

Our Ref: PT/DIC001/0005
Your Ref: TR0110016

The Planning Inspectorate
Major Applications and Plans
Temple Quay House
2 The Square
Bristol BS1 6PN

By email to: A63castlestreet@pins.gsi.gov.uk

17 June 2019

Dear Sir/Madam

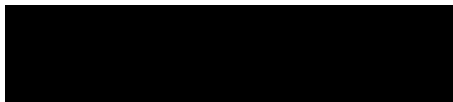
A63 (Castle Street Improvement, Hull) – TR010016
Deadline 2: Response by EPIC (No.2) Limited (“EPIC”)
IP URN: 20018241

We are writing in relation to the Deadline 3 on behalf of EPIC.

We enclose the following:

1. Post-hearing submission - written submission of oral cases
2. Document identifying changes sought to the draft Development Consent Order (dDCO), including protective provisions within the dDCO.
3. Statement of Common Ground between EPIC and Highways England for issues as of 17 June 2019.
4. Technical Note 1 – Pell Frischmann

Yours faithfully



Temple Bright LLP

London office
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Appendix 1 - Post-hearing submission - written submission of oral cases

A63 CASTLE STREET IMPROVEMENT, HULL
DEVELOPMENT CONSENT ORDER 20[XX]

Note of submissions by EPIC (No.2) Limited to the examination hearings

(URN: 20018241)

This note summarises the submissions made on behalf of EPIC (No.2) Limited, the owners of Kingston Retail Park, to the examination hearing sessions on DCO amendments (Thursday 6th June 2019, pm) and Compulsory Acquisition (Friday 7th June 2019, am).

Whilst the principle of the A63 works is welcomed, EPIC are concerned to minimise the adverse impacts of the works on the Retail Park, both during the construction period and operationally. If the park becomes less attractive to shoppers, its occupiers may lose trade and the park might lose actual or potential tenants. That would undermine the economic objectives of the National Policy Statement.

The availability of compensation is not an answer. It is better to avoid economic loss than to have to try to recover it from the public purse. Identifying a loss of business or tenants due to partial acquisition, possession and interruptions to access is not straightforward in any event. Most importantly compensation does not help the shop worker who is put of work or denied a job because the Retail Park is performing badly.

The mitigation requirements are principally set out in the Pell Frischmann representation (April 2019, Annex 2 of the Deadline 1 submissions) at para 5.3. As revised in the course of subsequent developments and presented to the Examination, these are:

1. SERVICE YARD ACCESS

Access needs to be maintained to both service yards at Kingston Retail Park for vehicles up to 16.5m articulated HGVs at all times (24hrs a day, seven days a week) during construction and operation.

Access to the western service yard will be either by the existing Spruce Road access from the A63 or the new services access road to be provided by the Authority from Lister Street.

The HGV route from the A63 eastbound for the Lister Street route would be via the Garrison Road junction and the Kingston Street roundabout. It is not possible for HGVs to access Lister Street from the Daltry Street roundabout and English Street.

Vehicle parking on Lister Street would need to be restricted during the construction and operational phases to enable this access to be used by HGVs. The road is simply not wide enough with the parking which presently takes place. Temporary and then permanent traffic regulation orders will need to be made.

2. CAR PARKING (primarily raised in the compulsory acquisition hearing)

EPIC accept the need for the identified permanent acquisition for the new roadworks (3/5a) and for a limited working strip (3/5b). However, the proposals to take temporary possession of a large part of the car park for the purpose of altering it (for EPIC's benefit) are not justified. Highways England should carry out any necessary rearrangements of the car park only with EPIC's consent. There is no compelling case in the public interest for taking that possession compulsorily.

The starting point is that loss of some of the Kingston Retail Park car parking on a temporary or permanent basis does risk harm to the Retail Park's operations.

Highways England should minimise the extent of both the land take required to deliver the works and additional land to be temporarily acquired to enable construction of car parking and service yard reconfiguration.

The permanent acquisition and temporary possession required for the works will result in the loss of approaching 50 car parking spaces. A temporary rearrangement of the remaining car park may be needed to minimise the impact in the construction period. This should be carried out to EPIC's design – it is EPIC who will lose out if it is less than optimal. Highways England should carry out the detailed design and construction of the works but with EPIC's agreement.

The permanent rearrangement of the car park will also be necessary. Again this should be to EPIC's design and carried out by Highways England, who will have contractors on the project.

These design matters will include the provision of new car parking spaces and service yard configuration and related surfacing, drainage, hard and soft landscaping and lighting to agreed quality level and specification for the reinstated car park.

The timing, working hours and detailed arrangements for the temporary and permanent car park works would need to be agreed. The temporary rearrangement would be required as soon as possible after the hoardings go up, but particularly busy periods or times are best avoided.

