



Application by Highways England for an Order Granting Development Consent for A57 Link Roads

The Examining Authority's draft first written questions and requests for information

Issued on 8 December 2021

The following table sets out the Examining Authority's (ExA's) draft first written questions and requests for information to assist with the assessment of the application.

This draft version of the first written questions does not include all the questions that will appear in the final version. Some of the questions in this draft version are likely to be changed in the final version.

The final version of the first written questions will be published no later than 17 December 2021. Responses are requested to the final version and these should be received by the ExA by Deadline 2 on 14 January 2022.

The Planning Inspectorate's document references in these questions [in square brackets] can be found on the National Infrastructure Planning website at: <http://infrastructure.planninginspectorate.gov.uk/document/TR010034-000603>

Column 2 of the table of questions indicates **the parties to which questions are directed**. Please could all parties answer all questions directed to them, providing either a substantive response, or indicating the reason that the question is not relevant to them. Where questions can be **fully** answered within another submission then a reference to the relevant paragraph(s) of the submission will be enough.

When you are answering a question, please start your answer by quoting the question number.

If you are answering no more than 3 questions, responses in a letter format will suffice. If you are answering several questions, it will assist the ExA if you could use a table based on that used below. An editable version of this table, in Microsoft Word, is available on request from the Planning Inspectorate. Please email your request to: A57LinkRoads@planninginspectorate.gov.uk.

Abbreviations

AQMA	Air Quality Management Area	NO₂	Nitrogen Dioxide
BS	British Standard	NPPF	National Planning Policy Framework
dB	Decibel	NPSNN	National Policy Statement for National Networks
dDCO	Draft Development Consent Order	PA2008	The Planning Act 2008 as amended
EMP	Environmental Management Plan	RR	Relevant Representation
ES	Environmental Statement	SPA	Special Protection Area
ExA	Examining Authority	SuDS	Sustainable Drainage Systems
LVIA	Landscape and Visual Impact Assessment	TPO	Tree Preservation Order

Contents

Section	Topic
1.	The draft Development Consent Order (dDCO) and other consents
2.	General matters
3.	Transport networks and traffic, alternatives, access, severance, walkers, cyclists, and horse riders
4.	Green belt
5.	Landscape and visual, good design
6.	The historic environment
7.	Air Quality
8.	Climate change
9.	Noise, vibration, and nuisance
10.	Soils, ground conditions, material assets and waste
11.	The water environment, drainage, flood risk assessment, Water Frameworks Directive
12.	Biodiversity, ecological and geological conservation
13.	Land use, social and economic, human health
14.	Other environmental topics
15.	Compulsory Acquisition, Temporary Possession, Statutory Undertakers, and funding

No	Question to	Reference	Question
1.	The draft Development Consent Order (dDCO) and other consents		
	Reference is made to the dDCO submitted by the Applicant for Deadline 1 [REP1-041].		
	General matters and other consents		
1.1.	Applicant	dDCO updates	<p>To help the ExA understand and keep track of the Applicant's progress in developing the dDCO, please could it provide:</p> <ul style="list-style-type: none"> a) regular updates, including when the submission of updates is identified in the Examination Timetable; b) a unique revision number for each submitted version, clearly indicated in the filename and within the body of the document; c) a clean .pdf version of the latest dDCO; d) a tracked change .pdf version of the dDCO, showing all changes since the previous submitted version; e) a tracked change .pdf version of the dDCO, showing all changes since the Application version; and f) a "<i>Schedule of dDCO Changes</i>" report setting out the reasons for the changes included in each update submitted since the Application version.
1.2.	Applicant	The Applicant's final dDCO	<p>To help the ExA to prepare the recommended DCO that will be included with the ExA's report to the Secretary of State, please could the Applicant provide the following at the Deadline identified in the Examination Timetable for the Applicant's final dDCO:</p> <ul style="list-style-type: none"> a) .pdf versions (clean, tracked changes since the last submitted version, and tracked changes since the Application version) of its final dDCO, together with a "<i>Schedule of dDCO Changes</i>" report; b) a clean version of its final dDCO in Microsoft Word; and c) a report validating that its final dDCO is in the Statutory Instrument template, obtained from the publishing section of the legislation.gov.uk website.
1.3.	Applicant	Model Provisions	The ExA notes that many model provisions from The Infrastructure Planning (Model Provisions) (England and Wales) Order 2009 have

No	Question to	Reference	Question
			<p>been included in the dDCO and that a number have been either amended or omitted.</p> <p>Please could the Applicant set out it's reasoning for amending or omitting model provisions where this has not already been provided in the Explanatory Memorandum [APP-021]?</p>
1.4.	Applicant Environment Agency Natural England Local planning authorities	Other consents Updates	<p>a) Please provide an up-to-date position in respect of obtaining the necessary consents, licenses, and agreements.</p> <p>b) Is there any reason to believe that any relevant necessary consents, licenses, and agreements will not subsequently be granted?</p> <p>c) Where appropriate, can letters of no impediment be provided by the Environment Agency and Natural England?</p> <p>d) Please could a summary of progress in securing other consents be provided at each relevant Examination deadline?</p>
Preamble			
1.5.	Applicant	[single appointed person]	Please could the preamble be updated to reflect the appointment of a two person, rather than a single appointed person?
1.6.	Applicant	Powers conferred by the Planning Act 2008 (PA2008)	<p>The final paragraph of the preamble refers to power conferred to the Secretary of State by specified sections of the PA2008, but not by others.</p> <p>Please could the Applicant explain its rationale for which powers of the PA2008 conferred to the Secretary of State are listed in the last paragraph of the preamble?</p>
Part 1 – Preliminary			
1.7.	Applicant	Article 2(1) Interpretation "commence"	<p>The effect this definition is to permit certain pre-commencement operations to take place before the discharge of requirements that require compliance before development commences. The ExA is seeking to understand the nature and potential effects of these operations and to ensure that appropriate controls are in place.</p> <p>Some pre-commencement operations appear to have the potential to result in significant adverse effects. These include, but are not</p>

No	Question to	Reference	Question
			<p>limited to, various mitigation works, remedial work in respect of any contamination or other adverse ground conditions; the erection of construction plant and equipment; diversion and laying of underground apparatus and site clearance.</p> <p>Some pre-commencement operations appear to be for the discharging of mitigation measures that would involve the development of detailed proposals requiring consultation and approval by relevant parties. These include, but are not limited to, archaeological and ecological investigations and mitigation works.</p> <p>Please could the Applicant clarify:</p> <ul style="list-style-type: none"> a) the potential effects arising from the pre-commencement operations, any mitigation measures required to limit adverse effects, and how those mitigation measures are secured; b) the mechanisms for relevant parties to be consulted on and approve any mitigation measures that are included in the pre-commencement operations, and how those mechanisms are secured; c) whether, in a similar manner to that included for the A38 Derby Junctions project, the pre-commencement activities should be identified as preliminary works in the dDCO and Environmental Management Plan (EMP) to allow relevant mitigation measures to be secured.
1.8.	Applicant	Article 2(1) "cycle track"	Please could it be clarified whether a "cycle track" is a way over which the public have a right of way on foot?
1.9.	Applicant	Article 2(1) "first iteration EMP"	<ul style="list-style-type: none"> a) Should this definition be moved to Schedule 2, Part 1, Requirement 1 and combined with the definition provided there of the "Environmental Management Plan"? b) Is the submitted Outline EMP [APP-183] the First Iteration EMP, or is the Applicant is intending to submit the First Iteration EMP to the Examination? c) The submitted document appears to be titled Outline Environmental Management Plan [APP-183] and is inconsistently

No	Question to	Reference	Question
			described throughout the ES (Environmental Statement). Please could the dDCO and/ or ES be updated to ensure consistency? d) Many of the mitigation measures that would be expected to be secured in the EMP are set out in the separate Register of Environmental Actions and Commitments (REAC) [REP1-037], which is included in Schedule 10. Should it be clarified in the dDCO that the REAC is either part of the EMP and/ or that it is subject to the same provisions?
1.10.	Applicant	Article 2(1) <i>"hedgerow and protected tree plans"</i> <i>"speed limits and traffic regulations plans"</i>	Slightly different document names are provided in Schedule 10. In each case, please could the same names be used, or please could it be clarified which certified document is referred to?
1.11.	Applicant	Article 2(3) <i>"rights over land"</i>	The extent and phrase of <i>"rights over land"</i> appear to be clarified by Article 2(2). Article 2(3) seems to go further than Article 2(2), but it is not clear to the ExA why this is necessary. Please could the Applicant explain why Article 2(3) is required?
Part 2 – Principal Powers			
1.12.	Applicant	Article 3(3) Development consent etc. granted by the Order	This Article appears to be included for the avoidance of doubt. Please could the Applicant further justify why it is required? Is it consistent with the securing of mitigation measures for pre-commencement activities referred to in the above questions about Article 2(1) <i>"commence"</i> ?
1.13.	Applicant	Article 5(1) Maintenance of drainage works	Who would have responsibility for maintaining the drainage of any land while the Applicant holds it in temporary possession and how is it secured that they would have the rights needed to maintain it?
1.14.	Applicant	Article 7(a) Limits of deviation	The Work Plans [REP1-002] would appear to allow the main carriageway to deviate by several metres from their drawn position. a) To ensure consistency with the positions of the Works considered in the ES, for example for the noise and vibration assessment,

No	Question to	Reference	Question
			<p>should a lateral limit of deviation of the main carriageway of a maximum of 1 metre be secured?</p> <p>b) The Engineering Drawing and Sections Plans [REP1-005] are annotated "<i>Do not scale</i>", so it is not possible to identify a definitive height, and therefore vertical limit of deviation, along the full length of the works. Tables 2-1 and 2-2 of ES Chapter 2 [REP1-014] describe the cutting and embankment slopes required, together with maximum slope height from existing ground level. Should a limit of deviation for slopes be secured in the dDCO?</p>
Part 3 – Streets			
1.15.	Applicant Local highway authorities	Article 10 Street Works	Are provisions required to resolve a potential conflict between the Applicant's ability to enter any street within the Order Limits with the ability of a local highway authority to perform its duties?
1.16.	Applicant	Article 12 Construction and maintenance of new, altered or diverted streets and other structures <i>"street", "highway", "local highway authority", "local street authority", "street authority"</i>	Please could the Applicant review the references to " <i>street</i> ", " <i>highway</i> ", " <i>local highway authority</i> ", " <i>local street authority</i> " and " <i>street authority</i> " and make any necessary corrections?
1.17.	Applicant Local highway authorities	Article 12(5) Construction and maintenance of new, altered or diverted streets and other structures Responsibility for maintenance	<p>a) Is each relevant local highway authority content to maintain the listed works at their expense?</p> <p>b) Are the definitions of "<i>works above the structure</i>" and "<i>the structure</i>" in Article 12(5)(b) clear and unambiguous?</p>
1.18.	Applicant	Article 13(9) Classification of roads etc. Public rights of way	This Article appears to provide a wide-ranging power for the locations of public rights of way to be constructed in alternative locations if that is agreed with the local highway authority. Is that the intention and, if so, how is that consistent with the assessment?

