeology deposit model and ground water modelling have been taken into account and the effect has not been deemed significant (+/- 0.13m maximum). Appropriate cross references between Chapter 8 Cultural Heritage and Chapter 11 Road Drainage and Water Environment have been made in relation to the impact of water level changes to archaeological remains.			
3.28	The SoS considers that potential impacts could arise from the scheme on the character and setting of cultural heritage assets, and notes from the Scoping Report that it is intended to address this in the ES. While it is understood that this topic chapter will deal with the value of cultural heritage features in terms of their historic interest, cross reference should be made to the Landscape section of the ES where appropriate.	Specialist engaged to assess impact on historic buildings and historic townscape. Cross-reference in ES.	CH / ED	Cross-referencing of Chapter 9 Landscape has occurred where necessary in Chapter 8 Cultural Heritage.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
3.29	The SoS draws the Applicant's attention to comments received from English Heritage (Appendix 2) which highlight the organisation's concerns regarding severance impacts between heritage interests to the north and south of the proposals, and in particular concerns regarding the proposed demolition of two Grade II Listed buildings. EH have also provided detailed comments regarding the ascribed 'value' of named historic assets and the scope of the assessment in their response in Appendix 2, and the SoS also draws these to the Applicant's attention. Attention is also drawn to comments made by Hull City Council (Appendix 2) in respect of the assessment of impact to heritage assets.	Liaise with HCC and ES via Cultural Heritage Liaison Group meetings.	CH / LC	Details of the consultation held with Historic England, HAP and HCC has been provided in the ES.			
EH	add comments from EH responses - (link to cell 339) as per Appendix 2 response letter: <ul style="list-style-type: none"> severance issues between heritage interests to the north and south of the proposals. Encourage opportunities to improve upon the current situation and the need for this to be based upon a thorough assessment of the setting and significance of heritage assets affected, designated and undesignated, and the significance of the Conservation Area and its setting. Of particular concern is the linking of Princes Dock Street with Humber Dock Street and Market Place with Queen Street. Also the Fruit Market area which has been undergoing extensive heritage led regeneration. concerns re. demolition of 2 no. Grade II LBs. EH do not support. Every effort should be made to retain the Listed Buildings in-situ and that any proposal for demolition would need to address the requirements set out in paragraph 133 of the NPPF. detailed comments re. value of named historic assets. EH queries 'medium' values ascribed to Listed Buildings and Conservation Area. Also the 'undesignated archaeological assets' where some are of national importance and there is some confusion of value detailed comments re scope of assessment which need to be checked through. 	Address comments where required in ES	AS/FG/CH	The comments are considered in the cultural heritage chapter, severance, value of historic assets, significance of effects.			
HCC	add comments from HCC responses (link to cell 431) - as per Appendix 2 response letter: <ul style="list-style-type: none"> Magnitude scores for Humber and Railway Dock, TBG, Quay West should be 'major adverse' due to loss of 2 no. LBs, loss of 1/3rd TBG, loss of boundary wall, loss of listed dock wall and encroachment into Humber Dock. Magnitude score for Marina Court should be 'Moderate adverse' due to loss of deep apron. 	Address comments where required in ES	AS/FG/CH	ES chapter notes significant temporary adverse affects for TBG, Princes and Humber docks during construction and significant permanent adverse on TBG, Earl de Grey and Castle buildings. During operation, permanent adverse significant effect on TBG Marina Court is a building adjacent to Humber Dock and Castle Street. Humber Dock magnitude score given previously.			
3.30	Paragraph 7.3.3 of the Scoping Report refers to an Explosive Ordnance Threat Assessment Report (BACTEC, 2008) which has been produced. It is not clear from the Scoping Report whether an assessment of the likely presence of unexploded ordnance will be made as part of the cultural heritage assessment proposed in the ES. The SoS advises the applicant to include this aspect within the scope of the assessments accompanying the DCO application.	Include updated Explosive Ordnance Threat Assessment Report (to be carried out as part of the Site Investigation) in DCO application and ES	CH / AS / LC	This does not form part of the Cultural Heritage Chapter 8 assessment in accordance with DMRB Volume 11 Section 3, Part HA 208/07. An updated Explosive Ordnance Threat Assessment was completed in 2013 to support the intrusive investigation. No UXO was encountered during the site investigation works although an on-going requirements for the provision of control measures to manage potential risks from UXO during construction works has been identified. The assessment of risk should be considered during archaeological and main contract works in the relevant Risk Assessment and Method Statement (RAMS).			
Landscape and Visual (see Scoping Report Section 8)							
3.31	Paragraph 8.2.1 of the Scoping Report makes reference to the study area applied to the assessment, and to Figure 8A which shows the extent of the study area. The study area is stated in the text as being centred along the line of the A63 with a 500m offset, however, the study area shown on Figure 8A is labelled as being 200m from the A63. The SoS advises that the study area used for the assessment must be clearly defined in the ES and any supporting figures provided must also be clear and consistent.	Define study area	ED	A study area extending to the zone of visual impact (ZVI) of the Scheme has been adopted and described for the assessment of landscape and visual effects within Chapter 9 Landscape.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
3.32	The landscape and visual assessment methodology in the scoping report refers to the ZVI (Paragraph 8.7.5) and ZVI survey points are shown on Figure 8B. While the SoS understands that this refers to the Zone of Visual Influence, this is not explained in the text, and no methodology for the selection of the survey points is provided. Similarly, Figure 8B maps a Zone of Theoretical Visibility (ZTV) however, the model used is not explained in the text and limited information is provided on the methodology used to establish the ZTV. The SoS recommends that a full description of the assessment methodologies used is provided in the ES. The location of survey points and/or viewpoints should be agreed with the local authorities.	Include in ES. Consult with HCC and EH. Check who is producing the ZTV maps and the methodology	ED	A computer generated ZTV of the Project has not been produced. This is because the extent of its visibility would be determined by land cover not topography. For a highway scheme in a flat, low lying and urban location a computer generated ZTV was not considered to be helpful. A zone of visual impact (ZVI) has been established through observation in the field and is shown at Volume 2, Figure 9.2. A full description of methodologies is provided in Volume 3, Appendix 9.2. Representative viewpoint locations were discussed with Hull City Council in 2013 and agreed in 2018.			
3.33	With respect to the visual impact assessment, it is indicated in Paragraph 8.2.1 of the Scoping Report that a number of visual receptors outside the study area are intended for inclusion within the assessment. Appropriate figures should be provided within the ES to show the locations of receptors which have been considered. The Applicant's attention is drawn to comments from Hull City Council (Appendix 2) regarding the scope of the detailed assessment and the ascribed value of receptors.	Include all visual receptors in ES figures.	ED	No receptors outside of the study area have been included within LVIA and is judged that no significant effects would occur outside of the identified study area and ZTV. Volume2, Figure 9.4 Project Landscape Character and Volume2, Figure 9.7 Visual Receptors show the locations of receptors which have been considered within the assessment.			
HCC	4. In townscape terms some of the areas identified in table 8.1, although the assessment of 'high quality' and 'very attractive' are accepted, do not appear to be directly impacted by the scheme and may not require detailed assessment (eg Prince Street, Posterngate, The Deep, Nelson Street);	Review table 8.1	ED	Following a review on site the twenty-three fine grained local landscape character areas were identified across the study area during earlier stages of project development and route selection. These have been amalgamated into nine character areas for the assessment of the landscape effects of the final Scheme. Receptors which would not experience views of the Scheme such as Prince Street, The Deep, and Posterngate have not been included within the detailed assessment.			
HCC	5. While it is acknowledged that further more detailed assessment will follow, in table 8.3 Humber and Railway Dock, Trinity Burial Ground and Quay West development site should all be identified as 'major adverse' with the loss of 2 listed buildings, the encroachment into the burial ground and loss of the boundary wall, the encroachment into Humber Dock (Marina) and the demolition of the listed dock wall. Marina Court will lose the deep apron on its north side so it is considered that 'moderate adverse' would apply.	Review table 8.3	ED	Following further more detailed assessment effects upon <i>PLCA 4: Trinity Burial Ground</i> are assessed as Large adverse during construction and at years one and fifteen due to the loss of open space and large scale tree removal. <i>PLCA 3: Myton Street Commercial</i> has been assessed as slight adverse despite the loss of the listed Earl de Grey public house, whilst acknowledging the proposed development of the Hull Venue, this PLCA is considered to be of low value with the hoarded listed buildings, derelict Staples building, low quality commercial buildings and lack of amenity vegetation creating a largely run-down character. Impacts on listed buildings are considered in detail with Chapter 8 Cultural Heritage. Effects on <i>PLCA 5: Humber Dock and Railway Dock</i> are considered to be moderate adverse during construction as despite the removal of the listed dock wall, work would be focussed along the north boundary of the Humber Dock taking up a relatively small extent of the PLCA as a whole. Impacts on listed features are considered in detail with Chapter 8 Cultural Heritage. The introduction of the Princes Quay Bridge is considered to have a slight beneficial effect at years one and fifteen due to the screening of traffic, addition of attractive public realm and improved physical connectivity between the Humber Dock and Princes Quay and improved visual connectivity from elevated views from the bridge.			
3.34	The SoS advises that above ground structures associated with the scheme, in particular the proposed footbridges, have the potential to give rise to visual impacts and notes from the Scoping Report that this aspect will be considered within the detailed assessment to be reported in the ES. It may be appropriate to include visualisations of these structures within the ES to enable interpretation of the visual impact assessment.	Consider approach in the ES.	ED	Assessment of the landscape and visual effects of bridges is included throughout Chapter 9 Landscape. Bridges are shown in the photomontage images at representative viewpoints.			
3.35	The SoS notes that no information is provided in the Scoping Report on any lighting proposed for the scheme, but notes that night-time working may be required and considers that this may involve the use of temporary lighting. Should lighting form part of the proposals during construction or operation, the visual impacts should be assessed, within the ES, including the impact to sensitive receptors such as local residents. The SoS draws the Applicant's attention to comments in Appendix 2 from Hull City Council with respect to potential light pollution.	Consider approach in the ES.	ED	The landscape and visual impact assessment within Chapter 9 Landscape includes consideration of the visibility of temporary and permanent light sources.			
HCC	I would make the following more detailed comments: 1. The Environmental Health Officer (EHO) has commented that potential light pollution should be included in the assessment, in particular in the areas where the road and therefore lighting is moving closer to residential properties;	Consider approach in the ES.	ED	The landscape and visual impact assessment within Chapter 9 Landscape includes consideration of the visibility of temporary and permanent light sources.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
3.36	The Scoping Report presents the conclusions on residual effects following mitigation proposals of the previous simple assessment, however, no information is provided regarding the likely form of the mitigation proposed for the scheme to be taken into account by the detailed assessment in the ES. The SoS appreciates that these proposals are likely to be refined as the scheme design develops, and advises that mitigation proposals are described in as much detail as possible within the ES, in particular where they have been considered in assessing the residual effects of the scheme. The ES should describe how specific mitigation measures address specific impacts, and assess the effectiveness of these measures ensuring relevant delivery timescales are taken into account.	Consider approach in the ES.	ED	Chapter 9 Landscape includes a description of the proposed landscape scheme and assesses the residual effects of the Scheme. The effectiveness of the proposed mitigation is determined through the assessment of residual effects in year 15.			
3.37	Where applicable, cross-reference should be made in the ES between the Landscape topic chapter and the Cultural Heritage topic chapter in particular, when consideration is given to impacts on receptors which may be sensitive in terms of their historic value as well as their landscape value. A distinction should be drawn between impacts to the settings of heritage assets, and visual impacts to sensitive receptors that may result from the scheme.	Consider approach in the ES.	ED / CH	Chapter 8 Cultural Heritage has cross-referenced Chapter 9 Landscape in particular with reference to landscape character in the vicinity of the Trinity Burial Ground, Princes Dock, the Humber and Railway Dock and the Old Town landscape character areas. A landscape and visual impact assessment has been carried out in line with GLVIA3. Effects on the settings of heritage assets is considered solely within Chapter 8 Cultural Heritage.			
Nature Conservation (see Scoping Report Section 9)							
3.38	The SoS advises that the study area for the assessment should be clearly defined and justified within the ES, and that the inclusion of a plan is likely to be helpful. Figure 9.1 in the Scoping Report shows a study area which does not appear to cover the scheme extent and does not clearly depict the study area as described in the accompanying text. While it is recognised that previous assessments may have allowed the study area to be refined, as indicated in Paragraph 9.2.1 of the Scoping Report, it will be important to explain this within the justification for the study area within the ES.	Consider approach in the ES.	DW	The plans accompanying Chapter 10 Ecology and Nature Conservation have been updated accordingly.			
3.39	The potential impacts on international and nationally designated sites should be addressed as well as county level habitats. The SoS notes the need for a Habitat Regulations Assessment in view of the scheme's location in relation to the Humber Estuary (also see Section 4 of this Opinion).	Include in ES. Update HRA screening	DW	This is addressed in Chapter 10 Ecology and Nature Conservation. The HRA has been updated and will be appended at Appendix 10.5			
3.40	The SoS notes that the impact assessment in relation to the Humber Estuary will be undertaken in light of the final road drainage design. The assessment should consider the inter-tidal and sub-tidal habitat and the impacts of release of drainage water to the estuary. The impact assessment must be presented in the ES as well as used to inform the HRA process and associated reporting.	Include in ES	DW / SH	This is addressed in Chapter 10 Ecology and Nature Conservation. The HRA has been updated and will be appended at Volume 3, Appendix 10.5. Discussions with NE, and others (EA,MMO) on proposed drainage outfall location concluded no impact on Humber. Reflected in HRA and ES.			
3.41	The SoS welcomes the intention to update targeted ecological surveys, including those for bats and in relation to trees. With reference to Paragraph 9.6.5 of the Scoping Report, the SoS advises that the worst-case scenario should be considered within the assessment and that impacts on roosting bats and mature trees should be assessed on the basis that the trees in question will be removed.	Include in ES	DW	Phase 1 updates and bat emergence and activity surveys updated regularly (2015, 2016, 2017, 2018) undertaken and structures / trees with Bat Roost Potential identified and also surveyed. No bat roosts identified in trees or buildings. Bat foraging area in Trinity Burial ground SSSI and commuting routes identified across Mytongate Junction. Mitigation in landscape design.			
3.42	Mitigation proposed for the scheme should be presented in the ES, with a clear explanation of specific mitigation measures for specific impacts. The SoS welcomes the clear presentation of this information by use of Table 9.5 in the Scoping Report. An assessment of the effectiveness of mitigation measures, including the confidence in their delivery should be presented. The SoS notes from Table 9.4 of the Scoping Report that a number of the enhancement measures appear to be reliant on the voluntary sector, and likewise the confidence in their delivery should be assessed in the ES.	Include in ES	DW	Updated in the Chapter 10 Ecology and Nature Conservation. No enhancement measures are reliant on the voluntary sector.			
3.43	The SoS draws the Applicant's attention to comments from Natural England (NE)(Appendix 2) regarding the scope of the assessment and future amendments to the proposals.	Include in ES	DW	NE have reviewed the HRA for Princes Quay Bridge and agree that there is no impact on Humber re HRA. (20.04.2018) However the HRA Screening Report for PQB has since been re-written in light of the recent court case C-323/17 – People Over Wind / Sweetman vs Coillte Teoranta on behalf of the HCC and MMO as the Competent Authority. The report concluded no significant effects on the Humber Estuary designated sites. This report is currently undergoing consultation with MMO and NE. The AIES Screening Report for the main Scheme will be based on the findings of the HRA Screening Report for PQB. If MMO consent is given in November this will negate the need for any further applications for MMO consent or AIES report. This approach has been discussed with HE SES. A suitable placeholder is being submitted for the DCO application.	Review success of application for MMO consent for works in the Humber Dock Marina in November 2018.	AS / DW	

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
NE	Case law and guidance has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Natural England agrees with the scope of the Environmental Impact Assessment (EIA) for this development as detailed in the report (A63 Castle Street Improvements, Hull Environmental Statement Scoping Report 112630/AE/01 Rev 1 March 2013).	None		N/A			
NE	Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.	Review regularly	DW / AS	Noted			
3.44	A clear distinction should be made between measures forming mitigation and those measures which are intended as ecological enhancements. Cross-reference to other topic chapters should be made where appropriate, in particular the Landscape chapter and Road Drainage and the Water Environment chapter (see Paragraph 3.69 of this Scoping Opinion).	Include in ES	DW / AS / SH	Cross references are included in the ES chapters where relevant.			
Geology and Soils (see Scoping Report Section 10)							
3.45	While the SoS appreciates that previous assessment work may have enabled refinement of the study area, the baseline for the ES should explain in detail the extent of the study area and justify the reasons for its selection. The Applicant's attention is drawn to comments from Hull City Council (Appendix 2) regarding the need to consult with their Environmental Regulation section on the methodology to be applied to any site investigation works.	Include in ES.	LC	The main site investigation was completed in 2013. Throughout the work the site team liaised with the relevant parties including: Contaminated Land and Environmental Health Officer from Hull CC, the EA and the Marine Management Organisation.			