For these reasons the rearrangement of the car park should be in EPIC's hands. Whilst the car park works may be authorised by the DCO, Highways England do not need, and should not have, the power to take possession of part of the car park to carry them out. Foisting a benefit on EPIC might be done at an inconvenient time, slowly or badly and so any such works should be agreed with EPIC.

Therefore the power of temporary possession in Schedule 7 should be deleted apart from the strip required for the actual A63 works.

The problem is compounded by the very wide scope of the powers in the draft DCO. The possession site covers the northern triangle of the car park, around 175 spaces. It includes the pavements around the frontages of the Carphone Warehouse and Mothercare units. The order would therefore empower Highways England to block the customer accesses to those two units. That a staff or servicing access may still be available misses the consequences of the units having to shut down. The temporary possession can be for the duration of the rearrangement

works, noting that two rearrangements would be required and the draft intends to preserve a working area as well, and for a further year afterwards: see article 29(3)(a). The spatial extent and duration of the proposed possession is grossly excessive. Highways England have not and cannot justify it, nor have they proposed a cut-down power in the DCO. The preference therefore is to delete the temporary possession power so that the accommodation works are carried out with EPIC's agreement.

3. JUNCTION AND LINK CAPACITY

The closure of Mytongate junction to right-turning traffic will mean that customers to the retail park from the west will be exiting the A63 at the Daltry Street roundabout and travelling up English Street to the site. EPIC are concerned that the impacts of the construction works on Daltry Street roundabout and the road network to the retail park has not been adequately assessed. The roundabout will take additional traffic movements from several directions, including from the north.

Highways England should carry out further modelling of the effects on the Daltry Street roundabout and the route to the Retail Park along English Street of the construction phases. EPIC are willing to input into that process.

Highways England will need to carry out mitigation measures to ameliorate effects of the construction phase which are shown by the modelling. Since the modelling has not been done, the extent of any works required is not known. It should therefore be addressed by a scheme to be submitted to the Minister, approved and then carried out.

4. SIGNAGE STRATEGY

Since the main access to the Retail Park from Mytongate junction will be severely restricted during the works, Highways England should arrange vehicular and pedestrian signage to an agreed specification and at agreed locations to direct customers to the Retail Park throughout the works period.

This will need to include signage for the Retail Park to customers from the A63 eastbound via the Daltry Street / Madeley Street / Rawling Way / Hessele Road Roundabout, Daltry Street, Jackson Street and English Street. It is not realistic to expect customers from the west to drive past the site, go to the Garrison Road junction and turnaround.

5. PEDESTRIAN ROUTES (WORKS PERIOD)

The pedestrian route between the City Centre and the Retail Park is an important one. The casual observer will see the frequency with which it is used. Some limited records of observations are also available from EPIC. The route also serves the cinema and arena on Kingston Street.

That route should be maintained if at all possible. Alternative suggested walking routes to the east or west are far too long for any shoppers or visitors to use. Whilst a shuttle bus would be a necessary mitigation measure if the route was stopped, it would still be long and inconvenient compared to the current way.

If it is not possible to keep open the route throughout the works then Highways England should maintain a direct pedestrian route from Ferensway to the Retail Park for as long as possible during the construction period and restore it at the earliest opportunity.

If the pedestrian route is severed, Highways England will need to make alternative arrangements, including a shuttle bus and other measures. These ought to be in consultation and agreement with EPIC.

6. PEDESTRIAN ACCESS (AFTER COMPLETION OF WORKS)

Following the works, pedestrian access would need to be provided over the new Mytongate junction. Highways England should reinstate permanent level pedestrian access to the Retail Park in agreement with EPIC, so that the access points are the most convenient.

7. TOTEM POLES

Highways England to relocate the two existing totem poles, during the works period and after completion of the works, to locations agreed with EPIC.

8. CONSTRUCTION HOARDING

Highways England should provide construction hoarding throughout the works period along the altered Retail Park boundary. Advertisements for the Retail Park and its occupiers will be included on the A63 side of the hoarding. The treatment of the Retail Park side of the hoarding will be agreed with EPIC as part of the setting for our car park

9. CONSTRUCTION AND ENVIRONMENT MANAGEMENT PLAN

Highways England and EPIC should to agree a management plan in respect of operations affecting the Retail Park, which will include details of:

- Advance notification of works;
- Parking and movement of constructor vehicles;
- Restrictions on noise, dust, vibration and working hours;
- Agreed methods to monitor adherence to the CEMP in respect of the Retail Park, reporting and corrective action; and
- Health, safety and security requirements.

10. NOISE MONITORING

Noise monitoring stations to be sited adjacent to the Retail Park.

Baseline noise monitoring carried out by Highways England and reported to EPIC.