No	Question to	Reference	Question
1.19.	Applicant Street authorities	Article 14(6) Temporary alteration, diversion, prohibition and restriction of the use of streets Deemed consent	This provision confers deemed consent if the street authority does not respond within 28 days (a " <i>guillotine</i> "). The ExA would like to find the right balance between avoiding unnecessary delay to the Proposed Development and ensuring that appropriate regard is given to the interests and advice of other parties. a) Please could the Applicant provide evidence that the guillotine has been discussed with each relevant street authority and provide any comments that they have made on their ability to comply. b) Please could the street authorities comment? c) The ExA is minded that a provision be added for any application for consent to contain a statement drawing the street authority's attention to the guillotine. Please could the Applicant and the street authorities comment?
1.20.	Applicant	Article 15(2)(b) Permanent stopping up and restriction of use of highways, streets and private means of access Temporary alternative routes for private means of access	a) Should it be clarified that the undertaker will maintain a temporary alternative route for traffic that could have used a private means of access that is stopped up and can the standard to which it would be maintained be clarified? b) Are there any circumstances in which a temporary alternative route would not be required?
1.21.	Applicant Traffic authorities	Article 18(11) Traffic regulation Deemed consent	This provision confers deemed consent if the traffic authority does not respond within 28 days (a " <i>guillotine</i> "). The ExA would like to find the right balance between not unnecessarily delaying the Proposed Development and ensuring that appropriate regard is given to the interests and advice of other parties. a) Please could the Applicant provide evidence that the guillotine has been discussed with each relevant street authority and provide any comments that they have made on their ability to comply. b) Please could the traffic authorities comment? c) The ExA is minded that a provision be added for any application for consent to contain a statement drawing the traffic authority's

No	Question to	Reference	Question
			attention to the guillotine. Please could the Applicant and the traffic authorities comment?
Part 4 – Supplemental Powers			
1.22.	Applicant	Article 19(8) Discharge of water Deemed consent	<p>This provision confers deemed consent or approval if a person who receives an application for consent does not respond within 28 days (a "guillotine"). The ExA would like to find the right balance between not unnecessarily delaying the Proposed Development and ensuring that appropriate regard is given to the interests and advice of other parties.</p> <p>a) Please could the Applicant provide evidence that the guillotine has been discussed with each person who would receive an application for consent or approval and provide any comments that they have made on their ability to comply?</p> <p>b) The ExA is minded that a provision be added for any application for consent or approval to contain a statement drawing the person who would receive the application's attention to the guillotine. Please could the Applicant comment?</p>
1.23.	Applicant Environment Agency	Article 19 Discharge of water Works to main rivers	<p>Should the following provision be added: <i>"The undertaker must not, in carrying out or maintaining works under this article, damage or interfere with the bed or banks of any watercourse forming part of a main river"</i>?</p>
1.24.	Applicant Local highway authorities Street authorities	Article 21(6) Authority to survey and investigate the land Deemed consent	<p>This provision confers deemed consent if an authority does not respond within 28 days (a "guillotine"). The ExA would like to find the right balance between not unnecessarily delaying the Proposed Development and ensuring that appropriate regard is given to the interests and advice of other parties.</p> <p>a) Please could the Applicant provide evidence that the guillotine has been discussed with each relevant authority and provide any comments that they have made on their ability to comply.</p> <p>b) Please could the authorities comment?</p> <p>c) The ExA is minded that a provision be added for any application for consent to contain a statement drawing the authority's</p>

No	Question to	Reference	Question
			attention to the guillotine. Please could the Applicant and the authorities comment?
Part 5 – Powers of Acquisition and Possession			
1.25.	Applicant	<p>Article 25 Compulsory acquisition of rights and restrictive covenants</p> <p>Article 28 Application of the 1981 Act</p> <p>Article 29 Modification of the 2017 Regulations</p>	<p>Article 25 seeks powers to acquire rights or impose restrictive covenants for the benefit of a third party.</p> <p>Article 28 seeks to permit land/ rights acquired by the undertaker to vest directly in third parties.</p> <p>Article 29 appears to seek to enable land to vest directly in third parties rather than firstly being acquired by the undertaker then transferred to a third party.</p> <p>The ExA needs to be satisfied that the compulsory acquisition tests are met in relation to these rights. It therefore needs to understand what the rights are, why they are required for the Proposed Development, and who they would be vested in.</p> <p>Please could the Applicant:</p> <ol style="list-style-type: none"> a) set out exactly what land / rights / restrictions they intend to vest directly in which third parties; b) explain why they do not need these land / rights to vest in the undertaker; c) set on the legal basis for the inclusion of these powers; and d) provide detailed justification for them.
1.26.	Applicant	<p>Article 32(9) Temporary use of land for carrying out the authorised development Deemed consent</p>	<ol style="list-style-type: none"> a) Please could the Applicant justify the inclusion of sub-paragraphs (a) and (b)? b) Is there any intention to acquire permanent rights to land listed in Schedule 7? c) Is there any intention to acquire permanent rights to land that is not listed in Schedule 5?
1.27.	Applicant	Article 32(12)	<ol style="list-style-type: none"> a) Please could the Applicant provide justification of the disapplication of the Neighbourhood Planning Act 2017 in relation to the temporary possession of land?

No	Question to	Reference	Question
		Temporary use of land for carrying out the authorised development Article 33(12) Temporary use of land for maintaining the authorised development	b) The ExA needs to be satisfied that the proposed interference with human rights is proportionate and justified. To assist with this, should a total period for which land may be subject to Temporary Possession be specified?
Part 7 – Miscellaneous and General			
1.28.	Applicant Local planning authorities	Article 39 Trees subject to tree preservation orders	Should the undertaker be required to consult with the relevant planning authority prior to felling, lopping and/ or replacing any tree subject to a tree preservation order?
Schedule 1 – Authorised Development			
1.29.	Applicant	<i>“Further development”</i> Locations and consistency with the assessment	A list of <i>“further development”</i> is identified, for which no location is identified, and which therefore has the potential to lack precision. a) Is each the extent and location of each <i>“further development”</i> item (a) – (p) sufficiently certain and justified? b) Does the ES assume a location for any of these activities and, if so, should their location be identified to ensure consistency between what has been assessed and what is secured? c) Can any of these items be reallocated to the relevant Works? If not, why not? d) Should the provision that the activities would <i>“not give rise to any materially new or materially worse adverse environmental effects to those assessed in the environmental statement”</i> apply to all the activities listed, not just activity (p)?

No	Question to	Reference	Question
1.30.	Applicant	Associated and Ancillary Development	<p>DCLG guidance¹ sets out the core principles for Associated Development and states that “As far as practicable, Applicants should explain in their explanatory memorandum which parts (if any) of their proposal are associated development and why”.</p> <p>The Explanatory Memorandum [APP-021] sets out the generic examples of Associated Development provided in the DCLG guidance, but does not explain which parts of this specific Proposed Development are Associated Development.</p> <p>To assure the ExA that the dDCO is legally sound and that relevant guidance had been responded to, please could the Applicant prepare a table that identifies those parts of Works Nos. 1 – 65 and “further development” items (a) – (p) that constitute:</p> <ul style="list-style-type: none"> • Principal Development; • Associated Development; or • Ancillary Development <p>and explains why each of the Works and “further development” items should be classified accordingly.</p>
Schedule 2 – Requirements			
1.31.	Applicant	Interpretation Time limits Detailed design Second Iteration EMP, etc..	For clarity, should the format of these headings be the same as that used for the title of each Article?
1.32.	Local planning authorities Local highway authorities Environment Agency	Requirements 3-11 Provisions for consultation and agreement	a) Please identify where it would be helpful, for example to bring clarity or to help avoid any later misunderstandings, for specific provisions to be included in any Requirement for consultation or agreement to be required with relevant bodies. b) In each case, please explain why the provisions should be included.

¹ Planning Act 2008, Guidance on associated development applications for major infrastructure projects, DCLG, April 2013

No	Question to	Reference	Question
	Natural England Historic England		
1.33.	Applicant Local planning authorities Local highway authorities Environment Agency	Requirement 4(1) and (2) Second Iteration EMP	<p>a) Should there be a requirement for consultation on the second iteration EMP with the local highway authorities and the Environment Agency, as well as with the relevant planning authority?</p> <p>b) To give certainty that the measures identified in the ES are secured, should the second iteration EMP be required to incorporate the measures for the construction stage referred to in the ES as being incorporated in the EMP?</p> <p>c) Should there be a requirement for the second iteration EMP to contain a record of the consents, commitments and permissions resulting from liaison with statutory bodies?</p> <p>d) Should there be a requirement for the second iteration EMP to be kept up to date with any material changes during construction and for consultation to be required on those changes?</p>
1.34.	Applicant Local planning authorities	Requirement 4(2)(c) Second Iteration EMP Working hours	<p>a) Please could the Applicant provide an explanation as to why each activity (i) to (ix) cannot be carried out during the specified working hours?</p> <p>b) Should the following be added after Requirement 4(2)(c):</p> <p><i>"Provided that written notification of the extent, timing and duration of each activity is given to relevant local authorities in advance of any works that are to be undertaken outside of the specified hours, except for any emergency works, which are to be notified to the relevant local authorities as soon as is practicable."</i></p> <p><i>"Any other work carried out outside the specified working hours or any extension to the working hours will only be permitted if there has been prior written agreement of the relevant environmental health officer and provided that the activity does not give rise to any materially new or materially</i></p>

No	Question to	Reference	Question
			<i>worse environmental effects in comparison with those reported in the environmental statement."</i>
1.35.	Applicant Local planning authorities Local highway authorities Environment Agency	Requirement 4(4) and 4(5) Third Iteration EMP	<p>a) Should there be a requirement for the third iteration EMP to be submitted to and approved in writing by the Secretary of State?</p> <p>b) Should there be a requirement for consultation on the third iteration EMP with relevant planning authorities, the local highway authorities and the Environment Agency?</p> <p>c) To give certainty that the measures identified in the ES are secured, should the third iteration EMP be required to:</p> <ul style="list-style-type: none"> • be substantially in accordance with the measures for the management and operation stage first iteration EMP; and to • incorporate the measures for the management and operation stage referred to in the ES as being incorporated in the EMP?
1.36.	Applicant Local planning authorities	Requirement Landscaping Landscaping scheme	<p>a) Please could the Applicant advise whether "<i>otherwise</i>" should be deleted from the first sentence of requirement 5(1)?</p> <p>b) Should it be required for the landscaping scheme to be approved before any part of the authorised development commences?</p> <p>c) With reference to Requirement 5(3), should the landscaping scheme be required to include details of hard surfacing materials?</p>
1.37.	Applicant Local planning authorities	Requirement 5 Landscaping " <i>Illustrative environmental masterplan</i> "	<p>Requirement 5(2) refers to an "<i>illustrative environmental masterplan</i>".</p> <p>a) Please could that document be submitted to the Examination?</p> <p>b) Should a definition be added to Requirement 1?</p> <p>c) Should it be added to Schedule 10?</p>
1.38.	Applicant Local planning authorities	Requirement 5 Landscaping " <i>other recognised codes of good practice</i> "	<p>Requirement 5(4) refers to "<i>other recognised codes of good practice</i>". Should this be made more precise, to ensure that the appropriate standard of landscaping is delivered?</p>
1.39.	Environment Agency	Requirement 6	Should this requirement include:

No	Question to	Reference	Question
		Contaminated land and groundwater	<p>a) for no part of the authorised development to commence until a contamination risk assessment has been produced for that part;</p> <p>b) details of what is to be included in a contamination risk assessment and in a written scheme and programme;</p> <p>c) for contamination risk assessments to be submitted to and approved by the Secretary of State in consultation with the Environment Agency; and</p> <p>d) for construction to cease in the vicinity of any contaminated material that is found until a risk assessment and written scheme and programme have been submitted and approved?</p> <p>Does the Environment Agency have any other comments?</p>
1.40.	Natural England	Requirement 7 Protected Species	<p>Should the requirement for "<i>relevant parts of the relevant works must cease</i>" include identification of the extent of works that must cease relative to the location, or likely location, of the protected species?</p> <p>Does Natural England have any other comments?</p>
1.41.	Local planning authorities Local highway authorities Environment Agency	Requirement 8 Surface and foul water drainage	<p>Should there be a requirement for the relevant planning authority, local highway authority and/ or the Environment Agency to be consulted on written details of the surface and foul water drainage system?</p>
1.42.	Environment Agency Lead local flood authorities	Requirement 9(2) Flood risk assessment	<p>a) Should any works otherwise in accordance with the flood risk assessment require the relevant lead local flood authority to be satisfied, as well as the Environment Agency?</p> <p>b) Are the Environment Agency and lead local flood authorities content that works do not need to be carried out in accordance with the flood risk assessment if all affected landowners accept the predicted exceedances of flood levels?</p>
1.43.	Applicant	Requirement 10 Archaeological Remains	<p>Should requirements be added for:</p>