HCC	3. in relation to land contamination and hydrogeology the EHO advises that ongoing consultation with the Environmental Regulation section (contact Emma Tindall Principal Environmental Health Officer, 01482 615520) during the additional site investigation works proposed for May 2013 is carried out to ensure that the appropriate sampling and methodology is being undertaken. The known high groundwater levels across the city will make the site investigation and sampling particularly important to determine the most appropriate construction technique;	Liaise with HCC EHO	LC	Meeting with HCC EHO was held on 23-Apr-13 to discuss the site investigation works and ongoing liaison with EHO was carried out to inform of works progress. No issues reported to date (05.11.13) Section 61 not required. Letter prepared by MD for HCC EHO to deliver to properties affected by the SI. Pumping test boreholes: EA approved proposals for pumping tests and associated groundwater level & quality monitoring, and confirmed that a S32/3 consent was not required (emails 01 May, 03 May 2013).			
3.46	Table 10.1 in the Scoping Report identifies a number of urban Regionally Important Geological and Geomorphological Sites (RIGS) within the study area. However, it is not clear from this topic chapter if any of these sites are to be considered as receptors which could be affected by the scheme.	Include in ES	LC	Enquiry sent to East Yorkshire RIGS group. Response stated that no RIGs in or near site area. A summary of the response from East Yorkshire RIGS is included in the ES.			
3.47	It is noted from the Scoping Report that groundwater resources are considered to be sensitive to impacts, in particular in relation to contaminants. It is noted that a number of areas of potential concern have been identified in the Scoping Report with respect to sources of land contamination and the SoS welcomes the intention for further site investigation in this regard. The SoS encourages the Applicant to inform these investigations through consultation with the EA and local authority.	Liaise with EA and HCC.	LC	This is addressed by the Chapter 12 Geology and Soil and the Ground Contamination Assessment report appended at Appendix 12.1			
3.48	It is not clear whether existing flood defences in the area will be affected by the scheme, and this should be clarified in the ES (see Paragraph 3.73 of this Scoping Opinion).	Include in ES	LC / SH	They will not be affected by the scheme. This is clarified in the ES.			
3.49	Mitigation measures are not presented in the Scoping Report, other than reference to aspects to be included within the CEMP for the scheme. The mitigation proposed in relation to specific impacts identified for the scheme should be presented in the ES and an assessment made of the residual environmental effects.	Include in ES	SH	Mitigation measures have been discussed in Chapter 11 Road Drainage and the Water Environment and are summarised in the Annex B REAC appended to the OEMP.			
3.50	There may be significant interaction between this topic area and the Road Drainage and the Water Environment topic area, as well as the Nature Conservation topic.	Consider approach in the ES.	LC / SH / DW	Any significant effects due to the interaction have been considered in the ES with cross references provided where necessary including in Chapter 8 Geology and Soils, Chapter 10 Ecology and Nature Conservation and Chapter 11 Road Drainage and Water Environment.			
3.51	The SoS draws the Applicant's attention to comments from the Health Protection Agency (Appendix 2) regarding the scope of the assessment with respect to health impacts arising from emissions to surface and ground water and to contamination of land.	Liaise. Need to ensure gas monitoring included as a provision in the SI Include in ES	LC / CB / SH	The site investigation incorporated the chemical testing of soil and groundwater, as well as soil gas monitoring. The potential impacts to human health due to the presence of contaminants have been considered in the ES and Chapter 12 Geology and Soils. This has also been addressed in Chapter 11 Road Drainage and the Water Environment. A summary			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
Materials (see Scoping Report Section 11)							
3.52	The Materials Chapter concludes that a Simple Assessment will be carried out unless environmental impacts cannot be clearly identified, then a Detailed Assessment would be carried out. The Applicant should justify the type of assessment used and is advised to ensure it is sufficient to provide a robust assessment of the impacts of material and waste management.	Include in ES	LC	Discussion on method used is included in Chapter 13 Materials. Given significant material proposed which are associated with the Scheme, the potential environmental impacts could not be readily defined using by a simple assessment. A detailed assessment was undertaken following completion of the initial simple assessment. This has been justified within the chapter and is considered to provide a robust assessment of the impacts of material and waste management.			
3.53	It is expressed in paragraph 11.6.2 of the Scoping Report that IAN 153/11 does not include specific guidance on defining the significance of effects and therefore significance will be based upon professional judgement. The chapter should clearly describe how significance will be attributed to the impacts with reference to Chapter 5 of the Scoping Report.	Consider approach in the ES.	LC	Methodology and definitions is included in Chapter 13 Materials. Significance of impacts with regards to materials and waste management have been clearly defined within the chapter based on available information, professional judgement and cross referenced ,where applicable.			
3.54	Paragraph 11.2.2 states that appropriate waste management facilities have yet to be determined and it is assumed these details will develop through the design phase of the scheme. The ES should consider the appropriate methods of transporting waste and ensure the impacts relating to construction traffic movements of waste, taking account of existing traffic flows, are addressed within the ES.	Liaise with Arcadis re construction traffic assessment Liaise with buildability partners Include in ES	LC	The selection of specific off-site waste treatment facilities for recycling/recovery, exempted sites for re-use or disposal facilities will be made during the detailed design. Chapter 13 Materials considers an estimate of peak traffic movements and consideration of the associated potential environmental impacts (Table 13.7) and proposed mitigation measures (Table 13.8) which includes undertaking a feasibility assessment for using alternate methods to reduce road haulage (dewatering and use of pumping)			
3.55	The SoS notes that a Site Waste Management Plan (SWMP) would be produced for the scheme. It would be useful for a draft/outline SWMP to be appended to the ES to demonstrate how the mitigation measures described within the ES would be implemented as part of the scheme.	Include draft SWMP in ES	LC	An outline SWMP is included and appended at Appendix 13.2.			
3.56	The SoS draws the Applicant's attention to comments from the Health Protection Agency (Appendix 2) regarding the scope of the assessment with respect to health impacts arising from waste management. Comments are also provided in Appendix 2 from the Health and Safety Executive regarding the control of hazardous substances. These comments may be relevant to the design of mitigation and management measures.	Consult with HPA	LC / MM	Control measures with regard to the handling of hazardous substances is covered by the CEMP. Potential health impacts associated with the movement of potentially hazardous materials have been considered throughout Chapter 13 Materials.			
HPA	Waste The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).	Consider approach in the ES.	LC	This is included in the Chapter 13 Materials and reference is made to the minimisation of waste through design-out principles (where possible) and optimisation of opportunities for the re-use of materials.			
HPA	For wastes arising from the construction project the EIA should consider: • the implications and wider environmental and public health impacts of different waste disposal options • disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated	Consider waste disposal option and routes in ES	LC	This is included in Chapter 13 Materials and reference is made to waste management options, disposal routes and the need to minimise impacts from the transportation of waste materials.			
HSE	The applicant should check if any of the named substances in Part A of the Planning (Hazardous Substances) (Amendment) (England) Regulations 2010 are present at or above the specified controlled quantities. The applicant should also check if substances fall into one or more of the categories of substances & preparations specified in Part B of the Regulations. In either Part A or B check, if the described substances are found, the site should apply for HSC.	Storage of hazardous substances not anticipated to exceed quantities requiring HSC but confirmation will be sought.	LC	The nature and storage of hazardous substances is not anticipated to exceed quantities requiring a Hazardous Substances Consent and has not been included in the ES.			
HSE	Consent may also be required even though the amount present is below their controlled quantity, if substances within the same generic category are added together, according to the addition rule, to determine whether consent is required for all or some of them.	Storage of hazardous substances not anticipated to exceed quantities requiring HSC but confirmation will be sought.	LC	The nature and storage of hazardous substances is not anticipated to exceed quantities requiring a Hazardous Substances Consent and has not been included in the ES.			
Noise and Vibration (see Scoping Report Section 12)							
3.57	The SoS agrees that a Detailed Assessment of noise and vibration should be carried out given the number and location of sensitive receptors as identified in the Scoping Report, and the potential for temporary and permanent noise impacts.	Undertake detailed assessment	AMS	The assessment of Noise & Vibration impacts as reported in Chapter 7 has been carried out in accordance with the Detailed assessment methodology given in DMRB HD 213/11.			
3.58	The SoS recommends that the specifics of the methodology and choice of noise receptors should be agreed with the relevant Environmental Health Department of Hull City Council.	Agree methodology with HCC EHO	AMS	HCC's Principal Environmental Health Officer was consulted to agree assessment methodology, baseline survey approach and measurement positions.			
3.59	Information should be provided on the types of vehicles and plant to be used during the construction phase to inform the assessment of construction related noise and vibration. The noise and vibration assessments should take account of the traffic movements along access routes, especially during the construction phase.	Liaise with Arcadis re construction traffic assessment Include in ES	AMS	The list of construction plant and reference noise levels taken from BS 5228 - 1:2009+A1:2014 is given in Volume 3, Appendix 7.1. Predicted changes in road traffic noise during the construction phase are also presented.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
3.60	Noise and vibration impacts on people should be specifically addressed given the proximity of nearby residential receptors, and particularly any potential noise disturbance at night and other unsocial hours such as weekends and public holidays. The assessment should include impacts associated with all phases of the development.	Include in ES	AMS	The noise and vibration assessment reported in Chapter 7 is undertaken in accordance with HD 213/11 which considers the impacts on dwellings and other sensitive receptors in terms of both day and night-time impacts.			
3.61	The SoS notes that mitigation measures to reduce impacts during the construction period would be included as part of the CEMP. The SoS advises that a draft/outline CEMP should be appended to the ES to demonstrate how the mitigation measures proposed in the ES would be delivered. Consideration should be given to monitoring noise complaints during construction and when the development is operational. Consideration should also be given to the potential to mitigate noise impacts during the operational period, including through the incorporation of appropriate measures in the scheme design.	Prepare outline CEMP. Consider mitigation for noise effects during construction.	AS / AMS	Noted. The scheme will have a thin surface course which will result in less noise than conventional hot rolled asphalt. This is reported in Chapter 7 Noise and Vibration. Mitigation measures are reported in the OEMP at Annex B REAC.			
3.62	The information in Paragraph 12.4.6 of the Scoping Report indicates that ground borne operational vibration would not be assessed within the ES. The reasoning states that as a new highway it is unlikely to generate significant levels of ground borne vibration. No evidence is provided to support this assumption and therefore this aspect should be scoped into the ES or a reasoned justification supported by evidence provided within the ES to demonstrate why it has been scoped out.	Include in ES or agree with HCC EHO that it can be scoped out.	AMS	Clause A5.26 of DMRB HD 213/11 states " Significant ground-borne vibrations may be generated by irregularities in the road surface. Such vibrations are unlikely to be important when considering disturbance from new roads and an assessment will only be necessary in exceptional circumstances."			
Effects on All Travellers (see Scoping Report Section 13)							
3.63	The SoS notes that the study area applied for effects on vehicle travellers has been chosen based on visual impacts being considered to be the principle concern. The SoS considers that effects on vehicle travellers due to construction activity and traffic management measures are likely to be of importance, and that these effects should also be taken into account when defining the study area. As well as effects along the A63 corridor these effects are likely to extend to adjoining routes.	Include in ES	JH	Chapter 15 Effects on all Travellers considers effects on vehicle travellers in full. All NMU amenities, side roads and roads that may be impacted within 250m of the Scheme are considered for the assessment of driver stress. The study area for views from the road takes into account of visual impacts to and from the A63 corridor as well as adjoining routes. Construction activities and traffic management measures are considered as part of the assessment of effects on vehicle travellers.			
3.64	While Paragraph 13.5.13 of the Scoping Report recognises a temporary increase in driver stress as a potential effect during the construction stage, but there is limited information provided for the basis of the anticipated impact presented in this paragraph. Sufficient information on the proposals for traffic management during construction (including road or lane closures), location of construction compounds and access routes, timescales and hours of working, and other such details must be provided in the ES and a full assessment made of the impacts to all travellers during the construction phase.	Liaise with Arcadis re construction traffic assessment Liaise with Balfour Beatty / Arup Include in ES	JH	The construction assessment of effects on driver stress considers measures proposed as part of the temporary traffic management plan, including proposed road and lane closures within the study area. Potential effects on vehicle travellers resulting from construction compounds are considered in Chapter 15 Effects on all Travellers, Section 15.7. This section also considers the timescales for the Scheme. It is expected that most staff would work during the typical hours of day time construction (yet to be specified), although it is possible that some activities, for example piling operations, would be carried out in longer 12 hour shifts. This is noted in Chapter 15.			
3.65	The SoS considers severance to be an important consideration, and notes the recognition of this in the Scoping Report as an aspect to be taken into account within the assessment however, it is not covered in depth under the sub-heading of 'potential effects'. Increased pedestrian and cyclist journey times and the ease of use of the new proposed footbridges by all travellers will be a factor to consider within this topic area of the assessment.	Include in ES	JH / RD	Severance is addressed in ES Chapter 14 People and Communities. Chapter 15 Effects on all Travellers considers changes to journey length and time for NMUs and the use of bridges.			
3.66	The SoS notes the information in the Scoping Report on the location of footpaths and cyclepaths along the scheme, and notes that no bridleways have been identified within the study area. The ES should clearly set out impacts on footpaths and cyclepaths, extending the assessment to the wider area where appropriate. It will be important to minimise hindrance to them where possible. A clear indication should be given as to how the development will affect the existing and future routes and what mitigation is proposed, as well as any enhancements to these routes that may be made by the scheme.	Include in ES	JH	Chapter 15 Effects on all Travellers clearly sets out impacts on footpaths and cycle paths during construction and operation. A clear indication is given to which routes would be affected and mitigation which would minimise effects to each route, and result in benefits as appropriate.			
3.67	From the information in the Scoping Report regarding future plans for development in the local area, including at Humber Quays and The Fruit Market Area, the SoS considers there to be significant potential for cumulative effects on all travellers within the area and this should be considered within the ES (also see Paragraph 3.72 of this Scoping Opinion).	Include in ES	JH / MM	On balance, significant effects are not predicted on all travellers for the Scheme.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
3.68	The SoS advises the development of the assessment of transport impacts in association with the local highways authority.	Consult HCC Liaise with Arcadis	JH	Chapter 15 Effects on all Travellers takes into account the comments from HCC as provided in the Scoping Opinion, considers designated crossings such as Dagger Lane and provides information on the Freedom Festival. Two NMU surveys have also been carried out since the Scoping Report was produced which include cyclist and pedestrian counts.			
Community and Private Assets (see Scoping Report Section 14)							
3.69	Paragraph 14.2.1 of the Scoping Report states that for the purposes of the assessment of impacts on land use, the study area will extend to 200m from the scheme boundary. The study area should include all areas under temporary use, for example construction compounds and storage areas, and this should be clearly presented in the ES.	Include in ES	RD	This is addressed in the ES. The Local Impact Area (LIA) in Chapter 14 People and Communities extends to 250m and includes both temporary and permanent land use.			
3.70	In terms of the potential effects of the proposed demolition of the two Grade II listed buildings, cross-reference is provided in the Scoping report to the topic chapters covering assessments of their historic value and landscape value (Chapters 7 and 8) but no reference is made to the potential effects of their demolition in Chapter 10 of the Scoping Report.	Consider approach in the ES.	CH / ED / DW	Earl de Grey Public House is the only Listed Building to be demolished. Ecological value has been considered in Chapter 10 Ecology and Nature Conservation.			
3.71	The SoS considers severance to be an important consideration within this topic chapter, and notes the intention to consider the community effects of severance within the assessment. The design of the scheme should be carefully considered in order to minimise adverse effects in this regard and maximise the potential for beneficial effects to result from the scheme. Cross-reference to the assessment of effects on travellers should be made in the ES.	Include in ES	RD / JH	Addressed in revised ES Chapter 14 People and Communities - social chapter.			
3.72	The SoS recommends that the socio-economic effects of the scheme should be considered in the context of the local area, for example; the likely employment generated against the context of the locally available workforce. This applies equally to the construction and operational stages.	Include in ES	RD / MM	Addressed in ES Chapter 14 People and Communities - social chapter.			
Road Drainage and the Water Environment (see Scoping Report Section 15)							
3.73	The SoS recommends that full consideration will need to be given to the potential effects of the drainage design for the scheme – including scour and changes to sediment or chemical concentrations at the outfall point. It is not clear from the Scoping Report whether the scheme drainage will connect to an existing outfall or a new outfall will be constructed. If a new outfall is to be installed then impacts arising during its construction should be assessed within the ES. The SoS draws the Applicant's attention to comments from the Marine Management Organisation (MMO) (Appendix 2) with respect to the need for further information to be provided on the outfall into the Humber and on the precise activities potentially leading to contamination of watercourses.	Include in ES Consult MMO (Arup undertaking)	SH / Arup	The construction and operational impacts of the drainage scheme are assessed in Chapter 11 Road Drainage and Water Environment). EA, NE and MMO were also consulted on the drainage scheme and an approach to water quality impacts during construction and operation agreed 06/06/13. The EA, NE, MMO, ABP, Hull CC and the Spencer Group have been consulted on the proposed route of the rising main and the location of the outfall. Agreement in principle has currently been obtained from the EA (5/11/13) and the NE (8/11/13). The outfall option was assessed within the ES, however as an update to the above, we have agreement in principle from Yorkshire Water to use their drainage network and as such the outfalls will not be required.			