Noise monitoring will be carried out during the works and reported to EPIC.

Arrangements will be put in place for the reporting of noise concerns to Highways England and addressing any issues.

11. HIGHWAY ACCESS TO THE WESTERN SERVICE YARD

There is a mapping issue with the Western Service Yard access as identified in the Pell Frischmann report at para 3.21 and the Temple Bright Deadline 1 representations at 3.10.1. The stopping up plan for Spruce Road covers the highway at the front of the access but the replacement highway from Lister Road does not include all of that access (see plot 3/6 and points 3/L and 3/K on sheet 3 of the Streets, Rights of Way and Access Plans). The highway access to the service yard is shown in green approaching line 3/L as being stopped up but is not replaced by the new road at 3/6. This appears to be a drafting error which ought to be easily corrected.

Richard Harwood QC

17th June 2019

Appendix 2 – Document identifying changes sought to the draft Development Consent Order (dDCO), including protective provisions within the dDCO

A63 CASTLE STREET IMPROVEMENT, HULL

DEVELOPMENT CONSENT ORDER 20[XX]

DRAFT ALTERATIONS TO THE DCO PROPOSED BY EPIC (NO.2) LIMITED (URN: 20018241)

- 1.1 This note details the proposed changes to the draft Order by EPIC (NO.2) LIMITED (“EPIC”)
- 1.2 The proposed changes are in three categories:
 - 1.2.1 Requirements, where the matters are of wider interest than Highways England and the Kingston Retail Park;
 - 1.2.2 Protective provisions for Kingston Retail Park;
 - 1.2.3 Alterations to the works and temporary possession provisions

2. REQUIREMENTS

- 2.1 The suggested amendments are as follows (number referring to amendments in Part 1 of Schedule 2 of the draft Order):
 - 2.1.1 4(2A) - The Traffic and Transport Management Plan under paragraph (2)(d)(xv) shall include traffic modelling and a traffic scheme (“the Daltry Street scheme”) in respect of the operations of the Daltry Street roundabout and the route along English Street to Kingston Street during the construction of the authorised works.
 - 2.1.2 4(2B) The Secretary of State may only approve the Daltry Street scheme if satisfied that contains appropriate improvement works to roads and junctions and a timetable for any works or other measures.
 - 2.1.3 4(2C) The Traffic and Transport Management Plan under paragraph 4(2)(d)(xv) shall include vehicular and pedestrian signage including signage for the Kingston Retail Park to customers from the A63 eastbound via the Daltry Steet / Madeley Street / Rawling Way / Hessele Road Roundabout, Daltry Street, Jackson Street and English Street.

Pedestrian Routes during the construction period

- 2.1.4 [new]13. A direct pedestrian route from Ferensway to Commercial Road or the Kingston Retail Park at the Mytongate Junction will be retained open for public use during the carrying out of the authorised works and following their completion.

[Or, if the first proposal is not required]

- 2.1.5 [new]13(1) Public use of the pedestrian route from Ferensway to Commercial Road or the Kingston Retail Park across the Mytongate Junction shall be maintained unless:

- (a) the Secretary of State has approved the closure of the route;
- (b) a scheme has been submitted to and approved by the Secretary of State for alternative arrangements for promoting public access between the City Centre and the Kingston Retail Park and leisure uses on Kingston Street and for the permanent restoration of the route, and
- (c) that scheme is in operation.

2.1.6 13(2) In considering whether to approve the closure and the scheme under subparagraph (1) above, the Secretary of State shall have special regard to the desirability of maintaining the direct pedestrian route and the need to minimise any period of closure.

2.1.7 13(3) The scheme shall include the provision of a regular shuttle bus service between those destinations.

Access to properties off Spruce Road

2.1.8 [new]14 Spruce Road shall not be stopped up, nor its use by frontagers be restricted, until:

- (a) Alternative vehicular access for premises served by Spruce Road was been provided via Lister Street, for vehicles up to 16.5m long articulated heavy goods vehicles; and
- (b) Parking on Lister Street has been controlled by a Traffic Regulation Order to allow the safe and convenient passage of such heavy goods vehicles.

3. PROTECTIVE PROVISIONS FOR SCHEDULE 8

3.1 These provisions are for the protection of the interests of EPIC (No.2) Limited and the occupiers of the Kingston Retail Park [References to EPIC (No.2) Limited include its successors in title]

3.1.1 Access will be maintained to both service yards at Kingston Retail Park for vehicles up to 16.5m articulated HGVs at all times (24 hours a day, seven days a week) during the construction and operation of the authorised development.

3.1.2 The undertaker will minimise the extent and duration of temporary possession of the Kingston Retail Park service yard and car park.