No	Question to	Reference	Question
	Local planning authorities Heritage England		<ul style="list-style-type: none"> a) any matters to be consulted and/ or agreed in writing with the Secretary of State or the County Archaeologist; b) any programme of archaeological reporting, post excavation and publication to be consulted on and/ or agreed in writing; and/ or for c) suitable resources and provisions for long term storage of any archaeological archives to be consulted on and/ or agreed in writing?
1.44.	Applicant Local planning authorities Local highway authorities Environment Agency	Requirement 12(1) Details of consultation Minimum period	Should a minimum period be specified for the " <i>consultation with another party</i> " and, if so, what period would be reasonable?
1.45.	Applicant	Requirement 12(4) Details of consultation Missing text	Requirement 12(4) appears to be incomplete.
1.46.	Applicant	Requirement 13 Amendments to approved details	For clarity, should the end of this Requirement read "... <i>approved in writing by the Secretary of State.</i> "?
Schedule 3 – Classification of Roads, etc.			
1.47.	Applicant	Consultation and outstanding matters	<p>Please could the Applicant advise whether it:</p> <ul style="list-style-type: none"> a) has consulted local planning authorities and local highway authorities on the detailed contents of Parts 1-9 of Schedule 3; b) is awaiting any responses from local planning authorities or local highway authorities and/ or is aware of any matters that have not been agreed with them; c) considers that Parts 1-9 of Schedule 3 require consultation or review before they can be finalised?

No	Question to	Reference	Question
			Please could the Applicant please summarise any outstanding matters and the next steps to be taken.
1.48.	Local planning authorities Local highway authorities	Review and outstanding matters	Please could the local planning authorities and local highway authorities advise whether they: a) have reviewed the detailed contents of Parts 1-9 of Schedule 3 and provided their comments to the Applicant; b) are awaiting any responses from the Applicant and/ or is aware of any matters that have not been agreed with it; c) have any concerns about Parts 1-9 of Schedule 3?
Schedule 4 – Permanent Stopping Up and Alteration of Highways, Streets and Private Means of Access			
1.49.	Applicant	Consultation and outstanding matters	Please could the Applicant advise whether it: a) has consulted local planning authorities and local highway authorities on the detailed contents of Parts 1-3 of Schedule 4; b) is awaiting any responses from local planning authorities or local highway authorities and/ or is aware of any matters that have not been agreed with them; c) considers that Parts 1-3 of Schedule 4 require consultation or review before they can be finalised? Please could the Applicant summarise any outstanding matters and the next steps to be taken.
1.50.	Local planning authorities Local highway authorities	Review and outstanding matters	Please could the local planning authorities and local highway authorities Applicant advise whether they: a) have reviewed the detailed contents of Parts 1-3 of Schedule 4 and provided their comments to the Applicant; b) are awaiting any responses from the Applicant and/ or is aware of any matters that have not been agreed with it; c) have any concerns about Parts 1-3 of Schedule 4?
Schedule 5 – Land in which only New Rights etc. may be Acquired			

No	Question to	Reference	Question
1.51.	Applicant	Consistency	<p>a) Please confirm whether this Schedule has been cross-checked with and is consistent with Schedule 1, and with the Book of Reference [REP1-011], Statement of Reasons [REP1-010], Land Plans [APP-007] and Work Plans [REP1-002].</p> <p>b) Please set out the anticipated scope and timing of any reviews or audits and when any updates will be provided.</p>
Schedule 6 – Modification of Compensation and Compulsory Purchase Enactments for Creation of new Rights and Imposition of Restrictive Covenants			
1.52.	Applicant	Consistency with s126 the PA2008	<p>Please could the Applicant:</p> <p>a) explain why the provisions are necessary; and</p> <p>b) advise whether their effect is to exclude the application of a compensation provision?</p>
Schedule 7 – Land for which Temporary Possession may be Taken			
1.53.	Applicant	Consistency	<p>a) Please confirm whether this Schedule has been cross-checked with and is consistent with Schedule 1, and with the Book of Reference [REP1-011], Statement of Reasons [REP1-010], Land Plans [APP-007] and Work Plans [REP1-002].</p> <p>b) Please set out the anticipated scope and timing of any reviews or audits and when any updates will be provided.</p>
Schedule 8 – Hedgerows and Trees			
1.54.	Applicant	Part 2 – Trees subject to tree preservation orders	<p>a) Please could the acronym “TPO” used in the heading of the fourth column of the table be defined?</p> <p>b) With reference to paragraph 22.3 of Advice Note 152, please confirm that each tree subject to a tree preservation order is specifically identified in Schedule 8 and on the TPO and Hedgerows Plans?</p>

² Advice note 15: Drafting Development Consent Orders, The Planning Inspectorate, July 2018

No	Question to	Reference	Question
1.55.	Local planning authorities	Part 1 - Hedgerows Part 2 – Trees subject to tree preservation orders	Are the local planning authorities aware of any hedgerows or trees subject to a tree preservation order that are missing or incorrectly referenced in Schedule 8 and / or on the TPO and Hedgerows Plans?
Schedule 9 – Protective Provisions			
1.56.	Applicant	Serious detriment	<p>Section 127 of the PA2008 requires the ExA to consider the potential for serious detriment to Statutory Undertakers for the carrying on of their undertakings. As part of that consideration the ExA seeks written confirmation from the Applicant and from the Statutory Undertakers that all necessary matters, including the protective provisions and any relevant side agreements have been agreed. If written confirmation is not received by all relevant parties before the close of the Examination, then the ExA will be minded to recommend to the Secretary of State that it does not make a decision until it has satisfied itself that the protective provisions and any relevant side agreements have been agreed with between the Applicant and any Statutory Undertakers that are named in Schedule 9 and/ or have raised relevant matters requiring agreement during the Examination.</p> <p>Please could the Applicant:</p> <ol style="list-style-type: none"> a) identify the name of each Statutory Undertaker that Parts 1 and 2 of Schedule 9 apply to; b) identify all relevant side agreements; c) confirm whether each relevant Part and side agreement has been agreed with each Statutory Undertaker and with the Environment Agency; d) provide written evidence from each party of any agreement; e) identify any matters that are still subject to agreement with each party, the steps being taken to resolve them and when any updates will be provided?
1.57.	Statutory Undertakers	Parts 1 and 2	<p>Please could each Statutory Undertaker and the Environment Agency:</p> <ol style="list-style-type: none"> a) confirm whether it agrees with the provisions of the relevant Part of Schedule 9;

No	Question to	Reference	Question
	Environment Agency		b) identify all relevant side agreements; c) identify any matters that are still subject to agreement.
1.58.	Applicant	Parts 3 and 5	Parts 3 and 5 are missing from Schedule 9. Please could the Applicant advise whether it anticipates that more Parts will be added and, if so, when and which parties they will apply to?
Schedule 10 – Documents to be Certified			
1.59.	Applicant	Document updates	To help ensure that Schedule 10 is up to date, identifies the latest versions of documents and to help the ExA to keep track of any updates, please could the Applicant: a) identify a unique revision number and date for the latest submitted version of each document, clearly indicated within the body of the document, in each electronic filename and in Schedule 10; b) provide any changes to documents as both clean and tracked changes .pdf versions; c) provide any new documents as .pdf versions; d) ensure that Schedule 10 in each submitted version of the dDCO is fully up to date to minimise any confusion during the Examination and to reduce the risk of any errors in the Applicant’s final dDCO.
2.	General matters		
	Legislation and policy		
2.1.	Local planning authorities Local highway authorities	ES Chapters 1-4 [REP1-014]	ES paragraph 1.3.10 sets out the Applicant’s list of relevant adopted plans. a) Does this constitute the full list of development plans and policies relevant to the Proposed Development? Please explain their relevance. b) Are there are emerging development plans? If so, please supply copies there any emerging development plans? If so, at what stage are these proposed plans?,

No	Question to	Reference	Question
			<p>c) If there are emerging development plans, are there any policies in them which may be relevant? If so, please supply copies.</p> <p>d) Are there any non-statutory local policies which may be relevant? If so, please supply copies.</p>
2.2.	<p>Applicant</p> <p>Local planning authorities</p> <p>Local highway authorities</p>	<p>The National Planning Policy Framework (2021) (the NPPF)</p>	<p>The NPPF has been updated since the application was submitted.</p> <p>a) How do the revisions of the NPPF affect the Proposed Development and the ES?</p> <p>b) To what degree do you consider those development plan policies which you consider most relevant to the Proposed Development accord with the aims of the NPPF?</p> <p>c) Please could the Applicant comment on the implication of the following changes to the NPPF for the assessment of the Proposed Development:</p> <ul style="list-style-type: none"> • Chapter 9 Promoting Sustainable Development – design of streets and transport elements should reflect current national guidance, including the National Design Guide and National Model Design Code. • Chapter 12 Achieving Well-designed Places – increased focus on making beautiful and sustainable places.
Other general matters			
2.3.	<p>Local authorities</p> <p>Environment Agency</p>	<p>Pollution control</p>	<p>Paragraph 4.48 of the National Policy Statement for National Networks (NPSNN) refers to discharges or emissions which affect air quality, water quality, land quality or include noise and vibration. It notes that these may be subject to separate regulation under a pollution control framework or other consenting and licensing regime. Paragraph 4.55 refers to a need to ensure that the relevant pollution control authority is satisfied that potential releases can be adequately regulated and that the pollution effects would not be unacceptable.</p> <p>Are the relevant authorities satisfied that:</p> <p>a) the potential discharges and emissions from the Proposed Development would be adequately regulated under the appropriate regime; and that</p>

No	Question to	Reference	Question
			b) the effects of existing sources of pollution are not such that the cumulative effects of pollution when the Proposed Development is added would make the development unacceptable, particularly in relation to statutory environmental quality limits?
3.	Transport networks and traffic, alternatives, access, severance, walkers, cyclists, and horse riders		
	Congestion and journey times		
3.1.	Applicant	ES Non-Technical Summary [APP-059] Page 2 The Scheme Objectives Various Relevant Representations (RRs) and Deadline 1 submissions	The scheme objectives identified include reducing congestion and improving reliability of people's journeys through Mottram-in-Longdendale, Hollingworth and Tintwistle, and also between Manchester and Sheffield city regions. What contribution to this aim does the Proposed Development make, outside of the DCO boundary?
3.2.	Applicant	ES Non-Technical Summary [APP-059] Page 2 The Scheme Objectives Various RRs Stephen Bagshaw's (A57L-REF 20029712) Deadline 1 submission	The Applicant has identified journey time savings within the limits of the scheme works. What effect, if any, would the Proposed Development have on journey times on the wider network outside the limits of the DCO works and, if these effects increase delays, to what degree would these delays offset the benefits identified by the Applicant?
3.3.	Applicant Local authorities Local highway authorities	Case for the Scheme [REP1-036] Section 2.1	The Proposed Development is intended to provide benefits to the Strategic Route Network. The link road works are limited in extent and the length of new trunk road restricted to the dual carriageway section of the Proposed Development. a) What contribution, if any, would the Proposed Development make to achieving the wider benefits identified in the Road Investment Strategy (RIS) for the strategic road network between Manchester, Sheffield and the M1?