MMO	Comments on the Scoping Report In Sec. 15.5 on page 175, item 15.5.1 identifies the following potential effect: <i>Damage to aquatic ecosystems due to pollution of water courses and groundwater from mobilised suspended solids, heavy metal contamination and spillages of fuel and oil during construction and operations.</i> The MMO would request more information on what processes and works the Highways Agency/MMGJV envisage as being the trigger for the suspension of solids and heavy metals in watercourses during the construction process. Presumably this potential effect would be as the result of works/processes disturbing the historical industrial contamination of sediments in the Humber Dock marina basin?	Include further information in the ES.	Jason B / HC	The approach to the water quality impacts of the proposed outfall has been agreed with the EA (02/08/13) and NE (08/11/13). The MMO agreed they did not need to be involved in the discussion (06/06/13). Potential construction impacts and measures to mitigate these have been considered in Chapter 11 Road Drainage and Water Environment.			
MMO	It will be necessary to know which contaminants are present. These contaminants should be assessed against Cefas action levels.	Include assessment in ES.	SH	The approach to the water quality impacts of the proposed outfall has been agreed with the EA (02/08/13) and NE (08/11/13). The MMO agreed they did not need to be involved in the discussion (06/06/13). Water quality monitoring from boreholes and surface water quality (Humber and docks) have been summarised in Chapter 11 Road Drainage and Water Environment, and reviewed in Volume 3, Appendix 11.1 Surface water quality impact assessment and Appendix 11.4 Groundwater Report.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
MMO	In Sec. 15.6.8 on page 178, there is a proposal to drain excess surface water from the proposed underpass via a proposed pumping station and rising main, with a direct outfall into the River Humber. The MMO would request more information on the location and construction of this river outfall.	Consult MMO	SH	MMO involved in consultation process. As per line 189, we have agreement in principle from Yorkshire Water to use their drainage network and as such the outfalls will not be required.			
3.74	It is noted from the Scoping Report that the drainage design is yet to be finalised and that the extent to which existing drainage infrastructure will be utilised is undecided, but that it will ultimately discharge to the Humber Estuary. Given the sensitivity of the Humber Estuary the SoS recommends that the need for this discharge is carefully considered as the drainage design emerges, and the rationale behind the design is presented clearly in the ES. The Applicant's attention is drawn to comments from the EA (Appendix 2) regarding pollution prevention and the design of the scheme drainage design.	Consult EA on drainage design	SH	The EA has been consulted on an ongoing basis and has agreed in principle to the proposed rising main and outfall (05/11/13). Consultation ongoing on underpass drainage strategy including outfall level. Consultation also with Yorkshire Water and Hull City Council as the Lead Local Flood Authority. As per line 189, the outfall option was assessed within the ES, however as an update to the above, we have agreement in principle from Yorkshire Water to use their drainage network and as such the outfalls will not be required.			
EA	POLLUTION PREVENTION Paragraph 15.3.7 states that investigations indicate that all highway drainage within the footprint of the scheme discharges to Yorkshire Water combined sewers, which ultimately drain to Hull Wastewater Treatment Works; and paragraph 15.6.8. suggests that it is the intention of the proposed scheme to use the existing outfalls where possible, and that a detailed investigation is to be carried out to ascertain / confirm the existing detail of the current drainage system. This information will determine the extent of requirements for pollution control and containment measures both at the construction phase, and within the final drainage scheme.	Consider approach in the ES.	Jason B	There are two drainage options. 1. All drainage from the at-grade system and underpass will discharge to Yorkshire Water sewer. This will result in an increase of surface water entering the Yorkshire Water sewer and is subject to agreement with Yorkshire Water and Hull City Council as part of the Drainage Impact Assessment. 2. The underpass will discharge to Humber Estuary (via new outfall) whilst the at-grade system will continue to discharge to Yorkshire Water sewer. This will result in a decrease of surface water entering the Yorkshire Water sewer and is subject to agreement with Yorkshire Water, Hull City Council, the Environment Agency and the Marine Management Organisation. The Environment Agency has agreed in principle to the proposed new outfall (05/11/13) subject to suitable pollution prevention/control and containment measures and additional scour protection. The Marine Management Organisation has stated that a Marine Licence would not be required if the outfall were to be constructed above Mean High Water Springs. The outfall option was assessed within the ES, however as an update to the above, we have agreement in principle from Yorkshire Water to use their drainage network and as such the outfalls will not be required.			
EA	It is proposed that any excess water above that currently produced is connected to a new pumping station/rising main, with direct discharge to the Humber Estuary. Where there is an inherent risk from a direct discharge to the water environment, our preferred method of disposal is connection to sewer, if there is adequate capacity to accommodate additional flows. Otherwise, any alternative option should consider the potential for impact upon the status / designations of the Estuary / waterbody, and mitigate accordingly, e.g. the scheme should incorporate adequate provision of oil / petrol interception facilities to remove such contamination, and also incorporate provision to isolate the drainage system, such that in the event of a major incident any contaminants can be contained without discharge to the Humber Estuary.	Consult EA Consult NE Consult MMO	Jason B	The outfall option was assessed within the ES, however as an update to the above, we have agreement in principle from Yorkshire Water to use their drainage network and as such the outfalls will not be required.			
3.75	The SoS recommends consultation with both Yorkshire Water and the Environment Agency (EA). Potential impacts on the public sewer network should be addressed, including its capacity and the need to address easements and impacts arising from vibration during the construction works. The SoS draws the Applicant's attention to comments and information received from Yorkshire Water regarding the location of existing infrastructure, provided in Appendix 2 of this Scoping Opinion.	Consult YW Consult EA	SH / AMS	Statutory utilities will be protected during the works. We have been working closely with Yorkshire Water during Stage 3 and have regular meetings to review and mitigate any risks to their infrastructure. Further consultation with Yorkshire Water is crucial to the delivery of the scheme, and will be continued through the detailed design period. The specific locations and extents of proposed sheet piling works are not currently known. With regard to any potential impacts on the public sewer mitigation may include moderation of activities such that vibration levels are kept within prescribed limits. Where this cannot be done, then condition surveys prior to works taking place should be undertaken. YW will be fully consulted regarding this and easement requirements during the detailed design period.	Further consultation with Yorkshire Water will be continued through the detailed design period.	AMS / Arup	
YW	Thank you for consulting Yorkshire Water on the above proposal. Our main concern is that the Hull Disposal Main and associated infrastructure is protected during construction of the improved road system. On the Statutory Sewer Map, the 3600mm and 2895.6mm diameter disposal mains are shown as laid within the easement/protected zone of the main i.e. part of the A63 and a number of roads off Castle Street. In this instance, a stand-off distance of 50 (fifty) metres is required at each side of each disposal main centre-line.	Include in design	SH	Statutory utilities will be protected during the works. We have been working closely with Yorkshire Water during Stage 3 and have regular meetings to review and mitigate any risks to their infrastructure. Further consultation with Yorkshire Water is crucial to the delivery of the scheme, and will be continued through the detailed design period.	Further consultation with Yorkshire Water will be continued through the detailed design period.	Arup	

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
YW	The proposals must comply with the Yorkshire Water Services Code of Practice of Construction Works To Avoid Damage to the Hull Disposal Main (copy provided). I would suggest that appropriate protection/mitigation measures are included within any future Environmental Impact Assessment as damage to the disposal mains could lead to a serious pollution incident and compromise the ability of Yorkshire Water to properly dispose of foul and surface water. It is essential that details of construction works, particularly where deep excavations are proposed, are provided to and agreed in writing with Yorkshire Water prior to commencement on site.	Include in design	SH	Comment noted.			
3.76	The SoS draws to the Applicant's attention comments from the EA (Appendix 2) regarding the Water Framework Directive (WFD), and the need to give it due consideration with the inclusion of a WFD assessment within the EIA.	Consult EA Include WFD assessment	SH	The impact on the water bodies and their WFD status have been included as part of Chapter 11 Road Drainage and the Water Environment.			
EA	WATER FRAMEWORK DIRECTIVE In order to comply with the Water Environment (WFD) Regulations 2003, the decision maker must have due regard to the tenets of the WFD and the River Basin Management Plans (RBMPs). The decision maker may only consent a scheme, if it can be clearly shown that the scheme would not cause deterioration in the WFD status of a waterbody, or prevent that waterbody from reaching 'Good Ecological Status' (GES).	Consider approach in the ES.	SH	The impact on the water bodies and their WFD status have been included as part of Chapter 11 Road Drainage and the Water Environment.			
EA	In order to achieve this, the ES must include a WFD Assessment. There is no required format for this to take, but it should include the following components: <ul style="list-style-type: none"> • Current status of waterbodies that have the potential to be affected by the development • Current reasons for failure/actions to reach GES • Potential impact of the development • Mitigation required • Any potential to further improve the status of affected waterbodies through the scheme 	Include WFD assessment in ES	SH	The impact on the water bodies and their WFD status have been included as part of Chapter 11 Road Drainage and the Water Environment.			
EA	Page 171, sections.15.3.3 / 15.3.4: We are pleased to see that the scoping report makes reference to the Humber River Basin Management Plan, and to the current WFD status of local surface waterbodies. However, we are surprised that the WFD itself is not directly referred to in this section of the report; in fact, there is only one direct reference to the Directive in the report, and that relates to Groundwater only. The WFD is now the key piece of EU legislation governing protection of the water environment, and as such the applicant should be advised to give it due consideration in the EIA for both surface waterbodies and groundwater. A key aim of the WFD is for all waterbodies to achieve Good Ecological Status (or Good Ecological Potential, for Artificial or Heavily Modified Waterbodies), by 2015 where feasible. Additionally, developers should ensure they employ appropriate mitigation measures to ensure that no deterioration of waterbodies results from a development scheme. The applicant should be advised to give greater regard to the WFD in the EIA, and to consider all appropriate local information on current waterbody status and mitigation measures as detailed in the Humber RBMP.	Refer to WFD in this section (15.3) of ES	SH	The impact on the water bodies and their WFD status have been included as part of Chapter 11 Road Drainage and the Water Environment.			
EA	Page.178, section.15.6.8: We are pleased to see that the applicant intends to review/update the baseline information on abstraction licences and surface water quality, and recommend they contact the Environment Agency directly with any questions that may arise as a result of that review.	Contact EA for updated info on abstraction licences and surface water quality	SH	Acknowledged and incorporated into the ES.			
EA	Page.183/184: There is no mention of a surface water assessment in the Conclusions section of this chapter, which seems to be an oversight. We advise that a surface water assessment should be undertaken alongside the assessment of groundwater.	Include surface water assessment in ES	SH	The impact on the surface water bodies and their WFD status have been included as part of Chapter 11 Road Drainage and the Water Environment.			
3.77	Groundwater is the potential pathway for discharge of liquids to surface and coastal waters. Comments have been received from the EA (Appendix 2) with respect to the nature of the hydrogeological assessments and potential impacts on the underlying chalk aquifer, and the SoS draws these to the Applicant's attention. This aspect is likely to also be relevant to the chapter in the ES dealing with Geology and Soils.	Include in ES	CB / LC	This has been completed. The potential impacts on groundwater receptors are assessed in Chapter 11 Road Drainage and the Water Environment and the Groundwater Report. The approach has been agreed with the EA. Where relevant, this potential impacts to groundwater have been referenced in Chapter 12 Geology and Soils.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
EA	GROUNDWATER The Environmental Scoping Report addresses the issues we would wish to see in the Environmental Impact Assessment relating to groundwater and contaminated land. Details of the hydrogeological assessments referred to in sections 10.6.3 and 15.6.15 must be agreed with the Environment Agency prior to carrying out any works where pumping of groundwater is proposed. Consent may be required under Section 32/3 of the Water Resources Act 1991 and pumping tests may not be approved. This is because the status of the Hull and East Riding Chalk groundwater body is poor due to intrusion of saline water in the Hull area. Additional pumping in this area may have a detrimental effect on water quality in this important aquifer.	Include in the ES	CB / LC	The status and impacts to the groundwater bodies have been reviewed in Chapter 11 Road Drainage and the Water Environment			
3.78	The SoS considers that the impacts of climate change, in terms of increased run-off and rises in sea level should be taken into account in the ES.	Include in ES	SH	The impacts of climate change have been considered as part of the ES and Flood Risk Assessment. This includes the impact of sea level rise and increases in rainfall intensity.			
3.79	The assessment within this topic chapter will inform other assessments within the ES, in particular the assessment of impact to groundwater and soils. It will also inform the Nature Conservation assessment, and it is noted that ecological receptors are identified in Paragraph 15.5.1 of the Scoping Report. Under this section impacts on features of Cultural Heritage interest (particularly buried assets) are not identified as potential receptors however, this is identified as a potential effect in Section 7 of the Scoping Report. The SoS considers that the drainage chapter should also inform the Cultural Heritage assessment and that potential impacts on heritage assets should be identified within this topic chapter.	Include in ES Liaise across team	SH / CB / DW / LC / CH	Impacts of water table and drainage design on cultural heritage have been considered in Chapter 11 Road Drainage and the Water Environment. Impacts on biodiversity in surface water receptors considered in Chapter 11 Road Drainage and Water Environment. In Chapter 8 Cultural Heritage impacts have been considered in line with assessment of minor ground water level movement. The drainage design has been considered in Chapter 10 Ecology and Nature Conservation.			
3.80	The SoS welcomes the provision of an updated Flood Risk Assessment (FRA) and the on-going consultation with the EA and Hull City Council. As well as informing the detailed assessment the FRA should form an appendix to the ES. The SoS welcomes the intention for the FRA to cover tidal flood risk as well as fluvial impacts and to consider the potential for overtopping of the existing flood defence. Overtopping risk should be considered under present and projected sea level scenarios. It should be clarified within the ES if and how existing flood defences will be affected by the scheme.	Include in ES	SH	Flood Risk Assessment completed and included as an Appendix to Chapter 11 Road Drainage and the Water Environment. It considers all sources of flooding including consideration of climate change. There will be no impact on existing flood defences.			
3.81	Mitigation measures should be addressed and the SoS advises that reference should be made to other regimes (such as pollution prevention from the EA). On-going monitoring should also be addressed and agreed with the relevant authorities to ensure that any mitigation measures are effective.	Include in ES Agree ongoing monitoring requirements with EA and HA	SH	A groundwater level and quality monitoring regime has been implemented. This has been reported on in Volume 3, Appendix 11.4 Groundwater Report. The need for ongoing monitoring is also highlighted in the OEMP. Surface water monitoring requirements (during and post-construction) to be agreed with EA.			
3.82	Table 9.4 of the Scoping Report listing ecological enhancements proposes the creation of wetland areas alongside the underpass which forms part of the proposed scheme. The ES should clearly explain how these features fit in with the drainage plans for the scheme, if relevant.	Review approach in the ES	SH / DW / ED	There are no wetland areas being created on the Scheme. Clarified within ES Chapter 11 that SuDS are not feasible due to location and space constraints.			
3.83	The SoS considers that there is a high amount of repetition between Section 15 of the Scoping Report and Section 10, in particular the sub-sections dealing with hydrology and hydrogeology in this latter topic chapter. It is appreciated that there is significant overlap between these topic areas; however, consideration could be given to reducing repetition in order to aid interpretation of the ES by use of cross referencing where appropriate.	Liaise within team Include in ES	SH / CB	This has been addressed in Chapter 11 Road Drainage and the Water Environment.			
	Consideration of Combined and Cumulative Effects (see Scoping Report Section 16)						
3.84	The SoS notes the proposed approach within this chapter to summarise the cumulative effects identified across the assessments within the ES, and welcomes a clear distinction between effects arising from inter-relationships between topic areas (defined as combined effects in the Scoping Report), and effects arising from the interaction between the A63 Castle Street improvements and other development schemes (defined as cumulative effects within the Scoping Report).	None		N/A			
3.85	The SoS notes the criteria to be applied to other developments and plans when considering cumulative effects, and advises that a clear rationale is presented in the ES for the scope of the cumulative assessment.	Include in ES	AS / MM	Chapter 16 Combined and Cumulative Effects clearly describes the methodology and guidance used in the assessment.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
3.86	The SoS considers that it is likely to be particularly important to consider other proposed developments that fall within any overarching transport strategy for Hull and the surrounding area, which may interact with the scheme. In addition, other development plans for retail, office, leisure and residential areas including at Humber Quays and The Fruit Market Area should be considered.	Consider in the ES.	AS / MM	Chapter 16 Combined and Cumulative Effects clearly describes the methodology and guidance used in the assessment.			
3.87	The SoS welcomes the inclusion of constraints drawings within the Scoping Report, however, notes that Figures 1A -1E show a very large amount of information and advises that the Applicant considers ease of interpretation when producing all figures and plans accompanying the ES.	Review legibility of plans	AS	The accompanying figures to the ES have been carefully and clearly designed to enable legibility and understanding.			