3.1.3 Prior to taking possession of any of plots 3/5a, 3/5b, 3/5i or 3/5j the undertaker will agree the temporary arrangement of the Kingston Retail Park service yard and car park with EPIC (No.2) Limited and will carry out the agreed works, in accordance with an agreed timetable.

3.1.4 Prior to the completion of Work 15, the undertaker will agree the permanent layout of the Kingston Retail Park service yard and car park with EPIC (No.2) Limited and will carry out the agreed works, in accordance with an agreed timetable.

- 3.1.5 The undertaker will reinstate permanent level pedestrian access to the Kingston Retail Park from the Mytongate Junction in agreement with EPIC (No.2) Limited and prior to the completion of the authorised works.
- 3.1.6 The undertaker shall relocate the two existing totem poles on the Kingston Retail Park, during the works period and after completion of the works, to locations agreed with the owner of the retail park. The poles shall be reinstated within 14 days of their removal.
- 3.1.7 The undertaker will agree with EPIC (No.2) Limited on the design and finish of the hoarding to be erected by the undertaker on the Kingston Retail Park. On the A63 facing side the hoarding will contain a combination of KRP and Highways England panels.
- 3.1.8 The side of the hoarding facing the Kingston Retail Park car park and service yard will have a facing as designed and agreed by EPIC (No.2) Limited.
- 3.1.9 The undertaker and EPIC (No.2) Limited are to agree a management plan in respect of operations affecting the Kingston Retail Park, which will include details of:
- (a) Advance notification of works;
 - (b) Parking and movement of constructor vehicles;
 - (c) Restrictions on noise, dust, vibration and working hours;
 - (d) Agreed methods to monitor adherence to the CEMP in respect of the Retail Park, reporting and corrective action; and
 - (e) Health, safety and security requirements
- 3.1.10 The undertaker will:
- (a) Identify and provide site noise monitoring stations adjacent to the Kingston Retail Park;
 - (b) Monitor noise before and during the scheme construction phase in the vicinity of Kingston Retail Park and provide EPIC (No.2) with the results;
 - (c) Put in place arrangements for the reporting of noise concerns to the undertaker and addressing those matters.
- 3.1.11 Article 29(3)(a) (temporary use of land for carrying out the authorised development) shall not apply with respect to any land within Kingston Retail Park.
- 3.1.12 In the event that the parties are not able to reach agreement on any matter the subject of this article, then Article 44 (arbitration) shall apply, save that EPIC (No.2) Limited shall not be obliged to allow the undertaker to carry out alterations to the Kingston Retail Park car park or service yard outside plots 3/5a, 3/5b, 3/5i or 3/5j.