No	Question to	Reference	Question
			<p>b) Which other schemes, if any, identified in the RIS are needed to achieve the benefits identified for the scheme?</p> <p>c) What delivery method has been identified for these schemes and how will they be secured?</p>
3.4.	Applicant		<p>a) Please provide capacity assessments of the proposed M67 Junction 4 and the Wooley Bridge junctions.</p> <p>b) Please provide assessments of delay at the junction, with comparison between Do-Minimum and Do-Something Schemes.</p>
	Modelling		
3.5.	Local authorities Local highway authorities	Study areas and road sections Transport Assessment Report [APP-185]	<p>The traffic data used within the modelling must be robust to properly assess the Proposed Development.</p> <p>Are the local authorities and local highway authorities content with the study area used in relation to transport networks and traffic?</p>
3.6.	Local authorities Local highway authorities Applicant	Baseline conditions, surveys and growth assumptions Transport Assessment Report [APP-185] Section 1.1 Peter Simon's Deadline 1 submission	<p>The traffic data used within the modelling must be robust in order to properly assess the Proposed Development.</p> <p>a) Are the local authorities and local highway authorities satisfied that the input data used in the modelling is appropriate to provide a basis for predicting future traffic flows, with particular regard to the assessment of committed development and future traffic growth?</p> <p>b) Are the local authorities and local highway authorities satisfied that the effects of other works on the network have been suitably addressed within the model?</p> <p>c) Please comment on the potential for additional trips to be attracted to the route in the "Do-Something" scenario compared with the "Do-Minimum" scenario and the implications for the assessment.</p> <p>d) Do the local authorities and local highway authorities have any more comments regarding the Applicant's consideration of baseline conditions and surveys?</p>

No	Question to	Reference	Question
3.7.	Applicant	Growth assumptions Transport Assessment Report [APP-185] Section 4. NPSNN Annex A	NPSNN considers low demand, central traffic, and high demand forecasts, over which there is a large range of predicted changes in congestion. What range of forecasts have been considered by the Applicant and what is the justification for the chosen level?
3.8.	Local authorities Local highway authorities	Local plans, other transport modes and other networks NPSNN paragraphs 5.203, 5.205-6, 5.211-2, 5.215-7	a) Have impacts on local transport networks and policies set out in local plans, including local policies on demand management been addressed sufficiently? b) Has enough account has been taken of local models? c) Have reasonable opportunities been taken to support other transport modes? d) Is the detail in the local transport model for the assessment of impacts proportionate to the scale and consideration of the impact of uncertainty on project impacts? e) Has there been a proportionate assessment of the transport impacts on other networks?
3.9.	Local authorities Local highway authorities	Overall assessment methodology	Do the local authorities and local highway authorities have any more comments regarding the Applicant's overall assessment methodology, growth assumptions or modelling techniques?
3.10.	Applicant	Case for the Scheme [REP1-036] Section 6.5	Has any allowance been made in the modelling for modal shift resultant from the Transport and Works Order schemes referenced?
3.11.	Applicant	Transport Assessment Report [APP-185] Table 7.1	Link 6 (B6174 Market Street) appears to experience an isolated very significant increase in flow in the Do-Something scenario. Can the Applicant clarify why this is?
Alternatives			
3.12.	Interested Parties	National Highways Deadline 1 Submission [REP1-042]	Various parties have suggested that an alternative to the Proposed Development would be a ban on heavy commercial vehicles on the A628 Woodhead Road and A57 Snake Road. The Applicant has provide further comments on this alternative scheme.

No	Question to	Reference	Question
		Comments on Relevant Representations Various Relevant Representations	Do you have any further comments in regard to National Highways' comments?
Public transport			
3.13.	Applicant	Transport Assessment Report [APP-185] Section 3.4	Please confirm that the information provided regarding bus and train services are up to date. If the information has been superseded, please provide updated information.
3.14.	Applicant		Please provide details of the effect of the Proposed Development on public transport journey times across, and within, the study area. If possible, this information should include a Figure summarising changes in journey times.
Walkers, cyclists, and horse riders			
3.15.	Applicant Local authorities Local highway authorities	Case for the Scheme [REP1-036] Para 4.6.15	The intention is stated to restrict use of the main carriageway of the scheme by walkers, cyclists, and horse riders. a) Would the Applicant please confirm the stretches of carriageway over which cycling will be prohibited and provide justification for the proposed restrictions. b) Would the Applicant explain how these restrictions will be delivered? c) If cycling provision is to be made outside the main carriageway, would the Applicant please explain what assessment has been made of likely levels of usage and potential for modal conflict. d) Please explain what design parameters, including, but not restricted to, width of route and design speed, have been used for off-carriageway routes and reasons for selecting those parameters. e) Do the local authorities and local highway authorities have any comments on the adequacy of this level of provision to cater for

No	Question to	Reference	Question
			cycling demand on the local network and the support it provides for alternative modes of transport to the private car?
3.16.	Applicant Local authorities Local highway authorities	Scheme Layout Plans [APP-011] Sheet 4 of 10	<p>The footway/bridleway link in the north-west quadrant of the junction provides a route to a controlled crossing point on the western arm of the proposed junction. A controlled crossing point is also provided on this arm closer to the junction, which would provide a shorter route for many journeys.</p> <p>a) Would the Applicant clarify the reasoning for the provision of both crossing points?</p> <p>b) Would the Applicant clarify what measures, if any, would prevent the establishment of an informal short cut to the crossing close to the junction from the new link road to the North?</p> <p>c) If such a route were established, do you foresee any implications for highway safety?</p> <p>d) What would these be, and would it be possible to design these out?</p>
3.17.	Applicant	Scheme Layout Plans [APP-011] Sheet 4 of 10	<p>On the A57(T) north-eastern (Mottram Moor) arm, the layout indicates a single north-eastbound traffic lane running alongside a new length of footway, or footway cycleway. This, however, appears to terminate , decanting users onto carriageway. Further, there is no connectivity indicated between the proposed footway or footway/cycleway and the existing footway serving 103-133 Mottram Moor.</p> <p>Would the Applicant clarify what is intended in terms of footway or footway/cycleway provision at this point?</p>
Public Rights of Way			
3.18.	Applicant Local authorities Local highway authorities	Flood Risk Assessment [REP1-013] Insert 4-7 and Engineering Drawings and Sections Plans [APP-012]	<p>These documents provide conflicting information in regard to minimum overhead clearances.</p> <p>a) Would the Applicant please clarify which information is correct?</p> <p>b) Is the proposed overhead clearance to the Public Right of Way appropriate?</p>

No	Question to	Reference	Question
3.19.	Applicant Local authorities Local highway authorities Interested Parties	Various Relevant Representations	<p>Traffic flows crossing the Peak District on the A628 Woodhead Road and A57 Snake Road are anticipated to increase if the development proposal is implemented. Several Public Rights of Way cross these motor traffic routes.</p> <p>a) Has any statistical or other analysis of the comparison between the "Do-Minimum" and "Do Something" options of the distribution of acceptable gaps for pedestrians to cross the road been made?</p> <p>b) Do the local authorities and local highway authorities have any comments?</p>
Design			
3.20.	Applicant Local authorities Local highway authorities	Case for the Scheme [REP1-036] Para 1.3.4 Speed Limits and Traffic Regulations Plans [REP1-004] Sheet 1 of 2	<p>The Applicant proposes that Hyde Road will be detrunked from the M67 Junction 4 to Mottram Back Moor Junction and traffic management and safety measures, including a reduced speed limit, will be introduced to encourage the use of the route by non-motorised users and improve connectivity. The route would remain open to through traffic.</p> <p>a) Please clarify any identified aims, if any, of such works?</p> <p>b) What discussion has there been regarding the feasibility of delivery of works, including any Traffic Regulation Orders (TROs) to achieve the above aims?</p> <p>c) How would the proposed speed limit be enforced?</p> <p>d) Would enforcement be effective?</p> <p>e) Would there be remain any perceived benefit to using this route for motorised vehicle journeys between the M67 Junction 4 and Mottram Back Moor Junction, rather than the route provided by the proposed link road?</p>
3.21.	Applicant Local authorities Local highway authorities	Case for the Scheme [REP1-036] Para 1.3.4 Speed Limits and Traffic Regulations Plans [REP1-004] Sheet 2 of 2	<p>The Applicant proposes that safety measures and improvements, including a reduced speed limit, new cycling facilities and improved pedestrian crossings will be introduced on Wooley Lane to improve connectivity. The route would remain open to through traffic.</p> <p>a) Please clarify any identified aims, if any, of such works?</p>

No	Question to	Reference	Question
			<p>b) What discussion has there been regarding the feasibility of delivery of works, including any Traffic Regulation Orders (TROs) to achieve the above aims?</p> <p>c) How would the proposed speed limit be enforced?</p> <p>d) Would enforcement be effective?</p> <p>e) Would there be remain any perceived benefit to using this route for motorised vehicle journeys between the Mottram Back Moor Junction and the junction of Wooley Lane with Wooley Bridge and Hadfield Road, rather than the route provided by the proposed link road.</p>
3.22.	Applicant Local authorities Local highway authorities	Case for the Scheme [REP1-036]	<p>One of the stated aims of the scheme relates to reconnecting communities along the Trans-Pennine Route. The Case for the scheme refers to increased pedestrian and cycle provision at the Gunn Inn Junction (Market Street/Wooley Lane/Mottram Moor) and traffic management measures on Market Street and Mottram Moor to increase pedestrian safety and connectivity.</p> <p>a) Are any details of these proposals available?</p> <p>b) Have these been subject to safety audit, if so, at what stage?</p> <p>c) Do the local authorities and local highway authorities have any comments on the deliverability and effect of such proposals?</p>
3.23.	Applicant Local authorities Local highway authorities	Case for the Scheme [REP1-036] Section 3.5 Outline EMP [APP-183] Table 6.1	<p>Appropriate arrangements will need to be in place to make provision for the future maintenance of the works. It is proposed that Carrhouse Lane Underpass and River Etherow Bridge are to be maintained in their entirety by Tameside Metropolitan Borough Council, and that the surface of Roe Cross Road overbridge and the surface and surrounding landscaping of Mottram Underpass will be maintained by Tameside Metropolitan Borough Council. Other maintenance responsibilities are identified in the Outline EMP at Table 6.1</p> <p>a) How would the future maintenance arrangements be secured?</p> <p>b) Would the local authorities and local highway authorities please confirm that these arrangements are acceptable or, if not, what is needed to make them acceptable?</p>

No	Question to	Reference	Question
3.24.	Applicant Local authorities Local highway authorities		<p>Congestion on roads to either side of the development proposal may engender driver frustration, and this may encourage drivers to try to overtake if presented with free-flow.</p> <p>a) Would the two Link Roads provide safe overtaking opportunities?</p> <p>b) If not, what measures would be appropriate to prevent unsafe overtaking?</p> <p>c) How would these be delivered?</p>
3.25.	Applicant Local authorities Local highway authorities	<p>Case for the Scheme [REP1-036] Section 4.5</p> <p>Transport Assessment Report [APP-185] Paragraphs 7.2.22 – 7.2.14.</p>	<p>The Proposed Development identifies an increase in accidents and casualties over the appraisal period. Reference is made to the pursuit of measures to minimise these impacts, with particular reference to Snake Pass.</p> <p>a) Have any measures to address this increase been identified, either on Snake Pass or elsewhere?</p> <p>b) Have any discussions taken place with the local authorities and/or local highway authorities with regard to the implementation of such schemes?</p> <p>c) Do the local authorities and local highway authorities have any comment on the likely success of any such schemes in delivering accident savings on a scale equivalent to the identified disbenefit resultant from the scheme?</p> <p>d) What delivery methods, if any, have been identified to secure any proposals?</p>
3.26.	Applicant Local authorities Local highway authorities	Scheme Layout Plans [APP-011] Sheet 6 of 10	<p>The Wooley Bridge junction at the eastern end of the scheme has been designed as a signal-controlled crossroads. The main traffic flows appear to be on the western and southern arms of the junction, with lower flows on the eastern and northern arms.</p> <p>a) Would the Applicant please provide a proposed turning flow summary and staging diagram for the proposed junction.</p> <p>b) Would the Applicant please explain what alternatives were considered for this junction and why was the solution proposed considered the correct one?</p>