4.0 OTHER INFORMATION							
4.1	This section does not form part of the SoS's opinion as to the information to be provided in the environmental statement. However, it does respond to other issues that the SoS has identified which may help to inform the preparation of the application for the DCO.	None		N/A			
Habitats Regulations Assessment (HRA)							
4.2	The SoS notes that European sites are located close to the proposed development. It is the Applicant's responsibility to provide sufficient information to the Competent Authority (CA) to enable them to carry out a HRA if required. The Applicant should note that the CA is the SoS.	Update HRA screening report	DW	NE have reviewed the HRA for Princes Quay Bridge and agree that there is no impact on Humber re HRA. (20.04.2018) However the HRA Screening Report for PQB has since been re-written in light of the recent court case C-323/17 – People Over Wind / Sweetman vs Coillte Teoranta on behalf of the HCC and MMO as the Competent Authority. The report concluded no significant effects on the Humber Estuary designated sites. This report is currently undergoing consultation with MMO and NE. The AIES Screening Report for the main Scheme will be based on the findings of the HRA Screening Report for PQB. If MMO consent is given in November this will negate the need for any further applications for MMO consent or AIES report. This approach has been discussed with HE SES. A suitable placeholder is being submitted for the DCO application.	Review success of application for MMO consent for works in the Humber Dock Marina in November 2018.	AS / DW	
4.3	The Applicant's attention is drawn to The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (The APFP Regulations) and the need to include information identifying European sites to which the Habitats Regulations applies or any Ramsar site or potential SPA which may be affected by a proposal. The submitted information should be sufficient for the competent authority to make an appropriate assessment (AA) of the implications for the site if required by Regulation 61(1) of the Habitats Regulations.	Update HRA screening report	DW	NE have reviewed the HRA for Princes Quay Bridge and agree that there is no impact on Humber re HRA. (20.04.2018) However the HRA Screening Report for PQB has since been re-written in light of the recent court case C-323/17 – People Over Wind / Sweetman vs Coillte Teoranta on behalf of the HCC and MMO as the Competent Authority. The report concluded no significant effects on the Humber Estuary designated sites. This report is currently undergoing consultation with MMO and NE. The AIES Screening Report for the main Scheme will be based on the findings of the HRA Screening Report for PQB. If MMO consent is given in November this will negate the need for any further applications for MMO consent or AIES report. This approach has been discussed with HE SES. A suitable placeholder is being submitted for the DCO application.	Review success of application for MMO consent for works in the Humber Dock Marina in November 2018.	AS / DW	
4.4	The report to be submitted under Regulation 5(2)(g) of the APFP Regulations with the application must deal with two issues: the first is to enable a formal assessment by the CA of whether there is a likely significant effect; and the second, should it be required, is to enable the carrying out of an AA by the CA.	Update HRA screening report Produce AA (if required) - check this is on risk register	DW	Noted. See response to 4.2 and 4.3.			
4.5	When considering aspects of the environment likely to be affected by the proposed development; including flora, fauna, soil, water, air and the inter-relationship between these, consideration should be given to the designated sites in the vicinity of the proposed development.	Update HRA screening report	DW	Designated sites have been given due consideration in the screening report			
4.6	Further information with regard to the HRA process is contained within Planning Inspectorate's Advice Note 10 available on the National Infrastructure Planning's website.	Review guidance note 10	DW	Guidance reviewed and taken into account.			
Sites of Special Scientific Interest (SSSIs)							
4.7	The SoS notes that a number of SSSIs are located close to or within the proposed development. Where there may be potential impacts on the SSSIs, the SoS has duties under sections 28(G) and 28(I) of the Wildlife and Countryside Act 1981 (as amended) (the W&C Act). These are set out below for information.	None		N/A			
4.8	Under s28(G), the SoS has a general duty '... to take reasonable steps, consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of the flora, fauna or geological or physiographical features by reason of which the site is of special scientific interest'.	Review	DW	NE states that the AIES screening report also covers the assessment of impacts on the SSSI and as such a separate document for S28 won't be required.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
4.9	Under s28(l), the SoS must notify the relevant nature conservation body (NCB), NE in this case, before authorising the carrying out of operations likely to damage the special interest features of a SSSI. Under these circumstances 28 days must elapse before deciding whether to grant consent, and the SoS must take account of any advice received from the NCB, including advice on attaching conditions to the consent. The NCB will be notified during the examination period.	Agree draft consents with NE	DW	NE states that the AIES screening report also covers the assessment of impacts on the SSSI and as such a separate document for S28 won't be required.			
4.10	If applicants consider it likely that notification may be necessary under s28(l), they are advised to resolve any issues with the NCB before the DCO application is submitted to the SoS. If, following assessment by applicants, it is considered that operations affecting the SSSI will not lead to damage of the special interest features, applicants should make this clear in the ES. The application documents submitted in accordance with Regulation 5(2)(l) could also provide this information. Applicants should seek to agree with NE the DCO requirements which will provide protection for the SSSI before the DCO application is submitted.	Agree draft consents with NE	DW	NE states that the AIES screening report also covers the assessment of impacts on the SSSI and as such a separate document for S28 won't be required.			
European Protected Species (EPS)							
4.11	The Applicant should also be aware that the decision maker under the Planning Act 2008 (PA 2008) has, as the CA, a duty to engage with the Habitats Directive.	Consider	DW	Noted.			
4.12	The SoS considers that there is potential for the presence of EPS within the study area for the proposed development. Where a potential risk to an EPS is identified and before making a decision to grant development consent the CA must, amongst other things, address the derogation tests in Regulation 53 of the Habitats Regulations. Therefore the Applicant may wish to provide information which will assist the decision maker to meet this duty. Where required the Applicant should, in consultation with NE, agree appropriate requirements to secure necessary mitigation.	Consult NE	DW	Noted. See response to 4.2 and 4.3. No impacts to EPS. No EPS licence required.			
4.13	If the Applicant has concluded (in consultation with NE) that an EPS licence is required the ExA will need to understand whether there is any impediment to the licence being granted. It would assist the examination if the Applicant could provide with the application confirmation from NE whether they intend to issue the licence in due course.	Agree draft EPS licence with NE	DW	No impacts to EPS. No EPS licence required.			
Health Impact Assessment							
4.14	The SoS considers that it is a matter for the Applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA). However, the Applicant should have regard to the responses received from the relevant consultees regarding health, and in particular to the comments from the Health Protection Agency in relation to chemicals and radiation safety considerations (see Appendix 2).	Outline approach to HIA in ES	AS / MM	It has been agreed that a standalone HIA is not required for this Scheme. The Health Impact Assessment (HIA) has been integrated into the EIA process with a summary of Health Impacts provided within Chapter 16 Combined and Cumulative Effects.			
HPA	The EIA Directive requires that ESs include a description of the aspects of the environment likely to be significantly affected by the development, including "population". The EIA should provide sufficient information for the HPA to fully assess the potential impact of the development on public health. The HPA will only consider information contained or referenced in a separate section of the ES summarising the impact of the proposed development on public health: summarising risk assessments, proposed mitigation measures, and residual impacts. This section should summarise key information and conclusions relating to human health impacts contained in other sections of the application e.g. in the separate sections dealing with: air quality, emissions to water, waste, contaminated land etc) without undue duplication. Compliance with the requirements of National Policy Statements and relevant guidance and standards should be highlighted.	Outline approach to HIA in ES	AS / MM	It has been agreed that a standalone HIA is not required for this Scheme. The Health Impact Assessment (HIA) has been integrated into the EIA process with a summary of Health Impacts provided within Chapter 16 Combined and Cumulative Effects.			
4.15	The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.	Outline approach to HIA in ES	AS / MM	It has been agreed that a standalone HIA is not required for this Scheme. The Health Impact Assessment (HIA) has been integrated into the EIA process with a summary of Health Impacts provided within Chapter 16 Combined and Cumulative Effects.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
Other regulatory regimes							
4.16	The SoS recommends that the Applicant should state clearly what regulatory areas are addressed in the ES and that the Applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the ES.	Include in ES	AS	This information is outlined in Chapter 2 The Scheme, detailed in each topic chapter and discussed in the outline CEMP.			
4.17	It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the PA 2008, the SoS will require a level of assurance or comfort from the relevant regulatory authorities that the proposal is acceptable and likely to be approved, before they make a recommendation or decision on an application. The Applicant is encouraged to make early contact with other regulators. Information from the Applicant about progress in obtaining other permits, licences or consents, including any confirmation that there is no obvious reason why these will not subsequently be granted, will be helpful in supporting an application for development consent to the SoS.	Consult and agree draft consents. Include in ES	AS	This information is outlined in Chapter 2 The Scheme, detailed in each topic chapter and discussed in the outline CEMP at Table 5.1: Permits, consents and licences and also at Annex C: Key legislation, policies and strategies and best practice.			
APPENDIX 3							
Presentation of the Environmental Statement							
	The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (SI 2264) (as amended) sets out the information which must be provided for an application for a development consent order (DCO) for nationally significant infrastructure under the Planning Act 2008. Where required, this includes an environmental statement. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information need not be replicated or included in the ES.	Review guidance	AS	Noted. Other documents which support the ES are listed at Chapter 1 Introduction and include the Consultation Report, the OEMP and the Book of Reference			
	An environmental statement (ES) is described under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (as amended) (the EIA Regulations) as a statement: a) 'that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but b) that includes at least the information required in Part 2 of Schedule 4' (EIA Regulations Regulation 2)	Review guidance	AS	Noted and requirements covered in ES.			
	The purpose of an ES is to ensure that the environmental effects of a proposed development are fully considered, together with the economic or social benefits of the development, before the development consent application under the Planning Act 2008 is determined. The ES should be an aid to decision making.	Ensure economic & social benefits covered in ES	AS / RD	Chapter 14 People and Communities provides this information. The chapter is supported by an Equality Impact Assessment which appended to the chapter at Appendix 14.3.			
	The SoS advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike. The SoS recommends that the ES be concise with technical information placed in appendices.	Ensure technical appendices clearly cross referenced throughout the ES.	AS	Chapter 1 Introduction explains that technical appendices are compiled in Volume 3. Cross references included in each topic chapter for guidance.			
ES Indicative Contents							
	The SoS emphasises that the ES should be a 'stand alone' document in line with best practice and case law. The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in environmental statements.	Review guidance	AS	Noted and requirements covered in ES.			
	Schedule 4 Part 1 of the EIA Regulations states this information includes:	Review guidance	AS	As below			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	17. Description of the development, including in particular— (a) a description of the physical characteristics of the whole development and the land-use requirements during the construction and operational phases; (b) a description of the main characteristics of the production processes, for instance, nature and quantity of the materials used; (c) an estimate, by type and quantity, of expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development.	Include in ES	AS	Outline provided in Chapter 2 with details stated in full in each topic chapter.			
	18. An outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects.	Include in ES	AS	Alternatives scheme proposals are presented at Chapter 4.			
	19. A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.	Include in ES	AS	ES outline explained in Chapter 1 The Scheme with details stated in full in each topic chapter.			
	20. A description of the likely significant effects of the development on the environment, which should cover the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects of the development, resulting from: (a) the existence of the development; (b) the use of natural resources; (c) the emission of pollutants, the creation of nuisances and the elimination of waste, and the description by the applicant of the forecasting methods used to assess the effects on the environment.	Include in ES briefing note	AS	Outline provided in Chapter 2 with details stated in full in each topic chapter.			
	21. A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.	Include in ES briefing note	AS	Details are provided in each topic chapter and within Chapter 18 Summary of ES Findings. Details are also provided in the OEMP Appendix D Register of Environmental Actions and Commitments (REAC)			
	22. A non-technical summary of the information provided under paragraphs 1 to 5 of this Part.	Provide NTS	AS	A Non Technical Summary document has been provided.			
	23. An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information. EIA Regulations Schedule 4 Part 1	Include in ES	AS	Chapter 5 Environmental Impact Assessment process describes 'difficulties encountered' and assessment of worst case scenario in these circumstances. Any instances of this are covered in detail in each topic chapter.			
4.18	The content of the ES must include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regulations. This includes the consideration of 'the main alternatives studied by the applicant' which the SoS recommends could be addressed as a separate chapter in the ES. Part 2 is included below for reference:	Include in ES	AS	See below.			
4.19	Schedule 4 Part 2 • A description of the development comprising information on the site, design and size of the development • A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects • The data required to identify and assess the main effects which the development is likely to have on the environment • An outline of the main alternatives studies by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects, and • A non-technical summary of the information provided [under the four paragraphs above].	Include in ES	AS	This information is included in the ES.			
	Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the SoS considers it is an important consideration per se, as well as being the source of further impacts in terms of air quality and noise and vibration.	Include in ES	AS	Operational and construction traffic data was compiled by Arcadis and informed the ES including the air quality and noise and vibration assessments. Arcadis are providing a Transport Assessment.			
	Balance						
	The SoS recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.	Required approach noted.	AS	This approach has been applied within each topic chapter.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	The SoS considers that the ES should not be a series of disparate reports and stresses the importance of considering inter-relationships between factors and cumulative impacts.	Include in ES briefing note	AS	Cross references across chapters included where relevant and Combined and Cumulative Effects chapter included in ES.			
	Scheme Proposals						
	The scheme parameters will need to be clearly defined in the draft DCO and therefore in the accompanying ES which should support the application as described. The SoS is not able to entertain material changes to a project once an application is submitted. The SoS draws the attention of the applicant to the DCLG and the Planning Inspectorate's published advice on the preparation of a draft DCO and accompanying application documents.	Review guidance on preparation of DCO and accompanying documents	AS	Noted.			
	Flexibility						
	The SoS acknowledges that the EIA process is iterative, and therefore the proposals may change and evolve. For example, there may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. However, at the time of the application for a DCO, any proposed scheme parameters should not be so wide ranging as to represent effectively different schemes.	Required approach noted.	AS	This approach has been applied across the topic chapters.			
	It is a matter for the applicant, in preparing an ES, to consider whether it is possible to assess robustly a range of impacts resulting from a large number of undecided parameters. The description of the proposed development in the ES must not be so wide that it is insufficiently certain to comply with requirements of paragraph 17 of Schedule 4 Part 1 of the EIA Regulations.	Required approach noted.	AS	Chapter The Scheme outlines the key elements of the scheme. Relevant details are subsequently assessed by each topic chapter with cross referencing applied where appropriate.			
	The Rochdale Envelope principle (see R v Rochdale MBC ex parte Tew (1999) and R v Rochdale MBC ex parte Milne (2000)) is an accepted way of dealing with uncertainty in preparing development applications. The applicant's attention is drawn to the Planning Inspectorate's Advice Note 9 'Rochdale Envelope' which is available on the Advice Note's page of the National Infrastructure Planning website.	Review Advice Note 9 'Rochdale Envelope'	AS	This is not referenced within the Limits of Deviation section of the DCO documents and thus this approach has not been applied. The scheme's limits of deviation and thus extent of uncertainty are outlined in Section 2.8 Elements of the Scheme yet to be finalised.			
	The applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. Where some flexibility is sought and the precise details are not known, the applicant should assess the maximum potential adverse impacts the project could have to ensure that the project as it may be constructed has been properly assessed.	Required approach noted.	AS	The Scheme's limits of deviation and thus extent of uncertainty are outlined in Section 2.8 Elements of the Scheme yet to be finalised. The ES approach to worst case scenario is outlined at Section 5.12 Difficulties encountered.			
	The ES should be able to confirm that any changes to the development within any proposed parameters would not result in significant impacts not previously identified and assessed. The maximum and other dimensions of the proposed development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form of the structures and of any buildings. Lighting proposals should also be described.	Required approach noted.	AS	The Scheme's limits of deviation and thus extent of uncertainty are outlined in Section 2.8 Elements of the Scheme yet to be finalised. The ES approach to worst case scenario is outlined at Section 5.12 Difficulties encountered.			
	Scope						
	The SoS recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and local authorities and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given. The scope should also cover the breadth of the topic area and the temporal scope, and these aspects should be described and justified.	Required approach noted.	AS	Scope of study areas defined and justified under each environmental topic.			
	Physical Scope						
	In general the SoS recommends that the physical scope for the EIA should be determined in the light of: <ul style="list-style-type: none"> • the nature of the proposal being considered • the relevance in terms of the specialist topic • the breadth of the topic • the physical extent of any surveys or the study area, and • the potential significant impacts. 	Required approach noted.	AS	Scope of study areas defined and justified under each environmental topic.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	The SoS recommends that the physical scope of the study areas should be identified for each of the environmental topics and should be sufficiently robust in order to undertake the assessment. This should include at least the whole of the application site, and include all offsite works. For certain topics, such as landscape and transport, the study area will need to be wider. The extent of the study areas should be on the basis of recognised professional guidance and best practice, whenever this is available, and determined by establishing the physical extent of the likely impacts. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.	Required approach noted.	AS	Scope of study areas defined and justified under each environmental topic.			
Breadth of the Topic Area							
	The ES should explain the range of matters to be considered under each topic and this may respond partly to the type of project being considered. If the range considered is drawn narrowly then a justification for the approach should be provided.	Required approach noted.	AS	Scope is defined and justified under each environmental topic.			
Temporal Scope							
	The assessment should consider: <ul style="list-style-type: none"> • environmental impacts during construction works • environmental impacts on completion/operation of the development • where appropriate, environmental impacts a suitable number of years after completion of the development (for example, in order to allow for traffic growth or maturing of any landscape proposals), and • environmental impacts during decommissioning. 	Required approach noted.	AS	Approach has been applied in all topic chapters.			