4. OTHER AMENDMENTS TO DRAFT DCO

4.1 Schedule 7, Land Plans – Sheet 3:

4.1.1 Leave out the row beginning 3/5b and insert:

3/5b, 3/5j	Working space for the construction of the new Westbound onslip	Work 15
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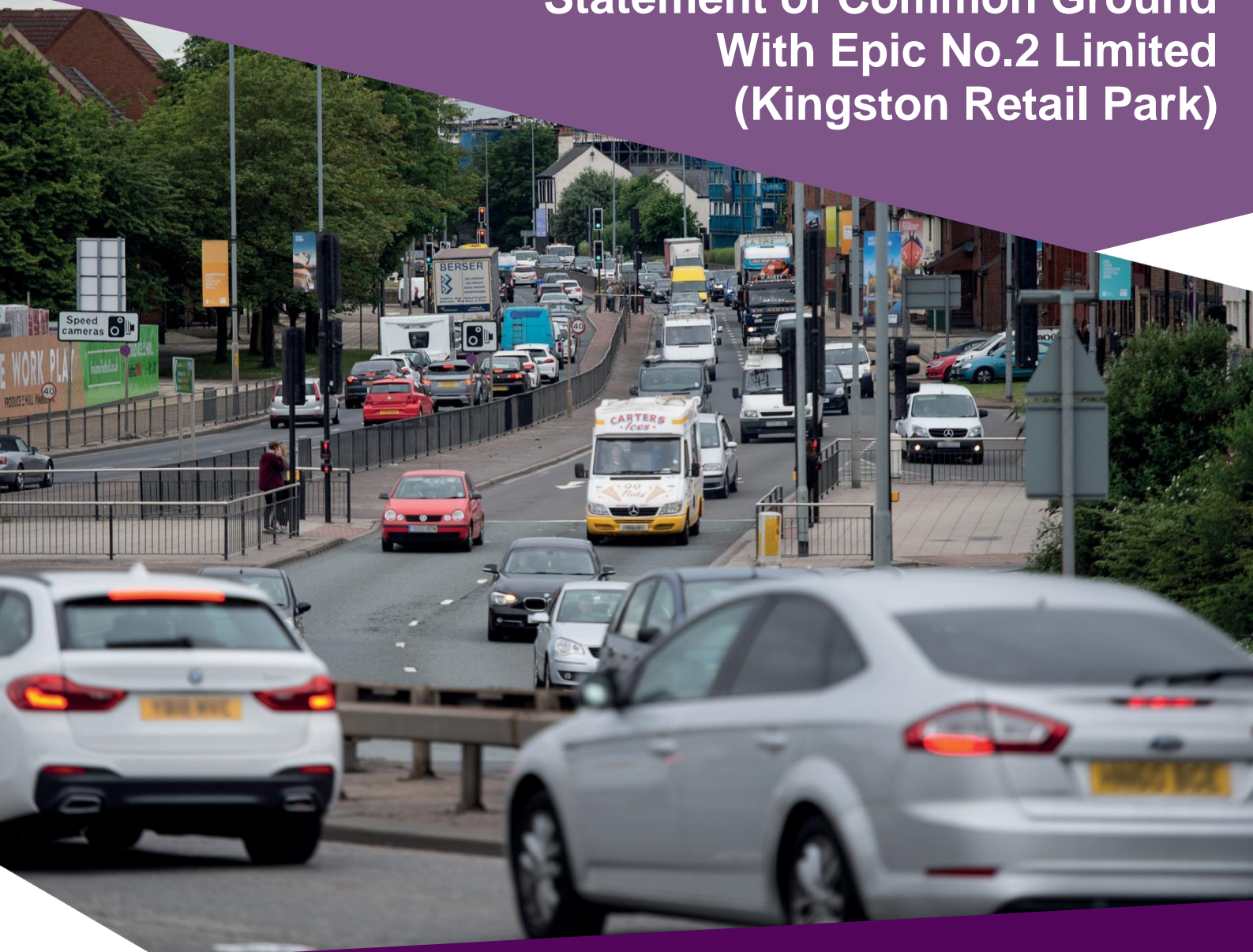
4.1.2 The Streets, Rights of Way and Access Plan Sheet 3 to be amended to show a highway being provided for the full width of the access to the western service yard of Kingston Retail Park.

**Appendix 3 - The Statement of Common Ground between EPIC and Highways
England as of 17 June 2019.**

A63 Castle Street Improvement, Hull

TR010016

Statement of Common Ground
With Epic No.2 Limited
(Kingston Retail Park)



A63 Castle Street Improvement, Hull

Development Consent Order 20[xx]

STATEMENT OF COMMON GROUND

Planning Inspectorate Scheme Reference	TR010016
Author:	A63 Castle Street Project Team
Reference Number for EPIC No.2 Limited	20018241

Version	Date	Status of Version
1	June 2019	Submitted for Examination Deadline 3

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Epic No.2 Limited

Signed.....
Bernice Beckley
Project Manager
on behalf of Highways England
Date:

Signed.....
Graham Lind
Epic No.2 Limited

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1 INTRODUCTION

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A63 Castle Street Improvement, Hull ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("DCO") under section 37 of the Planning Act 2008 ("2008 Act").
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and to focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) EPIC No.2 Limited and is associated with the site at Kingston Retail Park (KRP).
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 Epic No.2 Limited is the owner of the KRP which is multi-unit retail space located to the south west of the A63 Mytongate junction. The site is also bounded by Commercial Road to the east, Kingston Street to the south and Spruce Road to the west.

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" indicates issues which will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved (see 3.1.2).
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to EPIC No.2 Limited, and therefore have not been the subject of any discussions between the parties. As

such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to EPIC No.2 Limited.

- 1.3.3 It can be taken that the matters specifically referred to in the Issues chapter of this SoCG are those of material interest or relevance to EPIC No.2 Limited. This note records the issues that have been discussed in relation to entering into a private agreement.

2 RECORD OF ENGAGEMENT

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Epic No.2 Limited in relation to the Application is outlined in Table 2.1.