No	Question to	Reference	Question
			c) Have the local authorities and local highway authorities any comments to make on the proposed layout of the junction?
Construction traffic and temporary closures and diversions			
3.27.	Applicant	Length of Construction Programme ES Chapters 1-4 [REP1-014] (Introductory) Chapter 2 Section 2.6 Outline Traffic Management Plan [REP1-038]	a) What confidence is there that the length of the construction programme will not be exceeded? b) What are the principal risks of delay and what contingencies have been included? c) What allowances for variations in the construction programme have been included in the assessments? Please provide references. d) What is the potential for a longer construction programme to occur and for that to give rise to any materially new or materially worse adverse environmental effects in comparison with those reported in the ES?
3.28.	Applicant Local authorities Local highway authorities	Outline Traffic Management Plan [REP1-038]	a) Please could the Applicant summarise how travel patterns have been modelled during construction? b) What feedback from local authorities and local highway authorities has been incorporated? c) Please could the local authorities and local highway authorities comment?
3.29.	Applicant Local authorities Local highway authorities	Outline Traffic Management Plan [REP1-038]	It is stated that operations of limited durations might take place outside of the core working hours, as defined in the dDCO due to safety requirements. a) Please could the Applicant: <ul style="list-style-type: none"> • justify the need for such working; • summarise the predicted impacts; and • clarify the mechanism for agreement of such exceptional working how this is secured through the dDCO? b) Please could the local authorities and local highway authorities comment?

No	Question to	Reference	Question
3.30.	Applicant Local authorities Local highway authorities	Outline Traffic Management Plan [REP1-038]	It is stated that the A57 Trunk Road may, during the works, be used as a diversion route during other operations. a) What consultation would take place with local authorities, local highway authorities and other Interested Parties regarding such proposals? b) Please could the local authorities and local highway authorities comment?
3.31.	Applicant Local authorities Local highway authorities	Outline Traffic Management Plan [REP1-038]	a) How will the needs of vulnerable users traversing the works be assessed? b) Please could the local authorities and local highway authorities comment
3.32.	Applicant Local authorities Local highway authorities	Outline Traffic Management Plan [REP1-038]	a) Is any review process proposed to assess the effectiveness and safety of traffic management measures during the construction phase? b) If so, what arrangements will be put in place to amend traffic management? c) Please could the local authorities and local highway authorities comment?
3.33.	Applicant	Environmental Statement Appendix 11.2 [APP-175]	Clarification is needed regarding the expected number of daily Heavy Duty Vehicle movements during construction. ES Appendix 11.2 includes construction vehicle movement, but movements are described as total movements over a period of construction rather than daily numbers, which is the basis of screening out using DMRB criteria. Please could the Applicant provide information about the expected number of daily Heavy Duty Vehicle movements during the construction period?
3.34.	Applicant Local authorities	Outline Traffic Management Plan [REP1-038]	a) Has any assessment been made of the impact of the proposed Outline Traffic Management Plan on bus services?

No	Question to	Reference	Question
	Local highway authorities		b) Please could the local authorities and local highway authorities comment?
3.35.	Local authorities Local highway authorities	Outline Traffic Management Plan [REP1-038]	<p>Have the local authorities or local highway authorities any comments on:</p> <ul style="list-style-type: none"> a) the practicability of the Outline Traffic Management Plan; b) measures that should be included in the Detailed Traffic Management Plan; c) the timing of the issue of the Detailed Traffic Management Plan; or d) the need for the Detailed Traffic Management Plan to be consulted on and/ or agreed with them?
3.36.	Local authorities Local highway authorities	dDCO [REP1-041] Outline Traffic Management Plan [REP1-038] Outline EMP [APP-183]	<p>Do the local authorities have any more comments regarding the Applicant's assessment of construction traffic and temporary closures and diversions, including:</p> <ul style="list-style-type: none"> a) the nature of likely effects on receptors; b) relevant mitigation measures secured by the dDCO, Outline Traffic Management Plan, and Outline EMP; c) whether any potential to worsen accessibility would be mitigated so far as reasonably possible; d) the sufficiency of consideration given to mitigation by way of the design, lay-out or construction methods for the Proposed Development; e) whether the mitigation measures are proportionate, reasonable and focussed on promoting sustainable development; f) whether the mitigation measures are enforceable, precise, sufficiently secured and likely to result in the identified residual impacts; g) the identification of all significant impacts; and h) road safety during construction?

No	Question to	Reference	Question
4.	Green Belt		
4.1.	Applicant Tameside Metropolitan Borough Council	Case for the Scheme [REP1-036]	<p>Section 7.5 of the Case for the Scheme sets out the Applicants position regarding Green Belt policy implications of the Proposed Development.</p> <p>a) Please set out whether you consider that all elements of the scheme (for both the construction and operation phases) do not constitute inappropriate development in the Green Belt. If this is not the case, please list all the elements that are considered inappropriate development.</p> <p>b) Paragraphs 7.5.6 and 7.5.9 of the Case for the Scheme refer to paragraph 150 of the NPPF which sets out that certain developments are not inappropriate in the Green Belt provided they preserve its openness. Please explain in further detail the effect of the scheme on the openness of the Green Belt having regard to both visual and spatial aspects as well as submissions received that the scheme would cut the Green Belt in half.</p> <p>c) Tameside Metropolitan Borough Council's comments are requested on the Applicant's Green Belt assessment. Where there are areas of disagreement, please explain why.</p>
4.2.	Applicant	Case for the Scheme [REP1-036]	<p>In the context of the Green Belt assessment, paragraphs 7.5.22 to 7.5.31 of the Case for the Scheme deal with harm to the Green Belt. The Court of Appeal judgment in SSCLG & Others v Redhill Aerodrome Ltd [2014] EWCA Civ 1386 confirmed that the interpretation given to "any other harm" in paragraph 88 of the original National Planning Policy Framework (revised Framework paragraph 148) is such that it is not restricted to harm to the Green Belt.</p> <p>In this context, is it necessary to update the Case for the Scheme to appropriately reflect the position regarding "other harm"?</p>
5.	Landscape and visual, good design		

No	Question to	Reference	Question
Questions will be included in the final version of the first written questions, which will be published no later than 17 December 2021.			
6.	The historic environment		
	Policy and methodology		
6.1.	Historic England Local authorities	ES Chapter 6 [REP1-015]	Table 6.2 sets out the criteria to determine the value of heritage assets. Do you have any comments regarding the values placed on the designated heritage assets in this table?
6.2.	Applicant	ES Chapter 6 [REP1-015]	Please could the Applicant explain how it will ensure that the embedded mitigation identified for effects on cultural heritage assets at paragraph 6.8.1 of ES Chapter 6, including landscape and planting, noise barriers and lighting design, will be secured in a manner to ensure that the design quality assumed within the assessment is achieved.
6.3.	Applicant	ES Chapter 6 [REP1-015]	Paragraph 6.9.2 of ES Chapter 6 states that a significance of effect cannot be assigned for five non-designated heritage assets; these comprise four cropmarks and one possible extractive industry. Construction works are assumed to result in their permanent loss or truncation. Paragraph 6.9.3 states that a significance of effect can be assigned when intrusive archaeological investigation has been completed, as secured through REAC [REP1-037] Ref CH1.1 to 1.3 and CH1.4 and dDCO [REP1-041] Requirement 4. Please could the Applicant clarify whether there is potential for a likely significant effect to arise based on a worst-case assessment of the effects on using the worst-case scenario.
6.4.	Applicant Historic England Local authorities	ES Chapter 6 [REP1-015]	When referring to designated heritage assets, the NPPF only identifies two levels of harm, substantial and less than substantial. Table 6.3, which sets out the factors in assessing the magnitude of impact, also identifies limited harm.

No	Question to	Reference	Question
			<p>a) Applicant - Please set out whether limited harm should be qualified as less than substantial in terms of the NPPF tests? If not, please explain how limited harm should be considered against paragraph 199 of the NPPF which states that great weight should be given to an asset's conservation irrespective of whether any potential harm amounts to substantial, total loss or less than substantial harm to its significance.</p> <p>b) Historic England, Derbyshire County Council, High Peak Borough Council and Tameside Metropolitan Borough Council – Do you have any comments on the use of limited harm given the tests sets out in the NPPF?</p>
6.5.	Applicant	ES Chapter 6 [REP1-015]	Table 6.5 and table 6.6 identifies a slight adverse effect on a number of designated and non-designated heritage assets. Please can you set out how a slight adverse impact should be considered in relation to the level of harm to the significance of the heritage assets with respect to levels of harm set out in the NPPF.
6.6.	Designated heritage assets		
6.7.	Applicant	Tara Brook Farm	<p>Table 6.5 concludes that the Proposed Development would result in a permanent irreversible moderate adverse effect, equating to less than substantial harm on the setting of Tara Brook Farm. NPSNN paragraph 5.134 and NPPF paragraph 202 require public benefits of the scheme to be considered and weighed against less than substantial harm to heritage assets. NPSNN paragraph 1.2 also requires the adverse impacts of the development to be weighed against its benefits.</p> <p>Please consider the public benefits of the scheme and weigh them against the identified harms as required by these parts of the NPSNN and NPPF.</p>
6.8.	Historic England Local authorities	Mottram Old Hall	The excavation of the Mottram Underpass cutting would result in the partial truncation of the former grounds of Mottram Old Hall. Do you consider that the parkland contributes to the significance of this designated heritage asset?

No	Question to	Reference	Question
6.9.	National Park		
6.10.	Applicant Peak District National Park Authority	Peak District National Park Authority [RR-0677]	<p>The Peak District National Park Authority identified in its RR that heritage assets are a part of the attraction of the PDNP and has raised concerns in relation to the impact on the Tintwistle Conservation Area and several heritage assets and their landscape setting.</p> <p>a) Peak District National Park Authority – please set out whether you consider that the adverse impact on the experience of the TWA arising as a result of increased traffic would cause harm to the significance of the heritage asset. If A Conservation Area Appraisal is available, please can you submit this into the Examination.</p> <p>b) Applicant - please comment on the Peak District National Park Authority’s assertion that the increase in traffic within the Tintwistle Conservation Area would have an adverse impact on how the Conservation Area is experienced.</p> <p>Applicant – please set out your position on the likely impact of the scheme on the Ladybower Reservoir and the scheduled monuments Hordron Edge, Bamford Edge, Crook Hill and Bridgend Pasture as identified by Peak District National Park Authority.</p>
7.	Air quality		
	Study area, baseline conditions and overall assessment methodology		
7.1.	Natural England	Thresholds	Does Natural England have any comments on the thresholds used for the assessment of effects on biodiversity receptors?
7.2.	Applicant	Climate change implications for air quality	What regard has been given to the potential for climate change to influence emissions modelling and the air quality assessment?
7.3.	Applicant Local authorities	Terrain	Paragraph 5.4.5 of ES Chapter 5 [APP-061] states that the air quality model used in the assessment does not include terrain and that specific conditions such as valleys have been addressed through “ <i>localised model validation zones</i> ”.