	In terms of decommissioning, the SoS acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment, as well as to enable the decommissioning of the works to be taken into account, is to encourage early consideration as to how structures can be taken down. The purpose of this is to seek to minimise disruption, to reuse materials and to restore the site or put it to a suitable new use. The SoS encourages consideration of such matters in the ES.	Required approach noted.	AS	Chapter 2 The Scheme explains that the design life of the Scheme is 60 years and there is no planned decommissioning stage. If an alternative route to the A63 were to be identified in the future, a full assessment of the decommissioning of the existing carriageway would need to be undertaken as part of the environmental assessment of any proposed new route.			
	The SoS recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.	Agree time period for assessment with stat consultees	AS	Where relevant time period of assessment was agreed with relevant statutory consultees and defined in each topic chapter accordingly.			
	The SoS recommends that throughout the ES a standard terminology for time periods should be defined, such that for example, 'short term' always refers to the same period of time.	Required approach noted.	AS	Chapter 5 EIA process clarifies that, in line with DMRB Volume 11, short or medium term impacts are those that would last less than 15 years. Long term impacts are those that would last for 15 years or longer.			
Baseline							
	The SoS recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, whenever possible, be consistent between topics. The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although it is recognised that this may not always be possible.	Required approach noted.	AS	The baseline for each assessment is clearly defined within each topic chapter.			
	The SoS recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys, and care should be taken to ensure that all the baseline data remains relevant and up to date.	Required approach noted.	AS	This approach was adopted throughout the ES.			
	For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates. The timing and scope of all surveys should be agreed with the relevant statutory bodies and appropriate consultees, wherever possible.	Required approach noted.	AS	This approach was adopted throughout the ES.			
	The baseline situation and the proposed development should be described within the context of the site and any other proposals in the vicinity.	Required approach noted.	AS	This approach was adopted throughout the ES.			
Identification of Impacts and Method Statement							
Legislation and Guidelines							
	In terms of the EIA methodology, the SoS recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.	Refer to standards, guidance and legislation where relevant	AS	This approach was adopted throughout the ES.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	In terms of other regulatory regimes, the SoS recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the APFP Regulations.	Submit list of relevant legislation, permit and licence requirements in line with Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regs (APFP Regs)	AS	This information is outlined in Chapter 2 The Scheme, detailed in each topic chapter and discussed in the outline CEMP at Table 5.1: Permits, consents and licences and also at Annex C: Key legislation, policies and strategies and best practice.			
	In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.	Required approach noted.	AS	This approach was adopted throughout the ES.			
Assessment of Effects and Impact Significance							
	The EIA Regulations require the identification of the 'likely significant effects of the development on the environment' (Schedule 4 Part 1 paragraph 20).	Noted.	AS	Taken account of within each topic chapter.			
	As a matter of principle, the SoS applies the precautionary approach to follow the Court's reasoning in judging 'significant effects'. In other words 'likely to affect' will be taken as meaning that there is a probability or risk that the development will have an effect, and not that a development will definitely have an effect.	Required approach noted.	AS	Taken account of within each topic chapter where relevant.			
	The SoS considers it is imperative for the ES to define the meaning of 'significant' in the context of each of the specialist topics and for significant impacts to be clearly identified. The SoS recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of 'significant' in terms of each of the EIA topics. Quantitative criteria should be used where available. The SoS considers that this should also apply to the consideration of cumulative impacts and impact inter-relationships.	Required approach noted.	AS / MM	This is defined within each topic chapter and quantitative criteria used where appropriate. This is also considered within Chapter 16 Combined and Cumulative Effects.			
	The SoS recognises that the way in which each element of the environment may be affected by the proposed development can be approached in a number of ways. However it considers that it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the specialist topic areas. The SoS recommends that a common format should be applied where possible.	Required approach noted.	AS	Taken account of across the ES.			
Inter-relationships between environmental factors							
	The inter-relationship between aspects of the environments likely to be significantly affected is a requirement of the EIA Regulations (see Schedule 4 Part 1 of the EIA Regulations). These occur where a number of separate impacts, e.g. noise and air quality, affect a single receptor such as fauna.	None					
	The SoS considers that the inter-relationships between factors must be assessed in order to address the environmental impacts of the proposal as a whole. This will help to ensure that the ES is not a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development. This is particularly important when considering impacts in terms of any permutations or parameters to the proposed development.	Required approach noted.	AS	Taken account of within each topic chapter with cross references applied where required.			
Cumulative Impacts							
	The potential cumulative impacts with other major developments will need to be identified, as required by the Directive. The significance of such impacts should be shown to have been assessed against the baseline position (which would include built and operational development). In assessing cumulative impacts, other major development should be identified through consultation with the local planning authorities and other relevant authorities on the basis of those that are: <ul style="list-style-type: none"> • under construction • permitted application(s), but not yet implemented • submitted application(s) not yet determined • projects on the National Infrastructure's programme of projects • identified in the relevant development plan (and emerging development plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited, and • identified in other plans and programmes (as appropriate) which set the framework for future development consents/approvals, where such development is reasonably likely to come forward. 	Consult LPA and other relevant authorities for other major developments in the area	MM	Other developments were identified with input from relevant consultees.			
	Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and how these have been taken into account as part of the assessment.	Include details of major developments in the ES	MM	Type, location and key aspects have been assessed and detailed in the chapter and appendices.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	The SoS recommends that offshore wind farms should also take account of any offshore licensed and consented activities in the area, for the purposes of assessing cumulative effects, through consultation with the relevant licensing/consenting bodies.	None		N/A			
	For the purposes of identifying any cumulative effects with other developments in the area, applicants should also consult consenting bodies in other EU states to assist in identifying those developments (see commentary on Transboundary Effects below).	Done by PINS. No transboundary effects.	AS	Link to short proforma on PINS website. A form that PINS would fill in to confirm no transboundary effects. https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2018/03/an12-annex-2.pdf			
	Related Development						
	The ES should give equal prominence to any development which is related with the proposed development to ensure that all the impacts of the proposal are assessed.	Required approach noted.	AS	All associated development is fully considered and assessed where relevant within each topic chapter.			
	The SoS recommends that the applicant should distinguish between development for which development consent will be sought and any other development. This distinction should be clear in the ES.	Required approach noted.	AS	This is clearly outlined where relevant - for example in the case of Princes Quay Bridge which may proceed under the Town and Country Planning Act rather than the DCO application. Details are included in Chapter 1 Introduction.			
	Alternatives						
	The ES must set out an outline of the main alternatives studied by the applicant and provide an indication of the main reasons for the applicant's choice, taking account of the environmental effect (Schedule 4 Part 1 paragraph 18).	Outline main project solution alternatives in ES	AS	This is reported at Chapter 3 Consideration of alternatives			
	Matters should be included, such as inter alia alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.	Justify final choice and evolution of scheme development	AS	This is reported at Chapter 3 Consideration of alternatives. Scheme development is summarised at Section 2.4 Scheme history.			
	The SoS advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.	Required approach noted.	AS	There are no off-site proposals - all site compounds are within the DCO boundary and have been assessed within each topic chapter.			
	Mitigation Measures						
	Mitigation measures may fall into certain categories namely: avoid; reduce; compensate or enhance (see Schedule 4 Part 1 paragraph 21); and should be identified as such in the specialist topics. Mitigation measures should not be developed in isolation as they may relate to more than one topic area. For each topic, the ES should set out any mitigation measures required to prevent, reduce and where possible offset any significant adverse effects, and to identify any residual effects with mitigation in place. Any proposed mitigation should be discussed and agreed with the relevant consultees.	Identify mitigation measures in each topic.	AS	Chapter 5 EIA process outlines Mitigation measures and enhancements and how the approach is adopted throughout the ES. Mitigation commitments arising from topic chapters are summarised within the OEMP at Annex B REAC.			
	The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment and can be shown to be deliverable should be taken into account as part of the assessment.	Required approach noted.	AS	Taken account of within each topic chapter.			
	It would be helpful if the mitigation measures proposed could be cross referred to specific provisions and/or requirements proposed within the draft development consent order. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.	Required approach noted.	AS	Mitigation requirements are summarised within each topic chapter. Chapter 17 Summary of ES findings discusses mitigation and provides a cross references to the REAC at OEMP Annex B.			
	The SoS advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan and safety procedures which will be adopted during construction and operation and may be adopted during decommissioning.	Consider including env monitoring and management plan and safety procedures in the ES	AS	Details of the Environmental Management Plan are outlined in Chapter 5 EIA process.			
	Cross References and Interactions						
	The SoS recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.	Cross reference relevant topics	AS	Cross references across chapters are included where relevant and interactions between chapters have been ongoing throughout the EIA process.			
	As set out in EIA Regulations Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.	Include technical difficulties in ES	AS	Where information is insufficient or unavailable at the time of assessment, this has been noted within each topic chapter. Chapter 5 Environmental Impact Assessment process describes 'difficulties encountered' and assessment of worst case scenario in these circumstances.			
	Consultation						
	The SoS recommends that any changes to the scheme design in response to consultation should be addressed in the ES.	Include in ES	AS	Scheme proposals and changes following consultation are outlined at Chapter 4 Consultation.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	It is recommended that the applicant provides preliminary environmental information (PEI) (this term is defined in the EIA Regulations under regulation 2 'Interpretation') to the local authorities.	PEI prepared. Scoping report used. Forms part of SoCC.	AS	A PEIR was been submitted in January 2017.			
	Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the preliminary environmental information (PEI). This PEI could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in accordance with Section 47 of the Planning Act, this could usefully assist the applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the PEI. Attention is drawn to the duty upon applicants under Section 50 of the Planning Act to have regard to the guidance on pre-application consultation.	Consult local community in accordance with SoCC. Public exhibition 19 & 20-Jul-13	LC	Public consultation was carried out in 2009 and 2013. This was repeated in January 2017 due to elapsed time since the previous consultations. The Scoping Report was used to provide the PEI for the 2013 consultation. An updated PEI was provided to inform the January 2017, which included detail on the environmental surveys and baseline studies completed since the 2013 consultation.			
Transboundary Effects							
	The SoS recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the SoS recommends consideration should be given to discharges to the air and water and to potential impacts on migratory species and to impacts on shipping and fishing areas.	Consider in the ES.	DW	Bird surveys have been undertaken in 2016 and 2017. Impacts to marine fauna considered in Chapter 10 Ecology and Nature Conservation and in both the HRA and AIES screening documents. Impacts to shipping and fishing areas has not been considered in the ES.			
	The Applicant's attention is also drawn to the Planning Inspectorate's Advice Note 12 'Development with significant transboundary impacts consultation' which is available on the Advice Notes Page of the National Infrastructure Planning website	Review requirements	AS	See response to Cumulative Impacts. No transboundary effects. PINS would complete short proforma			
Summary Tables							
	The SoS recommends that in order to assist the decision making process, the applicant may wish to consider the use of tables: Table X to identify and collate the residual impacts after mitigation on the basis of specialist topics, inter-relationships and cumulative impacts. Table XX to demonstrate how the assessment has taken account of this Opinion and other responses to consultation. Table XXX to set out the mitigation measures proposed, as well as assisting the reader, the SoS considers that this would also enable the applicant to cross refer mitigation to specific provisions proposed to be included within the draft Development Consent Order. Table XXXX to cross reference where details in the HRA (where one is provided) such as descriptions of sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.	Required approach noted.	AS	Approach applied throughout the ES.			
Terminology and Glossary of Technical Terms							
	The SoS recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, 'the site' should be defined and used only in terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site.	Adopt common terminology in ES	AS	A briefing note was circulated around the ES team to ensure consistency. The Highways England Tone of Voice guidance was applied where possible.			
	A glossary of technical terms should be included in the ES.	Include glossary in ES	AS	A glossary has been compiled and is included within the ES.			
Presentation							
	The ES should have all of its paragraphs numbered, as this makes referencing easier as well as accurate.	Number paragraphs in ES	AS	This approach has been applied throughout the ES.			
	Appendices must be clearly referenced, again with all paragraphs numbered.	Include in ES	AS	Appendices are all clearly referenced with numbering of paragraphs applied with the exception of those which have been originated by a third party or which have separate template requirements.			
	All figures and drawings, photographs and photomontages should be clearly referenced. Figures should clearly show the proposed site application boundary.	Include in ES	AS	Applied throughout the ES figures.			
Bibliography							
	A bibliography should be included in the ES. The author, date and publication title should be included for all references. All publications referred to within the technical reports should be included.	Include in ES	AS	References have been compiled and are included in the footnotes and will form a separate document within the ES.			
Non Technical Summary							
	The EIA Regulations require a Non Technical Summary (EIA Regulations Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.	Include NTS	AS	An NTS has been provided in line with current Highways England requirements.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	Cottingham Parish Council						
	Further to your letter dated 5 March 2013, the Cottingham Parish Council does not consider that it is a consultation body as defined in the EIA Regulations	None		N/A			
	English Heritage						
	Our initial review indicates that the proposed development could, potentially, have an impact upon a number of designated heritage assets and their settings in the area. In line with the National Planning Policy Framework (NPPF, paragraph 128), we would expect the Environmental Statement to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and sufficient to understand the potential impact of the proposal on their significance.	Include in ES	CH	The significance (described as value under DMRB Volume 11 Section 3, Part 2 HA 208/07) and setting has been described for all assets that are likely to be impacted by the scheme.			
	We would draw your attention, in particular, to the following designated heritage assets: Listed Buildings and Conservation Areas: Section 2.1.15 of the ES notes that the A63 acts as a substantial barrier and creates severance between the city centre, main shopping areas and transport links to the North and developments, tourist and recreational facilities and retail parks to the south. This visual and physical barrier at present harms the significance of the historic townscape and the setting of several listed buildings. Important sight lines which contribute to the ability to appreciate and understand the historic development of this part of the city are at present obscured.	Include in ES	CH	See comments below with reference to severance.			
	English Heritage therefore wishes to encourage opportunities to consider how to improve upon the current situation and the need for this to be based upon a thorough assessment of the setting and significance of heritage assets affected, designated and undesignated, and the significance of the conservation area and its setting. This is referred to in paragraph 137 of the NPPF which requires opportunities to be sought when considering development within Conservation Areas and the setting of heritage assets to enhance or better reveal their significance.	Include in ES	CH / ED	Setting and significance of heritage assets has been undertaken in Chapter 8 Cultural Heritage. Consideration has been given to physical loss of connection between the north and south of the Old Town Conservation Area. The baseline for assessment acknowledges that the current A63 Castle Street is busy and at-grade crossings are slow and disrupt connectivity. There was no change in connectivity between the north and south at the Mytongate Junction. Consideration has been given to the construction of the Princes Quay Bridge which creates a new NMU access between the north and south of the town. It creates new sightlines across the town from the bridge. However, it acts as a barrier to existing sightlines, but is located where Warehouse No 7 formerly existed that separated the Princes Dock from the Humber Dock disrupting sightlines in the past. The harm caused by its mass is countered by new benefits to connectivity. In other areas there has been a loss of direct connectivity between the Market Place and Queen Street but this has been compensated by the improvement of the Myton Bridge Underpass for NMU access. This was deemed preferable to the creation of a new mass in the form of a footbridge which would have disrupted sightlines between the south of the Old Town Conservation Area and the north, in particular sightlines of the Grade I listed Holy Trinity Church.			
	Paragraph 61 of National Planning Policy Framework (NPPF) (March 2012) which is referred to under section 1.8 as forming the planning policy context of the current proposals, states that the planning process should address the connections between people and places and the integration of new development into the historic environment. This also relates directly to one of the three core dimensions of sustainable development which it to contribute to protecting and enhancing the historic environment.	Include in ES	CH / RD	Chapter 14 People and Communities considers this aspect in its policy review section.			
	As noted in 4.2.25 of the ES Scoping Report, we remain particularly concerned about the above ground impacts, in particular the interconnectivity between the north and south areas and crucially how this impacts upon views and the movement of people between the historic core areas to the north and south. Of particular concern will be the linking of Princes Dock Street with Humber Dock Street and Market Place with Queen Street. The Fruit Market area has been undergoing extensive heritage led regeneration over the past few years. Improvements to the accessibility of this area will be a critical factor in its future sustainability in terms of encouraging investment in the upkeep and use of historic buildings and to the enjoyment and number of visitors to the area. Therefore it is our view that good urban design should be a key consideration in reducing impact and achieving the desired level of interconnectivity.	Include in ES	LC	Details of the consultation held with Historic England, HAP and HCC has been provided in the ES, together with how the design (including design of Princes Quay bridge and the treatment with the Old Town) has incorporated concerns with respect to connectivity and historic assets.			