Table 2.1 Record of Engagement

Date	Form of correspondence	Key topics discussed
11 April 2018	Meeting 1 on site	Consultation on using Arco as a site compound. Meeting 2 arranged.
01 May 2018	Meeting 2	Loss of car parking. Traffic management at Mytongate and signs from Daltry Street during construction. Temporary working area to modify car park required for two weeks at the most phased to suit KRP. Arco consultation. Lister Street access. Compensation. Meeting 3 planned.
08 August 2018	Meeting 3	DCO process. Programme. Traffic Management. 3m working strip for slip road construction. Car park modification plans. 10 weeks required for car park modifications. Permanent and temporary car park spaces lost. Lister Street access. Access and deliveries to be maintained at all times. Modifications to service yard. Compensation. Hoarding signs. Totem signs. Directional signs. Shuttle bus.
09 November 2018	Meeting 4	Written correspondence exchanged. DCO progress. Arco is preferred compound site. Visualisations of compound sites. Traffic management. Car park modification plans. Permanent and temporary car park spaces lost. 3m working strip for slip road construction. Pedestrian crossing at north eastern corner of KRP to be retained for the first two years. For three years of underpass construction only Princes Quay and Porter Street bridges will be available for pedestrian routes. Provision of a free shuttle bus is being considered. Lister Street access. Hoarding visuals are essential to maintain visibility of KRP from A63. Appropriate signing will be provided. Compensation. Local network improvements. Landscaping proposals. Meeting 5 planned.
31 January 2019	Meeting 5 teleconference	DCO progress. 3m working room strip for slip road construction and utility diversions. Car park reconfiguration will take 10 weeks timing to suit KRP. Hoardings. Pedestrian access during construction will be via Princes Quay

Date	Form of correspondence	Key topics discussed
		Bridge and at Porter Street. Fire exits at KRP will be maintained. KRP central walkway. Service Yard access. Construction of Lister Street access will require a 48-hour restriction on service yard access. Access to service yard to be maintained via a temporary southern route. Alternatively, the work could be carried out at night. Shuttle bus. Meeting 6 planned.
27 March 2019	Meeting 6 on site	Arco is the preferred compound site. Lister Street access. 48-hour restriction on service yard access and ways this can be avoided. Deliveries from the west can approach via Daltry Street. Totem signs. Boots and B&M Relevant Representations. KRP fire exits and eastern pedestrian access to be maintained throughout construction. Car park reconfiguration.
14 May 2019	Meeting 7 teleconference	DCO progress. Arco to relocate. Service Yard access for HGVs will have to be via Roger Millward Way roundabout. Alternative HGV access routes were discussed. Lister Street TROs. Car park reconfiguration. Pedestrian access. Traffic modelling for diversion routes Signage strategy. Totem signs. Hoardings. Construction Management Plan. Noise, vibration and dust monitoring. Compensation. Shuttle bus. Meeting 8 confirmed. Valuation Meeting planned. KRP information request.
16 May 2019	Meeting 8 on site	Land take boundaries. Temporary car park reconfiguration. Service Yard access. Arco production compound. Pedestrian access. Shuttle bus. Totem poles. KRP fire exits. Parking on Lister Street. Traffic management. Diversion routes. Construction and permanent signage strategy. Hoarding.
06 June 2019	Meeting 9	Draft HoTs/Compensation. SoCG.

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Epic No.2 Limited in relation to the issues addressed in this SoCG.

3 ISSUES

- 3.1.1 A summary of issues identified are outlined in Table 3.1 below.
- 3.1.2 The 'Agreed' status reflects the principle that a satisfactory private agreement will be entered into between Highways England and EPIC No.2 Limited prior to the close of the examination period.

Table 3.1 Summary of issues

Issue	Epic No.2 Limited Comment	Highways England Response	Status
Service Yard Access	Access to be maintained to both service yards at KRP for vehicles up to 16.5m articulated HGVs at all times (24hrs a day, seven days a week) during construction and operation.	Highways England will ensure that access is maintained at all times for delivery vehicles accessing KRP at both access points to the service yards. There may be occasions where advance notice of works may be required by Highways England which may mean aligning those works with delivery times for the stores. Such timing of works will be discussed and agreed with EPIC No.2.	Agreed
	Access to the western service yard will be either by the existing Spruce Road access from the A63 or the new services access road to be provided by the Highways England from Lister Street.	The access to the western service yard will be from Spruce Road until the new access road is completed. Epic No.2 will be kept fully informed of the programme around this works phase.	Agreed
	The HGV delivery route from the A63 eastbound for the Lister Street route would be via the Roger Millward Way junction and the Kingston Street roundabout	This is the agreed route for delivery vehicles from both directions when the new access road from Lister Street is completed up until the completion of the new Mytongate bridge.	Agreed
	Vehicle parking on Lister Street would need to be restricted during the construction and operational phases to enable this access to be used by HGVs. Temporary and	Highways England will work with Hull City Council to ensure the successful implementation of permanent and temporary traffic regulation orders in the vicinity of Lister Street. Such orders ensure safe use of the routes involved.	Agreed