No	Question to	Reference	Question
			<p>a) Please could the Applicant provide detail of the methodology and justify why it is appropriate for the terrain in the study area?</p> <p>b) Please could the local authorities comment?</p>
7.4.	Applicant Local highway authorities	Greater Manchester Clean Air Zone	<p>Paragraph 5.12.10 of ES Chapter 5 [APP-061] states that the Greater Manchester Clean Air Zone has not been considered in the traffic or air quality monitoring. It states that not including the assessment is a worst-case as the Clean Air Zone would bring about further improvements in concentration of annual mean NO₂.</p> <p>a) Please could the Applicant provide further justification that the assessment represents a worst case for all receptors. Is there any potential for the introduction of the Clean Air Zone to result in changes in traffic patterns?</p> <p>b) Please could the local highway authorities comment?</p>
7.5.	Applicant	Cumulative effects	Please could ES Chapter 5 [APP-061] be updated to include a cross reference to the assessment of cumulative effects in ES Chapter 15 [REP1-020]?
7.6.	Local authorities	Outstanding concerns	Do the local authorities have any outstanding concerns regarding the study area, baseline conditions or the overall assessment methodology? How should any outstanding concerns be addressed?
Construction phase			
7.7.	Applicant	Assessment methodology Quantitative assessment	<p>Paragraph 5.3.12 of ES Chapter 5 [APP-061] states that further quantitative assessment of construction phase traffic has not been undertaken because no single phase of construction related traffic management is expected to be in place for more than two years.</p> <p>Please could the Applicant explain how considering the construction programme as five separate phases, rather than an overall construction period of more than two years, is consistent with the approach set out in DMRB LA 105 for construction traffic?</p>
7.8.	Applicant Local authorities	Methodology Quantitative assessment	ES Chapter 5 [APP-061] and ES Appendix 4.1 [APP-152] do not explain whether the scoping out of a quantitative assessment of emissions from construction phase traffic has been discussed with

No	Question to	Reference	Question
			<p>relevant local authority environmental health officers, as requested in the Scoping Opinion [APP-152].</p> <p>Do the local authorities have any concerns about the scoping out of a quantitative assessment of emissions from construction phase traffic?</p>
7.9.	Applicant	Dust mitigation and monitoring	<p>a) What level of confidence is there that it will be feasible to develop specific construction dust control measures to the extent required to secure no significant adverse effects, given the lack of certainty about construction methods as noted in paragraph 5.8.1 of ES Chapter 5 [APP-061].</p> <p>b) In what circumstances would monitoring parameters and a programme be necessary? If required, how would this monitoring, and any additional mitigation that might be identified as a result, be secured in the DCO?</p>
7.10.	Applicant Local authorities	Register of Environmental Actions and Commitments Table 2.1 - Pre-Construction	<p>a) To ensure that air quality is managed properly during pre-commencement activities, should Table 2.1 of the Register of Environmental Actions and Commitments include actions for controlling dust during construction and set out a process for dealing with air quality complaints?</p> <p>b) Should reference be made to following Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction?</p>
7.11.	Applicant Local authorities	Register of Environmental Actions and Commitments Table 2.2 - Construction	<p>a) Should reference be made to following Institute of Air Quality Management's Guidance on the Assessment of Dust from Demolition and Construction? If not, please could the Applicant set out any differences with its proposed approach?</p> <p>b) The list of dust control measures that may be included is high level and brief. Should more detail be provided to ensure consistency with the Environmental Statement, and should additional measures be identified for high-risk locations, including near sensitive receptors?</p> <p>c) Should actions be added for the control of emissions from construction vehicles and plant?</p>

No	Question to	Reference	Question
			d) Should actions be added for air quality monitoring and for a process for dealing with air quality complaints?
7.12.	Local authorities	Outstanding concerns	<p>a) Do the local authorities or Natural England have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring, or compliance with policy for the construction phase? How should any outstanding concerns be addressed?</p> <p>b) With the secured mitigation measures in place, do the local authorities or Natural England consider that it is likely or unlikely that there would be any significant air quality effects during the construction phase?</p>
Operational phase			
7.13.	Applicant	Methodology Worst-case year	<p>The Applicant identifies that the worst-case scenario is the opening year of 2025, but ES Appendix 2.1 [APP-151] identifies an increase in traffic flows in the design year of 2040 relative to the opening year of 2025, with the Proposed Development.</p> <p>Please explain why an assessment has not been undertaken for the design year of 2040.</p>
7.14.	Local authorities Natural England	Outstanding concerns	<p>a) Do the local authorities or Natural England have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring, or compliance with policy for the operational phase? How should any outstanding concerns be addressed?</p> <p>b) With the secured mitigation measures in place, do the local authorities or Natural England consider that it is likely or unlikely that there would be any significant air quality effects during the operational phase?</p>
Air Quality Management Areas and Air Quality Directive compliance			
7.15.	Applicant	Tintwistle Air Quality Management Area (AQMA)	Given the proximity of the Tintwistle AQMA to the air quality study area and the potential for these areas to be sensitive to changes in NO ₂ , please could the Applicant provide further explanation as to its

No	Question to	Reference	Question
			rationale for screening the AQMA out of the assessment, including confirmation of the flows on links through the AQMA with and without the Proposed Development in 2025 and 2040.
7.16.	Applicant	Effects on AQMAs	Please could the Applicant explain the outcome of the assessment in terms of any particular effects on the Greater Manchester and Glossop AQMAs, and whether the Proposed Development would impact on any objectives for the AQMAs set out in relevant air quality action plans.
7.17.	Applicant	Potential impacts Significant effects	Table 5-14 of ES Chapter 5 [APP-061] refers to large decreases in annual mean NO ₂ at 66 human health receptors which exceed the annual mean NO ₂ AQS objective, with 57 of these no longer exceeding with the introduction of the Proposed Development. Are those significant effects?
7.18.	Applicant	Air Quality Directive compliance Non-compliant areas achieving compliance	Paragraph 5.7.17 of ES Chapter 5 [APP-061] identifies a receptor (R319) at the Dinting Vale junction exceeding the annual mean NO ₂ AQS objective that would experience an increase of 1.7 µg/m ³ with the Proposed Development. Please explain, with detailed justification, whether it should therefore be concluded that the Proposed Development would affect the ability of any non-compliant area to achieve compliance within the most recent timescales reported to the European Commission?
7.19.	Applicant	Air Quality Directive compliance Compliant areas becoming non-compliant	Please clarify whether the Proposed Development would, or would not, result in any area which is currently reported as being compliant with the Air Quality Directive becoming non-compliant. What consideration has been given to receptors that are just below the thresholds without the Proposed Development?
7.20.	Local authorities	Outstanding concerns Air Quality Directive compliance	The European Union Air Quality Directive implemented through the European Union (Withdrawal Agreement) Act 2020. Do the local authorities: a) have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring

No	Question to	Reference	Question
			<p>or compliance with policy with respect to AQD compliances and AQMAs;</p> <p>b) consider that the Proposed Development would, or would not, result in any area which is currently reported as being compliant with the Air Quality Directive becoming non-compliant;</p> <p>c) consider that the Proposed Development would, or would not, affect the ability of any non-compliant area to achieve compliance within the most recent reported timescales?</p>
8.	Climate change		
	Legislation, policy and international obligations		
8.1.	Applicant Local authorities Environment Agency Interested Parties	Legislation, policy and carbon reduction targets	<p>Section 14.2 of ES Chapter 14 [REP1-019] sets out relevant international, national, and local policies, the UK's carbon reduction targets and carbon budgets, and the Applicant's commentary on the requirements and implications for the Proposed Development.</p> <p>a) Are there any other key matters that should be added to the Applicant's commentaries on the legislation and policies?</p> <p>b) Is there any other important or relevant legislation or policy that the ExA should consider?</p> <p>c) Are there any other carbon reduction targets or carbon budgets that are relevant to the Proposed Development and for which there is a clear legal or policy basis for them to be considered?</p> <p>d) Should any UK case law/ court judgements be identified?</p> <p>e) Do National Highways have any carbon reduction targets that have not been published and/ or that it intends to apply on the Proposed Development?</p> <p>When responding please, where possible, explain why your comments relevant to the Proposed Development and to the ExA's consideration of it.</p>

No	Question to	Reference	Question
8.2.	Applicant	International obligations	With reference to s104(4) of the PA2008, please could the Applicant set out how it has considered compliance with relevant international obligations.
Overall assessment methodology			
8.3.	Applicant	Significant effects	<p>Paragraph 5.17 of the National Policy Statement for National Networks requires the Applicant to "... <i>provide evidence of the carbon impact of the project and an assessment against the Government's carbon budgets.</i>"</p> <p>Paragraph 5.18 states that "... <i>any increase in carbon emissions is not a reason to refuse development consent, unless the increase in carbon emissions resulting from the proposed scheme are so significant that it would have a material impact on the ability of Government to meet its carbon reduction targets.</i>"</p> <p>Paragraph 14.3.20 of ES Chapter 14 [REP1-019] states that effects are only considered significant when increases in greenhouse gas emissions would have a material impact on the ability of Government to meet its carbon reduction targets.</p> <ol style="list-style-type: none"> a) Please could the Applicant's approach be justified, and not just with reference to precedent? b) Does paragraph 5.18 of the National Policy Statement for National Networks set out the criteria for refusal rather than for what should be considered a significant effect? Should the criteria for significant effect be at a lower threshold than for refusal? c) What effects on receptors from climate change would be considered significant? d) How can the implications of carbon emissions for effects on receptors be considered? Is there a relationship between the Applicant's consideration of meeting carbon reduction targets and significant effects on receptors? e) Are any other definitions of significant effect in relation to climate change set out in any guidance?

No	Question to	Reference	Question
8.4.	Applicant	Cumulative effects Geographical area	Should the cumulative effects on climate change of the Proposed Development with other projects within a geographical area be considered against a threshold that is set for a similar geographical area?
8.5.	Applicant	The Proposed Development in isolation	<p>ES Chapter 14 [REP1-019] concludes that it is unlikely the Proposed Development would in isolation result in significant effects on climate. Please could the Applicant comment on the accuracy of the following matters that are being considered by the ExA and their relevance to the Proposed Development:</p> <p>a) whether achieving net zero by 2050 requires reductions to be made to carbon emissions from sources in isolation that are by themselves negligible or <i>de minimis</i>; and</p> <p>b) whether a wide application of the methodology would lead to a conclusion that most carbon emissions in the UK are not significant and if that would lead to a conclusion that the methodology is flawed?</p>
Construction materials, transport and construction processes			
8.6.	Applicant	Construction materials	<p>The ExA would like to understand the Applicant's commitment to reducing carbon emissions from construction materials, transport and construction processes and the priority given this compared with financial cost.</p> <p>Table 14.8 of ES Chapter 14 [REP1-019] sets out the quantities of materials used for the assessment of carbon emissions.</p> <p>a) Is that assessment based on the use of conventional materials and construction methods?</p> <p>b) Can any examples be provided of the innovative or unusual use of lower carbon materials or construction methods that are included in the Proposed Development?</p> <p>c) Have any of those examples been at a financial cost?</p>