	It is noted that we have previously stated that we would not support the demolition of any Grade II listed Buildings which may be directly affected. We wish to reiterate this and advise that every effort should be made to retain the Listed Buildings in-situ and that any proposal for demolition would need to address the requirements set out in paragraph 133 of the NPPF.	Address proposal to demolish Grade II listed buildings against para 133 pf NPPF	LC	Meetings have subsequently been held between Highways England, Historic England and HCC to explain the reasons why dismantling of the Earl de Grey (Grade II Listed Building) and the east wing of the Castle Chambers Building (Grade 2 Listed Building) is required. An Option Report (dated 2017) was issued to Historic England to provide an overview of the key issues due to the design of the scheme and the temporary traffic management requirements. As per these discussions and the Option Report, the current proposal involve dismantling of the Earl de Grey (with retention of the frontage) and demolition of the east wing only of the			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	We welcome the proposed structure of the 'Cultural Heritage' chapter, along with the intention to consider visual impacts on the setting of Listed Buildings and Conservation Areas as part of Chapter 8 'Landscape'.	None		N/A			
	We advise that 'setting' which contributes to the significance of a heritage asset, Listed Buildings and Conservation Areas referred to under section 8.4, should also be noted as a factor to be considered and integrated into the assessment of visual impact under section 8.5. Setting can make an important contribution to the significance of a heritage asset and it should be noted that significance can be substantially harmed by development which detracts from the setting of a Listed Building, as referred to in paragraph 132 of the NPPF.	Acknowledge and fully assess 'setting' as a factor for consideration in the visual section of the Cultural Heritage Chapter.	CH	The effects on the visual setting of cultural heritage assets has been fully considered in the assessment in Chapter 8 Cultural Heritage.			
	Section 7.3 – we understand that a 'Historic Buildings and Historic Townscape Appraisal' of the significance of the Grade II listed Castle Street Chambers, Grade II listed Earl de Grey Public House and the Grade II listed Warehouse at the south east corner of Prince's Docks and the Conservation Area is to be undertaken and used to inform an impact assessment on these heritage assets. We have been consulted on the brief for this document and will be commenting on the draft.	The Architectural History Practice have been commissioned.	CH	This document has been used in the background research for the ES but has not been submitted as part of the ES. It contained discrepancies with the current iteration of the Project and was not deemed appropriate for use.			
	Section 7.4 - Section 7.4.6 refers to Grade II listed building as having a 'medium value'. It should be made clear that the Grade II listed buildings have a national level of special architectural and historic interest. We advise that the level of 'value' and sensitivity to change within the setting of a heritage asset should be assessed on an individual basis, taking into account the particular nature of the heritage asset affected and the different types of heritage values which contribute to its significance.	Assess value and sensitivity of Grade II listed buildings on an individual basis	CH	The value of heritage assets has been assessed individually but in line with guidance contained within DMRB Volume 11 Section 3, Part HA 208/07.			
	We would also question the 'medium value' ascribed to the Old Town Conservation Area, due to the predominance of Grade II listed buildings over Grade I and II* Listed Buildings. We would highlight that due to Grade I and II* listed building constituting the top 8% of Listed Buildings in the country, this is a natural consequence of the predominance of Grade II Listed Buildings and once again suggest that the Conservation Area, along with the Grade II Listed Buildings be assessed on their overall merits and receptivity to change and impact on their setting on a case by case basis, in order for the assessment to be robust.	Assess value and sensitivity of Grade II listed buildings and Conservation Areas on an individual basis	CH	The assessment has been undertaken based on the criteria set out in DMRB Volume 11 Section 3, Part 2 HA 208/07. Due to its size and complexity the value of the Old Town Conservation Area has been assessed in detail for individual sub-zones in line with the conservation area appraisals produced by Hull City Council. The impact on these individual sub-zones has been considered individually and the impact on the conservation area subsequently considered as a whole.			
	Undesignated archaeological assets: The ES Scoping Report identifies that there is a total of 190 archaeological assets identified within the 250m wide study corridor (para 7.3.5). There are no designated Scheduled Monuments within the Study Area.	None		N/A			
	Taken in their entirety the archaeological assets are of high potential owing to the character of the assets and the likely prevalence of waterlogged deposits. There are six assets considered to be of 'high' value: three sections of the town defences, the remains of Mytongate, the remains of the Augustinian Friary near Market Place and the former course of Mytongate and its adjacent street frontages. These assets should be considered of national importance. Para 7.4.3 indicates that 87 assets are considered to be of 'Negligible' value, and two of unknown value. However para 7.4.4 of the ES makes it clear that the assessment of values is only provisional and that it is likely that sites will be re-assessed (either up or down) through investigation.	Consider in the ES	CH	The assessment has considered these six assets (and a number of similar value assets in the Old Town) are of high value. Other archaeological assets have been considered on an individual basis. This has been undertaken on the basis of archaeological ground model assessment and fieldwork. This has suggested that their preservation is unlikely in the top 700mm below present ground level.			
	The requirement for enhanced understanding has been a fundamental element of English Heritage comments with regard to the A63 Cultural Heritage sub-group. Investigative works associated with structural engineering and other related concerns are being undertaken, all of which will have the potential to provide definition of the sub-surface archaeological deposits, and thereby enable the revision of the assessment of value, but also provide a predictive tool for generating the most appropriate archaeological mitigation strategy – which has yet to be defined.	Deposit model commissioned from Oxford Archaeology / Humber Archaeology Partnership. Watching brief for SI works	CH	The deposit model has been considered during the assessment.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	General comments: We would expect the assessment to clearly demonstrate that the extent of the proposed study area is of the appropriate size to ensure that all heritage assets likely to be affected by this development have been included and can be properly assessed.	Demonstrate that study area is of appropriate size	CH	Study area has included all archaeological assets within 200m, all built heritage assets within 500m and historic landscape character along the main route (subject to permanent construction and long-term operation effect) within 200m of the Project Site Boundary. This is considered appropriate to the Project.			
	We would also expect the Environmental Statement to consider the potential impacts which the proposals might have upon those heritage assets which are not designated (some of which are identified above). The NPPF defines a heritage asset as "a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest". This includes designated heritage assets and assets identified by the local planning authority (including local listing). This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk) and relevant local authority staff.	Consider the potential impacts which the proposals might have upon those heritage assets which are not designated	CH	Non-designated assets have been considered using Humber Site and Monument Record (SMR) data, the deposit model, and subsequent archaeological evaluation.			
	In general terms, English Heritage advises that a number of considerations will need to be taken into account when major infrastructure proposals are assessed. This includes consideration of the impact of ancillary infrastructure, such as tracks and works compounds, as well as the built structures themselves:	Consider the impact of ancillary infrastructure, such as tracks and works compounds, as well as the built structures themselves	CH	Tracks and works compounds considered during the assessment. The impact on archaeological remains is considered slight due to the use of sites containing hard-standing. The impact on built heritage is considered on a temporary basis only with no effects considered permanent or extending into the operation phase.			
	The potential impact upon the historic character of the landscape, including landscape features which positively contribute to character.	Consider in the ES	CH	Historic landscape character assessment has been undertaken during the EAR stage. This has been updated and reference has been made to the Humber SMR preliminary historic landscape assessment.			
	Direct impacts on heritage assets (buildings, monuments, sites, places, areas, landscapes), whether designated or not.	Consider in the ES	CH	Direct impacts have been considered during the assessment in line with DMRB Volume 11 Section 3, Part 2 HA 208/07.			
	Impacts on the settings of heritage assets since elements of setting can contribute to the significance of a heritage asset. An assessment of the impact on setting will be proportionate to the significance of the asset and the degree to which the proposed changes enhance or detract from its significance and the ability to appreciate the asset. In the consideration of setting a variety of views may make a contribution to significance to varying degrees. These can include long-distance views as well as the inter-visibility between heritage assets or between heritage assets and natural features. For further advice see the English Heritage Guidance Note The Setting of Heritage Assets.	Consider in the ES	CH	Impacts on the setting have been undertaken and considered in line with Historic England Good Practice Guide (GPA) 3 (2nd edition, 2017) and DMRB Volume 11 Section 3, Part 2 HA 208/07.			
	The potential for archaeological remains.	Consider in the ES	CH	The potential for archaeological remains has been considered in line with DMRB Volume 11 Section 3, Part 2 HA 208/07.			
	Effects on landscape amenity from public and private land.	Consider in the ES	CH	The potential for impact on the landscape amenity has been considered in Chapter 9 Landscape and cross referenced where applicable in Chapter 8 Cultural Heritage.			
	The cumulative impacts of the proposal.	Consider in the ES	CH	Cumulative impacts are considered in Chapter 17 Combined and Cumulative Effects.			
	It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this.	Consider in the ES	CH	Ground models and sub-surface modelling has been undertaken as part of the assessment for archaeology. Photomontages have been produced and used for assessment of impacts in consideration with Chapter 9 Landscape.			
	The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.	Consider in the ES	CH	The assessment has considered temporary impacts of construction traffic during the Project. The assessment has considered the alteration of drainage patterns and the impact on groundwater levels as detailed in Chapter 11 Road Drainage and the Water Environment.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	Environment Agency FLOOD RISK AND DRAINAGE We are satisfied that Section 15 of the EIA scoping report, adequately considers the main flood risk sources. However, we are aware that the applicants are awaiting further flood risk information from ourselves, and until this point they are unable to propose flood risk mitigation measures.	Consider in the ES.	SH	Latest information on flood risk received from Environment Agency and LLFA. This was incorporated into the FRA and ES.			
	We will be supplying the applicants with the most up to date modelling information shortly, and we are happy to meet to discuss how this information may impact upon flood mitigation measures.	Noted.	SH	Latest information on flood risk received from Environment Agency and LLFA. This was incorporated into the FRA and ES.			
	We are pleased to see that emergency evacuation will be considered as part of the proposal, and we would expect the emergency planners at the Local Authority to be involved with ensuring the proposals are adequate.	Consult with emergency planners.	SH	Flood emergency and evacuation plan (FEEP) produced by Arup has been developed in consultation with relevant stakeholders including EA, Humber Emergency Planning Service, Hull City Council, Humberside Fire & Rescue and Humberside Police.			
	Please note that the EIA Scoping report refers to Planning Policy Statement 25 (PPS25) and this has now been superseded by the National Planning Policy Framework (NPPF). Therefore, any Flood Risk Assessment should be written in accordance with the NPPF.	Include in ES	SH	ES updated accordingly.			
	Although we are currently satisfied with the flood risk sources to be investigated, we are unable to provide any detailed comments until the results of the flood modelling has been studied further. Therefore, we would encourage pre-application discussions.	Consult	SH	Pre-application consultation on scope of flood risk assessment and modelling requirements carried out with Environment Agency and LLFA. Outcomes incorporated into the FRA and ES.	Following a meeting with the Environment Agency in August 2018, Appendix 11.9 lists additional information to be provided: • Plans showing comparisons of flood extents to identify additional areas of flooding or areas no longer at risk of flooding as a result of the Scheme • Plans or data tables showing changes in flood depth as a proportion of the existing (baseline) flood depth • Plans or figures highlighting areas of change in Flood Hazard • A review of road levels and flood depth information to identify the level at which the road must be constructed in order to manage flooding of the underpass from Humber wave overtopping or River Hull tidal flooding events • A review of the potential impacts of proposed flood defence upgrades as part of the Humber Hull Frontages scheme based on information on these upgrades to be supplied by the Environment Agency	SH	
	BIODIVERSITY As has already been identified in the scoping study, the key risk to the water environment presented by the proposal centres around the issue of drainage, run off and effects on sediment through the construction phase. An assessment of the risks to the Hull and Humber Estuary is vital to understand the impact of the scheme.	Consider in the ES.	SH / DW	Impacts to the water environment have been considered in Chapter 11 Road Drainage and the Water Environment, Chapter 10 Ecology and Nature Conservation and in both the HRA and AIES screening documents. Met NE, EA & MMO on 6-Jun-13 and agreed methodology for assessment. Construction and operational water quality impacts on the River Hull and Humber Estuary are considered as part of ES Chapter 11.			
	This information would also be useful to inform any necessary Habitats Regulations Assessment work regarding the potential impacts on interest features of the Humber Estuary SAC/SPA. We recommend that you consult with Natural England regarding these requirements.	Consult	DW	Impacts to the water environment have been considered in Chapter 11 Road Drainage and the Water Environment, Chapter 10 Ecology and Nature Conservation and in the HRA Screening Report for PQB which concluded no significant effects - see line 146.			
	POLLUTION PREVENTION Paragraph 15.3.7 states that investigations indicate that all highway drainage within the footprint of the scheme discharges to Yorkshire Water combined sewers, which ultimately drain to Hull Wastewater Treatment Works; and paragraph 15.6.8. suggests that it is the intention of the proposed scheme to use the existing outfalls where possible, and that a detailed investigation is to be carried out to ascertain / confirm the existing detail of the current drainage system. This information will determine the extent of requirements for pollution control and containment measures both at the construction phase, and within the final drainage scheme.	Investigate current drainage system. Consult HCC. Consult YW.	SH / Arup	Arup prepared revised drainage strategy in consultation with HCC and YW. Impacts considered as part of ES and Drainage Impact Assessment appended to Chapter 11 at Appendix 11.8.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	It is proposed that any excess water above that currently produced is connected to a new pumping station/rising main, with direct discharge to the Humber Estuary. Where there is an inherent risk from a direct discharge to the water environment, our preferred method of disposal is connection to sewer, if there is adequate capacity to accommodate additional flows. Otherwise, any alternative option should consider the potential for impact upon the status / designations of the Estuary / waterbody, and mitigate accordingly, e.g. the scheme should incorporate adequate provision of oil / petrol interception facilities to remove such contamination, and also incorporate provision to isolate the drainage system, such that in the event of a major incident any contaminants can be contained without discharge to the Humber Estuary.	Inceptor to be included. No additional capacity available to allow allow discharge to sewer. Design ongoing	SH / Arup	There are two drainage options. 1. All drainage from the at-grade system and underpass will discharge to Yorkshire Water sewer. This will result in an increase of surface water entering the Yorkshire Water sewer and is subject to agreement with Yorkshire Water and Hull City Council. 2. The underpass will discharge to Humber Estuary (via new outfall) whilst the at-grade system will continue to discharge to Yorkshire Water sewer. This will result in a decrease of surface water entering the Yorkshire Water sewer and is subject to agreement with Yorkshire Water, Hull City Council, the Environment Agency and the Marine Management Organisation. The EA have agreed in principle to the proposed new outfall (05/11/13) subject to suitable pollution prevention/control and containment measures and additional scour protection. Impacts of Option 2 are considered as part of the ES. Oil/petrol interception facilities and means to isolate the drainage system were incorporated as part of the drainage design. The outfall options was assessed within the ES, however as an update to the above, we have agreement in principle from Yorkshire Water to use their drainage network and as such the outfalls will not be required.			
	WASTE Page 122, section 11.1.3: We are pleased to see that a Memorandum of Understanding on waste practices will be followed, which appears to support the principle of the waste hierarchy.	None		Noted			
	Page 126, section 11.5.1: It is currently a legal requirement to produce a Site Waste Management Plan for developments such as this, and we are therefore pleased to see that this is acknowledged in the report.	Consider approach in the ES.	LC	An outline SWMP is appended to Chapter 13 Materials at Appendix 13.2.			
	WATER FRAMEWORK DIRECTIVE In order to comply with the Water Environment (WFD) Regulations 2003, the decision maker must have due regard to the tenets of the WFD and the River Basin Management Plans (RBMPs). The decision maker may only consent a scheme, if it can be clearly shown that the scheme would not cause deterioration in the WFD status of a waterbody, or prevent that waterbody from reaching 'Good Ecological Status' (GES).	None		N/A			
	In order to achieve this, the ES must include a WFD Assessment. There is no required format for this to take, but it should include the following components: • Current status of waterbodies that have the potential to be affected by the development • Current reasons for failure/actions to reach GES • Potential impact of the development • Mitigation required • Any potential to further improve the status of affected waterbodies through the scheme	Consider approach in the ES.	SH	The impact on the water bodies and their WFD status have been included as part of Chapter 11 Road Drainage and the Water Environment.			
	Page 171, sections.15.3.3 / 15.3.4: We are pleased to see that the scoping report makes reference to the Humber River Basin Management Plan, and to the current WFD status of local surface waterbodies. However, we are surprised that the WFD itself is not directly referred to in this section of the report; in fact, there is only one direct reference to the Directive in the report, and that relates to Groundwater only. The WFD is now the key piece of EU legislation governing protection of the water environment, and as such the applicant should be advised to give it due consideration in the EIA for both surface waterbodies and groundwater. A key aim of the WFD is for all waterbodies to achieve Good Ecological Status (or Good Ecological Potential, for Artificial or Heavily Modified Waterbodies), by 2015 where feasible. Additionally, developers should ensure they employ appropriate mitigation measures to ensure that no deterioration of waterbodies results from a development scheme. The applicant should be advised to give greater regard to the WFD in the EIA, and to consider all appropriate local information on current waterbody status and mitigation measures as detailed in the Humber RBMP.	Consider approach in the ES.	SH	The impact on the water bodies and their WFD status have been included as part of Chapter 11 Road Drainage and the Water Environment.			