Issue	Epic No.2 Limited Comment	Highways England Response	Status
	then permanent traffic regulation orders will need to be made		
Car Parking	Highways England will minimise the extent of both the land take required to deliver the works and additional land to be temporarily acquired to enable construction of car parking and service yard reconfiguration.	The area shown within the Land Plans (Ref: 3/5e) is indicated as the maximum area required to offset the impact on the car park of the permanent (3/5a) and temporary (3/5b) acquisition of KRP. Highways England will work with Epic No.2 Limited to mitigate the impact of the loss of spaces and provide the optimum number of spaces possible within the land during the construction phase.	Agreed
	A temporary rearrangement of the car park will be agreed for the construction period. EPIC will prepare the preliminary design which will be agreed with Highways England. Highways England will carry out the detailed design and construction of the works.	Highways England will work with Epic No.2 and their consultants on the temporary arrangement of the car park. Highways England will complete the detailed design and construction of the agreed layout at their cost subject to agreement.	Agreed
	The permanent rearrangement of the car park will also be agreed. Again, EPIC will prepare the preliminary design and specification which will be agreed with Highways England who will carry out the detailed design and construction of the works.	Highways England will work with Epic No.2 and their consultants on the permanent arrangement of the car park. Highways England will complete the detailed design and construction of the agreed layout at their cost subject to agreement.	Agreed
	These design matters will include the provision of new car parking spaces and service yard configuration and related surfacing, drainage, hard and soft landscaping and lighting to agreed quality level and specification for	Highways England will work with Epic No.2 and their consultants to agree the required specification for the works in both the temporary and permanent layouts	Agreed

Issue	Epic No.2 Limited Comment	Highways England Response	Status
	<p>the reinstated car park.</p> <p>The timing, working hours and detailed arrangements for the temporary and permanent car park works would be agreed. The duration of the temporary possession of car parking/service yard and works being carried out on the land during the temporary possession will also be minimised.</p>	<p>Highways England and their supplier Balfour Beatty will employ a Stakeholder Liaison Officer (SLO) who will be responsible for agreeing with Epic No.2 the phasing of the works and minimising any impact on KRP.</p>	<p>Agreed</p>
<p>Junction and Link Capacity</p>	<p>Highways England will carry out further modelling of the effects on the Daltry Street roundabout and the route to the Retail Park along English Street of the construction phases. EPIC will input into that process.</p>	<p>Highways England will carry out traffic modelling on the Daltry Street roundabout to determine what the impact on the diversion route would be for customers. Highways England is keen to understand any adverse impacts so that mitigation measures can be considered as appropriate. Highways England recognise that traffic behaviour is such that locals will tend to use the local routes to access KRP.</p>	<p>Under Discussion</p>
	<p>Highways England will carry out mitigation measures to ameliorate effects of the construction phase which are shown by the modelling.</p>	<p>Highways England are working with Hull City Council on a study to assess potential improvements to routes that may become congested during the main works phase to construct the underpass (2022 – 2025). This aim of this study and any subsequent measures provided is to make the local network more resilient. This study will include the Daltry Street and English Street areas; however, it is worth noting that the study area is significant.</p> <p>Highways England would welcome any suggestions from Epic No.2 Limited they feel may improve this area of the local network.</p>	<p>Under Discussion</p>
<p>Signage Strategy</p>	<p>Highways England will arrange vehicular and pedestrian signage to an agreed specification and at agreed locations to direct customers to the Retail Park</p>	<p>Highways England and their supplier Balfour Beatty will employ a Traffic Management Officer and Stakeholder Liaison Officer (SLO) who will be responsible for agreeing with Epic No.2 the signage required for vehicles and pedestrians around the works.</p>	<p>Agreed</p>

Issue	Epic No.2 Limited Comment	Highways England Response	Status
	<p>throughout the works period.</p> <p>This will include signage for the Retail Park to customers from the A63 eastbound via the Daltry Street / Madeley Street / Rawling Way / Hessle Road Roundabout, Daltry Street, Jackson Street and English Street.</p>	<p>Highways England and their supplier Balfour Beatty will employ a Traffic Management Officer and Stakeholder Liaison Officer (SLO) who will be responsible for discussing and agreeing the signage requirements, which will ensure the safest route to KRP is sign posted for eastbound traffic. Highways England recognise that traffic behaviour is such that locals will tend to use the local routes to access KRP.</p>	<p>Agreed</p>
<p>Pedestrian Routes (Works Period)</p>	<p>It is agreed that Highways England will maintain a direct pedestrian route from Ferensway to the Retail Park for as long as possible during the construction period and restore it at the earliest opportunity.</p> <p>EPIC's view is that given the importance of pedestrian connectivity between the city centre and the retail park, a pedestrian route at Mytongate should be maintained throughout the construction period.</p> <p>If the pedestrian route is severed, Highways England will make alternative arrangements, including a shuttle bus and other measures, in consultation and agreement with EPIC.</p>	<p>Highways England and their supplier Balfour Beatty will employ a Traffic Management Officer and Stakeholder Liaison Officer (SLO) who will be responsible for ensuring the pedestrian diversion routes into KRP remain operational and safe for as long as possible prior to the main construction phase for the underpass works. Phasing dates will be confirmed in advance of the closure.</p> <p>Highways England have assessed and confirm a pedestrian route at Mytongate is impractical as it conflicts with the works phasing and also raises safety and maintenance concerns.</p> <p>Alternative pedestrian diversion routes will be provided at the Princes Quay and Porter Street NMU bridges and signposted and communicated.</p> <p>Highways England and Hull City Council are considering additional mitigation options, including the feasibility of a shuttle bus to connect the north of the A63 to the south. Highways England will share this with Epic No.2 Limited and their consultants upon completion and also welcome any feedback on the proposal.</p> <p>A shuttle bus will need to be well used if it is to be successful.</p>	<p>Agreed</p> <p>Under Discussion</p>
<p>Pedestrian Access (After)</p>	<p>Pedestrian access would be provided over the new Mytongate</p>	<p>Highways England and their supplier Balfour Beatty will work with Epic No.2 Limited and their consultants on this layout and the</p>	<p>Agreed</p>