No	Question to	Reference	Question
			<p>d) Is there any evidence that proportionately small increases in financial cost could result in proportionately higher reductions in carbon emissions?</p> <p>e) Can any example be given of climate change policy, or any internal National Highways guidance, that leads to a requirement for carbon emissions to be reduced when this would be at a financial cost?</p>
8.7.	Applicant	<p>Whether the carbon footprint is unnecessarily high. <i>"High"</i></p>	<p>Paragraph 5.19 of the National Policy Statement for National Networks requires evidence of mitigation measures that are effective in ensuring that, "... <i>in relation to design and construction, the carbon footprint is not unnecessarily high.</i>"</p> <p>In relation to carbon emissions from construction materials, transport and construction processes:</p> <p>a) How has the Applicant defined <i>"high"</i>? What is <i>"high"</i> relative to?</p> <p>b) How is the definition consistent with climate change policy?</p> <p>c) Does climate change policy bring an expectation for carbon emissions from construction materials, transport, and construction processes to be reduced? If not, why not?</p> <p>d) Is it possible to conclude that the carbon footprint is not unnecessarily high if <i>"high"</i> is not defined and if that definition is not consistent with climate change policy?</p>
8.8.	Applicant	<p>Whether the carbon footprint is unnecessarily high. <i>"Unnecessarily"</i></p>	<p>a) In what circumstances does the Applicant consider that it would be <i>"necessary"</i> for carbon emissions from construction materials, transport and construction processes to be <i>"high"</i>?</p> <p>b) In the context of climate change policy and any changes in acceptable emission levels, how should the threshold of <i>"necessary"</i> be defined?</p> <p>c) Should there be a process for it to be demonstrated during detailed design that any design solution resulting in <i>"high"</i> carbon emissions from construction materials, transport and construction processes is <i>"necessary"</i>?</p>

No	Question to	Reference	Question
			<p>d) Similarly, in relation to any decisions about how the Proposed Development would be constructed?</p> <p>e) Can the processes be set out?</p> <p>f) Is it possible to conclude that the carbon footprint is not unnecessarily high if the processes are not secured?</p>
8.9.	Applicant	Whether the carbon footprint is unnecessarily high. Benchmarking	<p>a) Should benchmarking of the carbon footprint be a necessary element of demonstrating that the carbon footprint of the Proposed Development is not necessarily high?</p> <p>b) If each project is unique, how could it be ensured that any benchmarking compares like with like?</p> <p>c) Or would it be necessary to benchmark parts of the Proposed Development against parts other projects where a comparison could be made of like with like?</p> <p>d) What allowance should be made for climate change policy and any changes in acceptable emission levels when comparing projects, or parts of projects, constructed at different times?</p>
8.10.	Applicant	Mitigation measures PAS 2080: 2016	<p>Item C1.8 of the REAC [REP1-037] states that The Principal Contractor has committed to adhering to the principles of PAS 2080:2016 – Carbon Management in Infrastructure Verification technical standard.</p> <p>In relation to carbon emissions from construction materials, transport and construction processes:</p> <p>a) Please could a detailed description be provided of PAS 2080:16 including what it is intended to achieve and how, and which parties any measures apply to?</p> <p>b) To what extent does the Applicant commit to comply with PAS 2080:2016? Is the use of the terms “<i>Verification technical standard</i>” and “<i>adhering to the principles</i>” intended to qualify the extent that it will be complied with? Are there any parts of PAS 2080: 2016 that the Applicant is not committing to comply with?</p> <p>c) To what extent does PAS 2080:2016 require the engagement of the different parties involved in the design and construction process? Should mitigation measures in relation to PAS</p>

No	Question to	Reference	Question
			<p>2080:2016 be required for parties in addition to The Principal Contractor?</p> <p>d) Should any PAS 2080:2016 measures be secured for the undertaker?</p>
8.11.	Applicant Local authorities Environment Agency	Mitigation measures PAS 2080: 2016	<p>Item C1.8 of the REAC [REP1-037] states that: <i>"A comprehensive Carbon Management Plan would be implemented from the Detailed Design stage and through construction. This would follow a data collection and analysis methodology which adheres to the requirements of the PAS 2080. This would assess carbon use for the whole lifecycle of the project and promote embodied carbon management and commit to achieving carbon reductions."</i></p> <p>The ExA wishes to ensure that the mitigation measures are enforceable and precise and will result in mitigation being delivered.</p> <p>a) Please could more detail be provided on the Carbon Management Plan and how it would be enforced?</p> <p>b) How can the precision be improved to clarify that carbon emissions would be reduced?</p> <p>c) To be precise, should the reduction be quantified?</p> <p>d) How will the mitigation ensure that the carbon footprint is not unnecessarily high?</p> <p>e) Who should be consulted with, how should it be approved, and what monitoring measures are appropriate?</p> <p>Please could the local authorities and the Environment Agency comment?</p>
8.12.	Applicant	Construction vehicles and plant emissions	<p>Please could the Applicant confirm whether the modelling of climate effects from construction vehicle and plant emissions as presented in ES Chapter 14 [REP1-019] have assumed the use of electric and hybrid vehicles and plant, and if so what number or proportion would be required to be electric or hybrid to restrict emissions to the levels identified in Table 14.13 of ES Chapter 14 [REP1-019]? Should mitigation measures be secured for the use of electric and hybrid vehicles and plant?</p>

No	Question to	Reference	Question
	Operation phase		
8.13.	Applicant	Future changes in vehicle emissions	What future changes in vehicle emissions are anticipated and what are the implications for the assessment? Can this be quantified?
8.14.	Applicant Local authorities Environment Agency	Mitigation	Paragraph 14.13.1 of ES Chapter 14 [REP1-019] states that "...mitigation measures have been embedded into the Scheme design (Section 14.9) to reduce emissions as far as possible." Have appropriate carbon-reduction measures been secured for the Operation phase, including but not limited to: <ul style="list-style-type: none"> • reducing traffic; • increasing the use of other transport modes; • behavioural change; • the use of energy, including for lighting; • the use of trees or other plants in the soft landscaping to absorb carbon dioxide; • carbon offsetting; • any other measures.
	Adaptation and resilience		
8.15.	Applicant	Climate change and adaptation updates	With reference to s10(3) of the PA2008 and paragraphs 4.38 to 4.47 of the National Policy Statement for National Networks, does the Applicant consider that any updates are required with respect to climate change and adaptation?
8.16.	Local authorities Environment Agency	Outstanding concerns	Do the local authorities or the Environment Agency have any outstanding concerns regarding the assessment methodology, potential impacts, mitigation measures, monitoring, or compliance with policy with respect to climate change?
9.	Noise, vibration, and nuisance		
	Questions will be included in the final version of the first written questions, which will be published no later than 17 December 2021.		

No	Question to	Reference	Question
10.	Soils, ground conditions, material assets and waste		
	Questions will be included in the final version of the first written questions, which will be published no later than 17 December 2021.		
11.	The water environment, drainage, flood risk assessment, Water Frameworks Directive		
	Baseline information		
11.1.	Applicant	ES Chapter 13 [APP-069] 6.4 ES Appendix 13.1 [APP-178]	To allow comparison of drainage calculations of existing and proposed discharge rates, please provide the drainage calculations used for the drainage strategy along with titles and pipe and node references on any drawings as appropriate.
11.2.	Applicant	ES Chapter 13 [APP-069]	<p>a) Please could the Applicant confirm the design parameters that have been used within the ES to assess the watercourse realignments, culverts and/ or pipes forming part of the Proposed Development and clarify that the parameters used are consistent with the extent of authorised development sought within the dDCO. Please could the Applicant confirm how it proposes to secure the design parameters in the dDCO?</p> <p>b) Please could the Applicant confirm the storage volumes that have been assumed within the ES to assess the three new attenuation ponds forming part of the Proposed Development, and that the parameters used are consistent with the extent of authorised development sought within the dDCO?</p>
11.3.	Applicant	ES Chapter 13 [APP-069] paragraph 13.4.2	Please could the Applicant explain the method used to deal with the gap in baseline data for water quality as described at paragraph 13.4.2 of ES Chapter 13?
11.4.	Environment Agency (EA)	ES Chapter 13 [APP-069]	The Applicant, in their assessment, should ascertain whether there are any impacts on water bodies or protected areas under the Water Framework Directive or source protection areas around potable water abstractions.

No	Question to	Reference	Question
			<p>a) Are you satisfied that the effects of the proposal on the water environment are suitable for management within the Environmental Permitting and discharge consent systems?</p> <p>b) Is suitable mitigation proposed and how can this be secured?</p>
11.5.	Applicant EA	ES Chapter 13 [APP-069] paragraph 13.6.54	<p>The Applicant refers to additional ground investigation.</p> <p>a) Is the Hydrogeological Risk assessment mentioned available?</p> <p>b) If so, what additional effects of the Proposed Development, if any, does it indicate?</p> <p>c) If not, when will this information be available?</p>
The Water Framework Directive and The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017			
11.6.	EA	Water Framework Directive Assessment Compliance Assessment Report [APP-055] Para 6.1.8	<p>The Applicant, in their assessment, should ascertain whether there are any impacts on water bodies or protected areas under the Water Framework Directive or source protection areas around potable water abstractions.</p> <p>a) Do you agree with the Applicant's conclusion that the proposal is likely to be Water Framework Directive compliant?</p> <p>b) If not, which effects of the proposal do you have concerns over?</p>
Flood risk and drainage			
11.7.	Applicant	Drainage Design Strategy Report [APP-188]	<p>Are any additional point discharges likely to appear in the area which have not otherwise been addressed within the drainage strategy.</p> <p>a) What consideration has there been of the potential existence of buried land drains crossing or entering the proposal site?</p> <p>b) If such drains exist, what actions will be taken when they are encountered?</p> <p>c) Has any potential discharge of water from such drains been allowed for in the drainage strategy?</p> <p>d) If not, should such an allowance be made?</p>

No	Question to	Reference	Question
11.8.	Environment Agency	ES Chapter 13 [APP-069] Flood Risk Assessment [REP1-013]	Climate change allowances were anticipated to change in 2021. Are you satisfied that any such changes have been incorporated within on peak river flow and that the compensatory flood storage volume is adequate over the lifetime of the proposed highway structure?
11.9.	Applicant Tameside Metropolitan Borough Council	Flood Risk Assessment [REP1-013] Insert 4-7 Engineering Drawing and Sections Plans [REP1-005]	These provide conflicting information in regard to minimum overhead clearances. Please clarify which information is correct.
11.10.	Applicant	Flood Risk Assessment [REP1-013] Drainage Design Strategy Report [APP-188] REAC [REP1-037] Ref. RD1.20 Outline EMP [APP-183]	Flood risk should be managed throughout the life of the Proposed Development. REAC Ref. RD1.20 identifies that construction activity at the River Etherow will require sequencing to ensure that the Proposed Development does not increase flood risk to others. The Outline EMP sets out an overview of construction phasing at section 1.2 but does not deal with this component in detail. a) At what stage during construction will the works providing the floodplain storage mitigation be provided? b) Please could the Applicant explain what construction sequencing has been used as the basis for assessment of flood risk during construction and how any essential criteria within this sequencing will be secured.
11.11.	Applicant	Drainage Design Strategy Report [APP-188] Para 6.1.2	The Applicant refers to flooding not extending beyond the highway boundary. a) Please identify where flooding would occur within the highway boundary and quantify the extent. b) What would be the effects of such flooding, including likely duration and whether, or not, this flooding would close the road to through traffic?
11.12.	Natural England	REAC [REP1-037] Table 2.1 Section 10	The REAC identifies a number of permits required, amongst other things, but not limited to, the control the discharge, or extraction of water and control pollution.