	Page.178, section.15.6.8: We are pleased to see that the applicant intends to review/update the baseline information on abstraction licences and surface water quality, and recommend they contact the Environment Agency directly with any questions that may arise as a result of that review.	Undertake	SH				
	Page.183/184: There is no mention of a surface water assessment in the Conclusions section of this chapter, which seems to be an oversight. We advise that a surface water assessment should be undertaken alongside the assessment of groundwater.	Include	SH	Surface water is considered in Chapter 11 Road Drainage and the Water Environment.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	GROUNDWATER The Environmental Scoping Report addresses the issues we would wish to see in the Environmental Impact Assessment relating to groundwater and contaminated land. Details of the hydrogeological assessments referred to in sections 10.6.3 and 15.6.15 must be agreed with the Environment Agency prior to carrying out any works where pumping of groundwater is proposed. Consent may be required under Section 32/3 of the Water Resources Act 1991 and pumping tests may not be approved. This is because the status of the Hull and East Riding Chalk groundwater body is poor due to intrusion of saline water in the Hull area. Additional pumping in this area may have a detrimental effect on water quality in this important aquifer.	Meet with EA to discuss pump tests and consents	SH / CB	Surface water is considered in Chapter 11 Road Drainage and the Water Environment.			
	ES Pipelines Ltd, ESP Networks Ltd, ESP Electricity Ltd, ESP Connections Ltd						
	Further to your email communication to E S Pipelines Ltd, ESP Networks Ltd, ESP Pipelines Ltd, ESP Electricity Ltd and ESP Connections Ltd dated 05 March 2013 I can confirm that our businesses have no comments at this stage.	Dealt with as part of stats searches	IT	N/A			
	Fulcrum Pipelines Ltd						
	We can confirm that Fulcrum Pipelines Limited have no comments to make on this scoping report. Please note that we are constantly adding to our underground assets and would strongly advise that you consult us again prior to undertaking any excavations.	Dealt with as part of stats searches	IT	N/A			
	Please note that other gas transporters may have plant in this locality which could be affected.	Dealt with as part of stats searches	IT	N/A			
	We will always make every effort to help you where we can, but Fulcrum Pipelines Limited will not be held responsible for any incident or accident arising from the use of the information associated with this search. The details provided are given in good faith, but no liability whatsoever can be accepted in respect thereof.	Dealt with as part of stats searches	IT	N/A			
	HPA - Centre for Radiation, Chemical and Environmental Hazards						
	The HPA is a statutory consultee at the pre-application and application stages for NSIPs "which are likely to involve chemicals, poisons or radiation which could potentially cause harm to people." For those NSIP applications subject to Environmental Impact Assessment (EIA) the HPA is a consultation body under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.	None		N/A			
	The PIN must therefore consult the HPA on the information that the HPA considers should be provided in the ES (or confirm that the HPA has no comments) before the PIN adopts its scoping opinion.	None		N/A			
	The HPA's enclosed response focuses on health protection issues relating to chemicals and radiation. The advice offered by the HPA is impartial and independent. The scope of the HPA's response does not extend to wider health matters; these fall under the remit of other stakeholders.	None		N/A			
	The Appendix outlines generic considerations that the HPA advises are addressed by all promoters when they are preparing ESs for NSIPs. In terms of the level of detail to be included in ESs, the HPA recognises that the differing nature of projects is such that their impacts will vary. The HPA's view is that the assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal. Where a promoter determines that it is not necessary to undertake detailed assessment(s) (e.g. undertakes qualitative rather than quantitative assessments), if the rationale for this is fully explained and justified within the application documents, then the HPA considers this to be an acceptable approach.	Outline revised approach to HIA in ES	AS	As agreed with HE SES, the HIA is provided as a summary within Chapter 16 Combined and Cumulative Effects.			
	General approach The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.	Outline revised approach to HIA in ES	AS	As agreed with HE SES, the HIA is provided as a summary within Chapter 17 Combined and Cumulative Effects.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	The EIA Directive requires that ESs include a description of the aspects of the environment likely to be significantly affected by the development, including "population". The EIA should provide sufficient information for the HPA to fully assess the potential impact of the development on public health. The HPA will only consider information contained or referenced in a separate section of the ES summarising the impact of the proposed development on public health: summarising risk assessments, proposed mitigation measures, and residual impacts. This section should summarise key information and conclusions relating to human health impacts contained in other sections of the application (e.g. in the separate sections deal with: air quality, emissions to water, waste, contaminated land etc) without undue duplication. Compliance with the requirements of National Policy Statements and relevant guidance and standards should be highlighted.	Outline revised approach to HIA in ES	MM / AS	As agreed with HE SES, the HIA is provided as a summary within Chapter 17 Combined and Cumulative Effects.			
	It is not the HPA's role to undertake these assessments on behalf of promoters as this would conflict with the HPA's role as an impartial and independent body.	None		N/A			
	Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the ES	Outline main project solution alternatives in ES	AS	This is summarised at Chapter 3 Consideration of alternatives.			
	The following text covers a range of issues that the HPA would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. The HPA's advice and recommendations carry no statutory weight and constitute non-binding guidance.	None		N/A			
	Receptors The ES should clearly identify the development' location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.	Identify human and environmental receptors in ES	AS	Each topic chapter has considered human and environmental receptors in line with prescribed methodologies.			
	Impacts arising from construction and decommissioning Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.	Assess impacts from construction and decommissioning and consider cumulative impacts	MM	Given the nature of a roads scheme, only construction and operational phases have been assessed.			
	We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.	CEMP and DEMP recommended. Process for responding to complaints of traffic related pollution required.	AS	A CEMP and HEMP will be provided by the Principal Contractor. This is outlined in Chapter 5 EIA process. Process for traffic pollutant related complaints directed toward the accountable person for air quality during construction. Detailed in Annex B (Record of Environmental Actions and Commitments) of the Outline Environmental Management Plan, appendix to the ES			
	Emissions to air and water Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, the HPA has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.	None		N/A			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	<p>When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:</p> <ul style="list-style-type: none"> • should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary • should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment • should consider the construction, operational, and decommissioning phases • should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts • should fully account for fugitive emissions • should include appropriate estimates of background levels • should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air) • should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data 	Consider in the ES	Julia B	This is a stock response which is mainly irrelevant to the A63 scheme but will be followed in Chapter 6 Air Quality where relevant.			
	<ul style="list-style-type: none"> • should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels). If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1. • This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion • should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development. 	Consider in the ES	Julia B	This is a stock response which is mainly irrelevant to the A63 scheme but will be followed in Chapter 6 Air Quality where relevant.			
	Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.	Required approach noted.	AS	Quantitative approach has been applied throughout the ES where appropriate.			
	The HPA's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.	Required approach noted.	Julia B	This is a stock response which is mainly irrelevant to the A63 scheme but will be followed in Chapter 6 Air Quality where relevant.			
	<p>Additional points specific to emissions to air</p> <p>When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:</p> <ul style="list-style-type: none"> • should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs) • should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions) • should include modelling taking into account local topography 	Consider in the ES	Julia B	This approach is undertaken within the Chapter 6 Air Quality with the exception of topography which is not appropriate to this scheme.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	Additional points specific to emissions to water When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these: <ul style="list-style-type: none"> • should include assessment of potential impacts on human health and not focus solely on ecological impacts • should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.) • should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure • should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water 	Consider in the ES	Jason B	Impacts to water quality have been considered in full in Chapter 11 Road Drainage and the Water Environment.			
	Land quality We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.	Ensure gas monitoring is included in the SI	LC	A Ground Contamination Assessment report is included within the ES at Appendix 12.1. It details the results for the site investigation and assessment of potential risks due to soil contamination.			
	Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the migration of material off-site should be assessed and the potential impact on nearby receptors and control and mitigation measures should be outlined.	Consider approach in the ES.	LC	A Ground Contamination Assessment report is included within the ES at Appendix 12.1. It details the results for the site investigation and assessment of potential risks due to soil contamination.			
	Relevant areas outlined in the Government's Good Practice Guide for EIA include: <ul style="list-style-type: none"> • effects associated with ground contamination that may already exist • effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination • impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc. 	Consider approach in the ES.	LC	Mitigation measures have been discussed in the ES based on the results of the Ground Contamination Assessment report which is appended at Appendix 12.1			
	Waste The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).	Consider approach in the ES.	LC	This has been referenced in Chapter 13 Materials of the ES, with the requirement to maximise opportunities to minimise the generation of waste, where possible.			
	For wastes arising from the construction project the EIA should consider: <ul style="list-style-type: none"> • the implications and wider environmental and public health impacts of different waste disposal options • disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated 	Consider approach in the ES.	LC	This is included in Chapter 13 and reference is made to waste management options, disposal routes and the need to minimise impacts from the transportation of waste materials.			
	Other aspects Within the EIA the HPA would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects	Consider approach in the ES.	LC / MM	This is covered in the ES as part of the HIA summary within Chapter 16 Combined and Cumulative Effects and also in the OEMP.			
	The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation's potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations.	Consider	LC / MM	There are no upper tier COMAH sites within 1km of the Project and one lower tier COMAH site located within 150m (Gassco AS UK, The Deep Business Centre, Tower St, HU1 4BG). The Project involves improvement works to an existing truck road and does not require establishing new traffic routes which may have the potential to impact nearby COMAH sites or have the potential to be impacted by nearby COMAH sites above the existing baseline risks. This is covered in the ES as part of the HIA summary within Chapter 16 Combined and Cumulative Effects and also in the OEMP.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report, jointly published by Liverpool John Moores University and the HPA, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested, "Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be negligible." The HPA supports the inclusion of this information within EIAs as good practice.	Outline revised approach to HIA in ES	LC / MM	This is covered in the ES as part of the HIA summary within Chapter 16 Combined and Cumulative Effects and also in the OEMP.			
	Liaison with other stakeholders, comments should be sought from: <ul style="list-style-type: none"> the local authority for matters relating to noise, odour, vermin and dust nuisance the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act the local authority regarding any impacts on existing or proposed Air Quality Management Areas the Food Standards Agency for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops the Environment Agency for matters relating to flood risk and releases with the potential to impact on surface and groundwaters the Environment Agency for matters relating to waste characterisation and acceptance the Primary Care Trust(s) and Strategic Health Authority for matters relating to wider public health 	Outline revised approach to HIA in ES	AS	As agreed with HE SES, the HIA is provided as a summary within Chapter 17 Combined and Cumulative Effects. Specific matters such as AQMA and waste matters are covered by the topic chapters.			
	Human health risk assessment (chemical pollutants) The points below are cross-cutting and should be considered when undertaking a human health risk assessment: <ul style="list-style-type: none"> The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants the HPA does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach is used 	Consider approach in the ES.	MM	As agreed with HE SES, the HIA is provided as a summary within Chapter 17 Combined and Cumulative Effects. Specific matters such as AQMA and waste matters are covered by the topic chapters.			
	Health and Safety Executive						
	The HSE does not have any comment, however there are some observations.	None					
	The proposed development does not fall within any current HSE consultation distances for major hazard installations or major hazard pipelines	None		N/A			
	Based on the current route layout and preliminary assessment, it is unlikely that the HSE would advise against the proposal. However the HSE may need to revise its position on the basis of a fresh assessment of the data available when a formal application is referred to them.	None		N/A			
	As there are no references to storage of hazardous substances in the scoping report, the HSE has not taken it into account in the pre planning assessment	Storage of hazardous substances not anticipated to exceed quantities requiring HSC but confirmation will be sought and reference	LC	The nature and storage of hazardous substances is not anticipated to exceed quantities requiring a Hazardous Substances Consent and has not been included in the ES.			
	Any site that wants to hold prescribed quantities of hazardous substances must obtain hazardous substances consent (HSC) from the Hazardous Substances Authority (HSA).	None		N/A			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	The applicant should check if any of the named substances in Part A of the Planning (Hazardous Substances) (Amendment) (England) Regulations 2010 are present at or above the specified controlled quantities. The applicant should also check if substances fall into one or more of the categories of substances & preparations specified in Part B of the Regulations. In either Part A or B check, if the described substances are found, the site should apply for HSC.	Check if any named substances are present	LC	The nature and storage of hazardous substances is not anticipated to exceed quantities requiring a Hazardous Substances Consent and has not been included in the ES.			
	Consent may also be required even though the amount present is below their controlled quantity, if substances within the same generic category are added together, according to the addition rule, to determine whether consent is required for all or some of them.	Consult with scheme CDMC, or contact HSE direct	LC	The nature and storage of hazardous substances is not anticipated to exceed quantities requiring a Hazardous Substances Consent and has not been included in the ES.			
	The proposed development does not impinge on the separation distances of any explosives sites licensed by the HSE.	None		N/A			
	Hessle Town Council						
	Please be informed that Hessle Town Council has no comment to make on the following as detailed in your correspondence dated 5th March 2013.	None		N/A			
	Hull City Council						
	Before detailed the specific comments regarding the Environmental Scoping report it is important the document reflects the latest position regarding the development plan for Hull. The Scoping Report needs reviewing to ensure: 1. The removal of all references to the Regional Spatial Strategy following its revocation. 2. The removal of all references to the City Centre Area Action plan which has been withdrawn (referred to in 14.3.9). 3. The removal of the Core Strategy which has been withdrawn and will be replaced with the Local Plan: Strategic Policies (referred to in 14.3.7). 4. The Holderness Road Corridor Area Action Plan has also been adopted (which is focussed on the housing market renewal area to the East of the City) 5. The Enterprise Zone designation to the East of the city where growth of the renewable energy industry is anticipated.	Details will be revised and up to date.	MM	ES Chapter 16 Combined and cumulative effects is up to date.			
	The City Council is also working with key private and public sector partners across the city in the production of the Cityplan (not a formal planning document), a vision statement with a number of key projects to be delivered in the years ahead.	Details will be revised and up to date.	MM	Hull City Plan reviewed.			
	The proposed scope of the environmental assessment appears to be appropriate in most respects. The proposed scope includes most of the significant environmental factors likely to be impacted by the scheme, including flood risk, townscape, conservation, air quality, noise etc.	None		N/A			
	I would make the following more detailed comments: 1. The Environmental Health Officer (EHO) has commented that potential light pollution should be included in the assessment, in particular in the areas where the road and therefore lighting is moving closer to residential properties;	Reviewed within the Landscape assessment.	ED	Chapter 9 Landscape includes consideration of the visibility of temporary and permanent light sources.			
	2. Air Quality - agreement should be reached with the EHO on the location of the sensitive receptors before any modelling work commences. This is particularly important given the Castle Street Air Quality Management area;	Consult with EHO.	Julia B	Sensitive receptor locations relative to the AURN have been agreed with HCC as reported in Chapter 6 Air Quality.			
	3. in relation to land contamination and hydrogeology the EHO advises that ongoing consultation with the Environmental Regulation section (contact Emma Tindall Principal Environmental Health Officer, 01482 615520) during the additional site investigation works proposed for May 2013 is carried out to ensure that the appropriate sampling and methodology is being undertaken. The known high groundwater levels across the city will make the site investigation and sampling particularly important to determine the most appropriate construction technique;	Contact EA and LA (EHO) on SI scope	CB / LC	The main site investigation was completed in 2013. Throughout the work the site team liaised with the relevant parties including: Contaminated Land and Environmental Health Officer from Hull CC, the EA and the Marine Management Organisation.			
	4. In townscape terms some of the areas identified in table 8.1, although the assessment of 'high quality' and 'very attractive' are accepted, do not appear to be directly impacted by the scheme and may not require detailed assessment (eg Prince Street, Posterngate, The Deep, Nelson Street);	Reviewed within the Landscape assessment.	ED	The landscape assessment process required there to be a review on site with 23 fine grained local landscape character areas identified across the study area during earlier stages of project development and route selection. These have been amalgamated into nine character areas for the assessment of the landscape effects of the final Scheme. Receptors which would not experience views of the Scheme such as Prince Street, The Deep, and Posterngate have not been included within the detailed assessment.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	5. While it is acknowledged that further more detailed assessment will follow, in table 8.3 Humber and Railway Dock, Trinity Burial Ground and Quay West development site should all be identified as 'major adverse' with the loss of 2 listed buildings, the encroachment into the burial ground and loss of the boundary wall, the encroachment into Humber Dock (Marina) and the demolition of the listed dock wall. Marina Court will lose the deep apron on its north side so it is considered that 'moderate adverse' would apply.	Reviewed within the Cultural Heritage assessment.	CH	This assessment refers to Chapter 9 Landscape as opposed to Chapter 8 Cultural Heritage. It has been assessed in Chapter 9 Landscape and the assessment has been considered in Chapter 8 Cultural Heritage.			
	6. para 7.3.15 the reference to the CCAAP is out of date as the plan has been withdrawn;	Noted	AS	Details in the ES have been revised and are up to date.			
	7. para 8.4.5 Castle Building is not still undergoing renovation, but is protected from the elements by covers;	Noted	AS	Details in the ES have been revised and are up to date.			
	8. para 13.3.6 list of other designated crossings of side roads seems to have omitted Dagger Lane;	Noted.	AS	Reported correctly in ES Chapter 2 The Scheme			
	9. 13.3.12, trip generators, needs to reference the Fruit Market area specifically in this list given the location of a number of cultural type uses (workshops/galleries). The focal point of the Freedom festival is also the Fruit Market which attracts tens of thousands of people annually. Whilst this is an annual event it should still be referenced as the crossing of Castle Street needs to cater for this peak demand;	Noted. Will be included within the ES.	JH	Consideration of the Freedom Festival is provided in Chapter 15 Effects on all Travellers, Section 15.5.			