Issue	Epic No.2 Limited Comment	Highways England Response	Status
Completion of Works)	junction. Highways England will reinstate permanent level pedestrian access to the Retail Park in agreement with EPIC.	SLO will agree the timescales and phasing associated with the works.	
Totem Poles	Highways England will relocate the two existing totem poles, during the works period and after completion of the works, to locations agreed with EPIC.	Highways England will work with Epic No.2 Limited to relocate the two totem poles during and after the works.	Agreed
Construction Hoarding	Highways England will provide construction hoarding throughout the works period along the altered Retail Park boundary. Advertisements for the Retail Park and its occupiers will be included on the A63 side of the hoarding. The treatment of the Retail Park side of the hoarding will be agreed with EPIC.	Highways England will work with Epic No.2 Limited on the design and finish of the hoarding on each side of the works. It is assumed that the design on the A63 facing side will be of similar standard to that at the current Princes Quay Bridge site with a combination of KRP and Highways England panels. Those hoardings facing the car park will be provided as designed and agreed by Epic No.2. The size, length and advertisement detail will be developed with EPIC No.2 during the detailed design phase.	Agreed
Construction and Environment Management Plan	The Authority and the Landowner are to agree a management plan in respect of operations affecting the Retail Park, which will include details of: <ul style="list-style-type: none"> • Advance notification of works; • Parking and movement of constructor vehicles; • Restrictions on noise, dust, vibration and working hours; 	A detailed CEMP is required to be completed prior to any works commencing and this can be shared. Localised method statements for the works in the vicinity of KRP will be shared with Epic No.2 and communicated by Highways England's SLO for comment in advance of any works. This will cover all of the bullet points listed adjacent.	Agreed

Issue	Epic No.2 Limited Comment	Highways England Response	Status
	<ul style="list-style-type: none"> Agreed methods to monitor adherence to the CEMP in respect of the Retail Park, reporting and corrective action; and Health, safety and security requirements. 		
Noise Monitoring	<p>Noise monitoring stations to be sited adjacent to the Retail Park.</p> <p>Baseline noise monitoring carried out by Highways England and reported to EPIC.</p> <p>Noise monitoring will be carried out during the works and reported to EPIC.</p> <p>Arrangements will be put in place for the reporting of noise concerns to Highways England and addressing any issues.</p>	<p>As part of the scheme Highways England are required to monitor noise before and during the Scheme construction phase. Locations will need to be agreed with Hull City Council prior to the start of the works.</p> <p>Highways England would be willing to share the results of the monitoring with Epic No.2.during the works</p> <p>Highways England are seeking an agreement from Hull City Council on the provision of a Section 61 Notice to allow Balfour Beatty to set and control noise and vibration limits as part of their methodology.</p>	Under Discussion

Appendix 4 - Technical Note 1 – Pell Frischmann

Technical Note 1

Pedestrian Movements at Mytongate -

Kingston Retail Park

10th June 2019

Pell Frischmann Observations

Pell Frischmann carried out a site visit on Monday 15th April 2019, to consider the impact of the A63 scheme on the operation of the retail park.

As part of that exercise, PF observed existing pedestrian movements between the retail park and Ferensway via the Mytongate roundabout.

Those observations were recorded during the half hour period from 1130 to 1200, resulting in the following movements:

- Inbound (from Ferensway into site) - 16 movements
- Out bound (from site to Ferensway) - 18 movements

Management Agents Observations

To supplement the above, EPIC instructed the management on site to observe the same pedestrian movements during a typical weekday morning and afternoon period.

To that end, observations were made on Tuesday the 21st of May 2019, which recorded the following:

- AM period (1030 to 1130) - a total of 23 movements (both in and outbound directions)
- PM period (1400 to 1500) - a total of 53 movements (both in and outbound directions)