	10. 13.4.10 cycles/pedestrians on the footway/cycle tracks (off carriageway) also need to be surveyed/ counted;	NMU surveys will be undertaken.	JH	Two NMU surveys have been carried out since the Scoping Report was produced which included cyclist and pedestrians counts and interviews. The results are considered in Chapter 15 Effects on all Travellers.			
	11. 14.3.15 should refer to Prospect Shopping Centre not "Paragon". It should also refer to St. Stephens;	Details will be revised and up to date.	AS	Addressed in ES			
	12. 14.3.16 should refer to Fruit Market not Fish Market. Should also specifically mention the King Billy pub on Market Place;	Details will be revised and up to date.	AS	Addressed in ES			
	13. 14.3.18 should also refer to William Booth House;	Details will be revised and up to date.	RD	Addressed in ES Chapter 14 People and Communities - social chapter.			
	14. 14.4.4 and 14.5.6 should both refer to Fruit Market not Fish Market.	Details will be revised and up to date.	AS	Addressed in ES			
	15.15.6.7 Delete the reference to Steve Wragg leaving it as a meeting was held with the Flood Risk Planning Manager as sensible to refer to post not the person.	Details in ES will be up to date.	SH	Updated.			
	The Council will be producing a Local Impact Report in due course and that response will be sent from myself as a result can you ensure both myself and Mike Ibbotson (the Transport Policy Manager) are included on any future communication regarding Castle Street as this consultation did not reach us directly.	Review Local Impact Report	AS	HCC as statutory consultee, have been consulted with throughout the EIA process and this is documented in the topic chapters where relevant.			
Marine Management Organisation							
	The MMO's role in Nationally Significant Infrastructure Projects The Marine Management Organisation (the "MMO") was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.	None		N/A			
	The responsibilities of the MMO include the licensing of construction works, deposits and removals in the marine area by way of a marine licence. Marine licences are required for all deposits or removals of articles or substances below the level of mean high water springs ("MHWS"), unless a relevant exemption applies	None		N/A			
	in the case of Nationally Significant Infrastructure Projects ("NSIPs"), the Planning Act 2008 (the "2008 Act") enables DCOs for projects which affect the marine environment to include provisions which deem marine licences. Alternatively, applicants may wish to separately seek consent for a marine licence directly from the MMO rather than having it deemed by a DCO.	None		N/A			
	For NSIPs where applicants choose to have a marine licence deemed by a DCO, during pre-application the MMO will advise developers on the aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction within the marine area, this would also include assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.	None		N/A			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	Whether a marine licence is deemed within a DCO or consented independently by the MMO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence enable the MMO to fulfil these obligations. This includes ensuring that there has been a thorough assessment of the impact of the works on the marine environment (both direct and indirect), that it is clear within the DCO which works are consented within the deemed marine licence, that conditions or provisions imposed are proportionate, robust and enforceable and that there is clear and sufficient detail to allow for monitoring and enforcement. To achieve this, the MMO would seek to agree the deemed marine licence with the developer for inclusion with their application to the Planning Inspectorate ("PINS").	None		N/A			
	Further information on licensable activities can be found on the MMOs website.	None		N/A			
	Activities for this project which would be licensable under the 2009 Act At this stage of the development the MMO have identified the following licensable activities as stated in the Scoping Report: * All works on Castle Street from Prince's Quay to Humber Dock Street adjacent to the Humber Dock Marina. * Any works on, under or adjacent to the Myton Swing Bridge.	None		N/A			
	Any additional works or activities in the marine area which may require a marine licence under the 2009 Act should be notified to the MMO at the earliest opportunity.	Review & notify MMO as required.	DW / SH	An MMO licence is required for works in the Humber Dock Marina. The HRA Screening Report for PQB has since been re-written in light of the recent court case C-323/17 – People Over Wind / Sweetman vs Coillte Teoranta on behalf of the HCC and MMO as the Competent Authority. The report concluded no significant effects on the Humber Estuary designated sites. This report is currently undergoing consultation with MMO and NE. The AIES Screening Report for the main Scheme will be based on the findings of the HRA Screening Report for PQB. If MMO consent is given in November this will negate the need for any further applications for MMO consent or AIES report. This approach has been discussed with HE SES. A suitable placeholder is being submitted for the DCO application.	Review success of application for MMO consent for works in the Humber Dock Marina in November 2018.	AS / DW	
	Comments on the Scoping Report In Sec. 15.5 on page 175, item 15.5.1 identifies the following potential effect: <i>Damage to aquatic ecosystems due to pollution of water courses and groundwater from mobilised suspended solids, heavy metal contamination and spillages of fuel and oil during construction and operations.</i> The MMO would request more information on what processes and works the Highways Agency/MMGJV envisage as being the trigger for the suspension of solids and heavy metals in watercourses during the construction process. Presumably this potential effect would be as the result of works/processes disturbing the historical industrial contamination of sediments in the Humber Dock marina basin?	Liaise with MMO	DW / SH	An MMO licence is required for works in the Humber Dock Marina. The HRA Screening Report for PQB has since been re-written in light of the recent court case C-323/17 – People Over Wind / Sweetman vs Coillte Teoranta on behalf of the HCC and MMO as the Competent Authority. The report concluded no significant effects on the Humber Estuary designated sites. This report is currently undergoing consultation with MMO and NE. The AIES Screening Report for the main Scheme will be based on the findings of the HRA Screening Report for PQB. If MMO consent is given in November this will negate the need for any further applications for MMO consent or AIES report. This approach has been discussed with HE SES. A suitable placeholder is being submitted for the DCO application.	Review success of application for MMO consent for works in the Humber Dock Marina in November 2018.	AS / DW	
	It will be necessary to know which contaminants are present. These contaminants should be assessed against Cefas action levels.	Undertake testing as part of SI	LC	A Ground Contamination Assessment report is included within the ES, which details the results for the site investigation and assessment of potential risks due to soil contamination. The investigation has not included the collection and assessment of sediment samples against CEFAS criteria since the dredging and disposal of sediment materials has not been identified as a requirement as part of the Project at this stage.			
	In Sec. 15.6.8 on page 178, there is a proposal to drain excess surface water from the proposed underpass via a proposed pumping station and rising main, with a direct outfall into the River Humber. The MMO would request more information on the location and construction of this river outfall.	Liaise with Arup	SH / Arup	Previous consultation (06/03/13 and 14/04/14) confirmed no Marine Licence would be required for Humber outfall if constructed above Mean High Water Springs. An outfall is now not a requirement of the scheme as there is agreement in principle with YW to utilise the YW drainage network.			

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	<p>Consultation process and next steps</p> <p>The MMO welcome further consultation and recommends that The Highways Agency/ Mott Macdonald Grontmij discuss the licensing requirements under the 2009 Act with the MMO at the earliest opportunity.</p>	Liaise with Arup	SH / Arup	<p>An MMO licence is required for works in the Humber Dock Marina. The HRA Screening Report for PQB has since been re-written in light of the recent court case C-323/17 – People Over Wind / Sweetman vs Coillte Teoranta on behalf of the HCC and MMO as the Competent Authority. The report concluded no significant effects on the Humber Estuary designated sites. This report is currently undergoing consultation with MMO and NE. The AIES Screening Report for the main Scheme will be based on the findings of the HRA Screening Report for PQB. If MMO consent is given in November this will negate the need for any further applications for MMO consent or AIES report. This approach has been discussed with HE SES. A suitable placeholder is being submitted for the DCO application.</p> <p>An outfall is now not a requirement of the scheme as there is agreement in principle with YW to utilise the YW drainage network.</p>	Review success of application for MMO consent for works in the Humber Dock Marina in November 2018.	AS / DW	
	National Grid						
	I refer to the above proposed application and confirm that National Grid does not wish to make any representation in respect of this Scoping Report.	Dealt with as part of stats searches	IT	N/A			
	Natural England						
	Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.	None		N/A			
	Case law and guidance has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Natural England agrees with the scope of the Environmental Impact Assessment (EIA) for this development as detailed in the report (A63 Castle Street Improvements, Hull Environmental Statement Scoping Report 112630/AE/01 Rev 1 March 2013).	None		N/A			
	Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.	Review accordingly.	DW	NE have been consulted (April 2018) and a DAS form has been sent to them.			
	We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact Pin Dhillon-Downey on 0300 060 0003. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.	Liaise with Natural England	DW	Noted and undertaken.			
	OFWAT						
	Your correspondence relates to essentially a local matter in respect of impacts on water and sewerage service provision and in this respect the relevant water company/companies local to the area and the Environment Agency are your key Statutory Consultees. We expect that normal commercial arrangements will apply and that planner matters related to water and sewerage service provision will be resolved locally.	None		N/A			
	I can confirm that we therefore do not have any comments now and will not have any comments in the future regarding this application.	None		N/A			
	The Coal Authority						
	Thank you for your consultation letter of the 05 March 2013 seeking the views of The Coal Authority on the EIA Scoping Opinion for the above proposal. I have reviewed the proposals and confirm that the area is not within the defined coalfield: therefore The Coal Authority has no observations or specific comments to make on this proposal.	None		N/A			
	Yorkshire Water						
	The proposals must comply with the Yorkshire Water Services Code of Practice of Construction Works To Avoid Damage to the Hull Disposal Main (copy provided). I would suggest that appropriate protection/mitigation measures are included within any future Environmental Impact Assessment as damage to the disposal mains could lead to a serious pollution incident and compromise the ability of Yorkshire Water to properly dispose of foul and surface water. It is essential that details of construction works, particularly where deep excavations are proposed, are provided to and agreed in writing with Yorkshire Water prior to commencement on site.	Review with Arup	SH / Arup	<p>Where required, protection and mitigation measures for water quality are identified in Chapter 11 Road drainage and the water environment and identified in the OEMP.</p> <p>Statutory utilities will be protected during the works. We have been working closely with Yorkshire Water during Stage 3 and have regular meetings to review and mitigate any risks to their infrastructure. Further consultation with Yorkshire Water is crucial to the delivery of the scheme, and will be continued through the detailed design period.</p>	Further consultation with Yorkshire Water will be continued through the detailed design period.	Arup	

Paragraph ref	PINS comment	Action	Owner	Outcome	Further action	Owner	Outcome
	Please note that there is other water and waste water infrastructure that will also require protection.	established through stats searches	IT	N/A			

APPENDIX 4.1B: List of bodies formally consulted during the Scoping exercise

Required Consultee	Organisation	Response received by PINS	Prescribed Consultee
The Health and Safety Executive	Health and Safety Executive	Y	Y
The Relevant Strategic Health Authority	NHS England North (formally the NHS North of England)	N	
Natural England	Natural England	Y	Y
The Historic Buildings and Monuments Commission for England	Historic England (formally English Heritage)	Y	Y
The Historic Buildings and Monuments Commission for England	Historic England - Yorkshire and Humber	Y	Y
The Relevant Fire and Rescue Authority	Humberside Fire and Rescue Service	N	Y
The Relevant Police and Crime Commissioner	The Police and Crime Commissioner for Humberside	N	Y
The Relevant Parish Council(s) or Relevant Community Council	Preston Parish Council	N	Y
	Bitton Parish Council	N	Y
	Wawne Parish Council	N	Y
	Woodmansey Parish Council	N	Y
	Cottingham Parish Council	Y	Y
	Willerby Parish Council	N	Y
	Anlaby with Anlaby Common Parish Council	N	Y
	Hessle Town Council	Y	Y
The Environment Agency	The Environment Agency	Y	Y
The Commission for Architecture and The Built Environment	CABE at Design Council	N	
The Equality and Human Rights Commission	Equality and Human Rights Commission	N	N
The Relevant Homes and Communities Agency	Homes England (formally the Homes and Communities Agency)	N	N
The Relevant Strategic Highways Company	Highways England (formally The Highways Agency)	N	Y
The Relevant Highways Authority	Hull City Council	Y	Y
The Passengers Council	Passenger Focus	N	
The Disabled Persons Transport Advisory Committee	Disabled Persons Transport Advisory Committee	N	
The Coal Authority	The Coal Authority	Y	Y
The Office Of Rail Regulation	Office of Rail Regulation (Customer Correspondence Team Manager)	N	N
Approved Operator	Network Rail Infrastructure Ltd	N	Y
Approved Operator	Network Rail (High Speed) Ltd. (formally Network Rail (CTRL) Ltd.)	N	Y
The Gas and Electricity Markets Authority	OFGEM	N	N
The Water Services Regulation Authority	OFWAT	Y	N
The Relevant Waste Regulation Authority	Environment Agency	Y	Y
The Relevant Health Protection Agency	Public Health England (formally the Health Protection Agency)	Y	Y
The Relevant Local Resilience forum	The Humber Local Resilience Forum	N	
The Crown Estate Commissioners	The Crown Estate		Y
Relevant Statutory Undertakers			
Health Bodies (s.16 of the Acquisition of Land Act (ALA) 1981)			
Strategic Health Authority	NHS North of England	N	Clinical Commissioning Group? NHS Hull CCG
NHS Foundation Trusts	Humber NHS Foundation Trust	N	Y
Primary Care Trusts	NHS East Riding of Yorkshire, NHS Hull, NHS North Lincolnshire	N	Y
Acute Trusts	Hull and East Yorkshire Hospitals NHS Trust	N	Y
Ambulance Trusts	Yorkshire Ambulance Service NHS Trust	N	Y
Relevant Statutory Undertakers (s.8 ALA 1981)			
Railway	Network Rail Infrastructure Ltd BRB Residuary Limited Network Rail (CTRL) Ltd	N	Y
Road Transport	The Humber Bridge Board	N	Y
Dock	Associated British Ports	N	Y
Harbour	Associated British Ports	N	Y
Universal Service Provider	Royal Mail Group	N	Y
Relevant Homes and Communities Agency	Homes England (formally Homes and Communities Agency)	N	Y
Relevant Environment Agency	Environment Agency	Y	Y
Water and Sewage Undertakers	Yorkshire Water	Y	Y
Public Gas Transporter	British Gas Pipelines Limited	N	Y
	Energetics Gas Limited	N	Y
	ES Pipelines Ltd	Y	Y
	ESP Connections Ltd	Y	Y
	ESP Networks Ltd	Y	Y
	ESP Pipelines Ltd	Y	Y
	Fulcrum Pipelines Limited	Y	Y
	GTC Pipelines Limited	N	Y
	Independent Pipelines Limited	N	Y
	LNG Portable Pipeline Services Limited	N	Y
	Cadent Gas Limited (formally National Grid Gas Plc)	N	Y
	Northern Gas Networks Limited	N	
	Quadrant Pipelines Limited	N	
	SSE Pipelines Ltd	N	
	The Gas Transportation Company Limited	N	
	Utility Grid Installations Limited	N	

Required Consultee	Organisation	Response received by PINS	Prescribed Consultee
Electricity Distributors With CPO Powers	Energetics Electricity Limited	N	
	ESP Electricity Limited	N	
	Independent Power Networks Limited	N	
	Northern Powergrid (Yorkshire) plc	N	Y
Electricity Transmitters With CPO Powers	National Grid Electricity Transmission Plc	N	Y
	National Grid Plc	Y	Y
Local Authorities (s.43)			
Marine Management Organisation (MMO)		Y	Y
Hull City Council		Y	Y
East Riding of Yorkshire Council		Y	
Joint Nature Conservation Committee (JNCC)	On list of prescribed consulteed for all proposed applications likely to affect the marine environment	n/a	Y
The Maritime and Coastguard Agency	All proposed applications likely to affect the maritime or coastal environment or the shipping industry	n/a	Y
Civil Aviation Authority		n/a	Y
Secretary of State for Transport		n/a	Y
The Ouse and Humber Drainage Board	All proposed applications likely to increase the risk of flooding in that area or where the proposals relate to an area known to be an area of flood risk	n/a	Y
The Canal and River Trust	All proposed applications likely to have an impact on inland waterways or land adjacent to inland waterways	n/a	Y
London & Continental Railways Ltd		n/a	Y
Secretary of State for Defence			
Office of Nuclear Regulation			

APPENDIX 4.1C: Key - Abbreviations used in Appendix 4.1A 'Owner'

Initials	Name	Role
AS	Adela Sadler	EIA Coordinator
Julia B	Julia Burnell	Air Quality
AMS	Andrew Monk-Steel	Noise and Vibration
CH	Chris Hewitson	Cultural Heritage
ED	Ellie Davies	Landscape
DW	Diane Wood	Nature Conservation
HC	Harriet Carlyle	Road Drainage and the Water Environment
Jason B	Jason Ball	Road Drainage and the Water Environment
SH	Stephen Hughes	Road Drainage and the Water Environment
CB	Caroline Ball	Road Drainage and the Water Environment
LC	Linsey Cottrell	Geology and Soils
LC	Linsey Cottrell	Materials
RD	Roz Davies	People and Communities
JH	Josh Higgins	Effects on All Travellers
MM	Mark Murphy	Combined and Cumulative Effects.
IT	Ian Turner	Engineer