No	Question to	Reference	Question
	EA Local authorities Local highway authorities	ES Chapter 13 [APP-069] NPSNN paragraphs 4.48 and 4.55-6	<p>a) With reference to the NPSNN, are the relevant pollution control authorities satisfied that potential releases can be adequately regulated under the pollution control framework?</p> <p>b) Is it considered that the effects of existing sources of pollution in and around the project are not such that the cumulative effects of pollution when the Proposed Development is added would make that development unacceptable?</p> <p>c) Is there any good reason to believe that any relevant necessary operational pollution control permits, or licences or other consents will not subsequently be granted?</p>
11.13.	Applicant Local authorities Local highway authorities	Outline EMP [APP-183] Table 6.1	<p>Appropriate arrangements will need to be in place to make provision for the future maintenance of the works. Maintenance responsibilities, including those for drainage infrastructure, are identified in the Outline EMP at Table 6.1. These include, amongst other things, areas of land which would be planted.</p> <p>How would the future maintenance arrangements be secured? Would the local authorities and local highway authorities please confirm that these arrangements are acceptable or, if not, what is needed to make them acceptable?</p>
Water habitat			
11.14.	Applicant	Drainage Design Strategy Report [APP-188]	<p>The length of time that the proposed balancing ponds hold standing water will impact upon habitat provided by these structures.</p> <p>a) Please provide details of which, if any, of the proposed balancing ponds are anticipated to permanently hold standing water and the depth.</p> <p>b) Would this be anticipated to change during the life of the scheme?</p> <p>c) Would these water bodies provide a suitable aquatic habitat and, if so, for which species?</p>
11.15.	Applicant Tameside Metropolitan	Drainage Design Strategy Report [APP-188]	To what degree will the proposed culvert structures be designed to provide connectivity of water habitat and for which species?

No	Question to	Reference	Question
	Borough Council		
11.16.	Applicant Environment Agency Tameside Metropolitan Borough Council		a) To what degree will the proposed watercourses be subject to runoff containing road salt or grit? b) Will this have any effect on wildlife using these watercourses and, if so, to what degree?
Opportunities for enhancement			
11.17.	Applicant Local authorities Environment Agency	Sustainable Drainage Systems (SuDS) ES Chapter 13 [APP-069] (Road Drainage and the Water Environment)	NPSNN paragraph 5.115 states that " <i>Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities can be taken to lower flood risk by improving flow routes, flood storage capacity and using SuDS.</i> " Does the Proposed Development take the opportunities identified in the NPSNN? Is there anything else that could be reasonably achieved?
12.	Biodiversity, ecological and geological conservation		
	Biodiversity		
12.1.	Applicant	Phase 1 Habitat Survey ES Chapter 8 [REP1-016] ES Chapter 13 [APP-069]	The most recent Phase 1 Habitat Survey was completed two years' ago and at the end of the optimal season, in October 2019. Please could the Applicant explain why the survey represents a suitable basis for establishing the baseline for habitats within the study area and earlier surveys that have not been updated such as the hedgerow survey completed in 2017, including consideration of its age and timing.

No	Question to	Reference	Question
12.2.	Applicant	Aquatic Macroinvertebrate Survey ES Chapter 8 [REP1-016] ES Chapter 13 [APP-069]	The spring 2020 window for aquatic macroinvertebrate survey was missed due to Covid-19 restrictions and the assessment is based on a survey completed during autumn 2020. a) Please could the Applicant provide further explanation as to why it considers that a single sample survey of aquatic macroinvertebrate during a sub-optimal season provides sufficient data to establish the baseline position. b) Please confirm whether the results of the aquatic macroinvertebrate sampling undertaken in March 2021 and any updated assessment will be submitted for Examination.
12.3.	Applicant	Barn Owls ES Figure 8.7 [APP-119] Appendix H of ES Appendix 8.1 [APP-169]	Please could the Applicant explain the labelling on ES Figure 8.7 [APP-119] and entries in Appendix H of ES Appendix 8.1 [APP-169] for buildings scoped into the detailed barn owl surveys that were not surveyed due to access restrictions, as a number of these are classified as unknown rather than potential nest sites, as indicated at paragraph 2.8.21 of ES Appendix 8.1.
12.4.	Applicant	Badgers ES Chapter 8 [REP1-016]	Please could the Applicant clarify how the negligible adverse significance of effect from noise and vibration disturbance to badger during construction has been determined, as information presented at paragraph 8.8.48 of ES Chapter 8 [APP-064] suggests that there is some uncertainty in the assignment of sensitivity and magnitude of impact.
12.5.	Applicant	Air Quality ES Chapter 8 [REP1-016]	No significant residual cumulative effects are predicted for biodiversity with other committed developments (or any other aspects), and therefore no additional mitigation measures are proposed beyond what it is identified in ES Chapter 8 (paragraph 15.7.3). Please could the Applicant explain the approach taken to assessment of operational air quality effects on biodiversity receptors where a planning application or local plan application is not included within the traffic model but there is possibility of overlap between the affected road networks.

No	Question to	Reference	Question
12.6.	Applicant	ES Chapter 15 [APP-071]	It is noted that in Table 15-7 of ES Chapter 15 [APP-071] there are a number of entries where wording is incomplete or not clear, e.g., entries 40 and 42. Please could the Applicant undertake a check of the table to complete any missing information and provide an update version.
12.7.	Applicant	Badgers and Barn Owls	Please could the Applicant confirm for the following: a) Badgers – whether it is assumed that temporary closure of badger sett S24 will be required during construction as a worst-case scenario. b) Barn owl – the location and dimensions of continuous screens next to rough grass to mitigate against potential road collision.
12.8.	Applicant	Pre-commencement surveys ES Chapter 8 [REP1-016] REAC [APP-184]	ES Chapter 8 [APP-064] and the REAC [APP-184] identify a commitment to pre-commencement surveys to check the baseline position for several species prior to construction, e.g., bats, badgers, breeding birds, kingfisher, otters, priority mammals and common toad. In the REAC it is stated that these surveys would be used to inform the mitigation requirements (and the European Protected Species Licences (EPSL) for bats and badger). Paragraph 8.8.38 of ES Chapter 8 states that if any of the mitigation measures are deemed not necessary following the surveys, they would still be implemented as enhancement. REAC Ref. BD2.16 and 2.18 explain the role of pre-commencement surveys in finalising mitigation for effects to badger. a) Please could the Applicant explain how the other pre-commencement surveys will be used to inform mitigation and what degree of certainty there is that the mitigation identified and assumed within the assessment is sufficient to ensure that the Proposed Development will result in no significant effects. b) In the event that the surveys identify a change to the baseline requiring further mitigation, what is the Applicant's proposed approach to managing this?
12.9.	Applicant	Reptiles ES Chapter 8 [REP1-016]	Please could the Applicant provide an outline of the management plans identified as being required to manage and monitor the

No	Question to	Reference	Question
		REAC [APP-184]	mitigation measures for biodiversity and confirm how the precautionary works method statement for reptiles will be secured.
12.10.	Applicant	Watercourses ES Chapter 8 [REP1-016] REAC [REP1-037]	Please could the Applicant confirm that the mitigation measures located in and around watercourses, e.g., piped culverts and mammal crossing, and fencing at River Etherow Bridge for otter, have been considered as part of the road drainage and water environment assessment.
12.11.	Applicant	Biodiversity mitigation	Please could the Applicant provide details of any discussions and/ or agreement reached with Natural England or the Environment Agency about monitoring arrangements for identified biodiversity mitigation?
Habitat Regulation Assessment			
12.12.	Applicant	Habitats Regulation Assessment [APP-054] Screening matrices	<p>Please can the Applicant update the evidence notes to identify the specific location of the supporting information and supply word versions of the screening matrices.</p> <p>This should include the following updates:</p> <ul style="list-style-type: none"> a) In Tables B.4 and B.5, cross reference to relevant documents and paragraphs within them that support the conclusion that there would not be construction related disturbance, degradation and reduction in species density impacts. b) In Table B.4, cross reference to relevant documents and paragraphs within them that support the conclusion about operational noise impacts to qualifying birds in the Peak District Moors (South Pennine Moors Phase 1) Special Protected Area (SPA). c) In Table B.4, cross reference to relevant documents and paragraphs within them that support the conclusion about mortality from vehicle collision during operation to qualifying birds in the Peak District Moors (South Pennine Moors Phase 1) SPA. d) In Table B.5, cross reference to the relevant paragraphs of ES Chapter 5 and the Transport Assessment Report and relevant appendices that support the conclusions regarding air quality impacts and features scoped out of the assessment.

No	Question to	Reference	Question
12.13.	Applicant	A628 Habitats Regulation Assessment [APP-054]	Appendix C to the Habitat Regulation Assessment is an extract of traffic data for the affected road network within the two European sites screened into the assessment. This includes flows for the A57 and A628 in the opening year of 2025 and design year of 2040. The data suggests that the A628 would experience a change of greater than 1,000 AADT in 2025 and 2040, which would exceed the screening criteria set out in DMRB LA 105. Please could the Applicant explain why the A628 was screened out when the relevant thresholds appear to have been exceeded.
12.14.	Applicant	HGV movements Habitats Regulation Assessment [APP-054]	Please could the Applicant provide confirmation as to whether any HGV movements are planned to be routed on the sections of the A57 and A628 passing through the two European sites during construction, and if so, how many daily movements there would be.
12.15.	Applicant	Habitats Regulation Assessment [APP-054]	Please can the Applicant confirm how the local and sub-regional authority areas were selected for the purpose of identifying plans and projects to form part of the in-combination assessment, as the NSER does not describe how the study area has been defined.
12.16.	Applicant	In-combination effects Habitats Regulation Assessment [APP-054]	Please can the Applicant clarify the approach that has been taken in the assessment of in combination effects for those plans and projects for which 1) a Habitat Regulation Assessment has not been prepared; and 2) a Habitat Regulation Assessment has not been located. Where plans and projects have been excluded from assessment, please could the Applicant explain how this decision was taken, ie what impact pathways have been considered and how it has concluded that there would not be in combination likely significant effects.
12.17.	Applicant	Habitats Regulation Assessment [APP-054] ES Chapter 15 [REP1-020]	Please could the Applicant confirm that the reference made in Tables 5.1 and 5.2 of the Habitat Regulation Assessment Screening Report to committed developments as part of the cumulative assessment relates to the cumulative assessment presented in ES Chapter 15.
12.18.	Applicant	Air quality Habitats Regulation Assessment [APP-054]	Please could the Applicant explain in relation to the two European sites and their qualifying features why the conclusion has been reached that there would be no in-combination effects from changes in air quality with those committed developments that are not within

No	Question to	Reference	Question
			the traffic model and which do have overlapping affected road networks.
12.19.	Natural England	Likely Significant Effects Habitats Regulation Assessment [APP-054]	As the Habitat Regulation Assessment Screening Report does not identify any mitigation measures required to reach a conclusion of no likely significant effects on the two European sites, please can Natural England clarify its comments regarding the need for sufficient mitigation and confirm whether its Habitats Regulation Assessment pre-examination review TR010034 – A57 Link Roads Page 22 / 32 considers that mitigation is required to address the potential for likely significant effects on the two European sites.
13.	Land use, social and economic, human health		
	Questions will be included in the final version of the first written questions, which will be published no later than 17 December 2021.		
14.	Other environmental topics		
	Questions will be included in the final version of the first written questions, which will be published no later than 17 December 2021.		
15.	Compulsory Acquisition, Temporary Possession, Statutory Undertakers, and funding		
	The Book of Reference, Statement of Reasons, Land Plans, diligent enquiry and updates		
15.1.	Applicant	Compliance with DCLG Guidance	Please advise whether the Book of Reference [REP1-011] is fully compliant with DCLG Guidance ³ .
15.2.	Applicant	Category 3 Parties	Are there any other persons who might be entitled to make a relevant claim if the DCO were to be made and fully implemented and should therefore be added as Category 3 parties to the Book of Reference [REP1-011]? This could include, but not be limited to, those that have provide representations on, or have interests in:

³ Planning Act 2008, Guidance related to procedures for the compulsory acquisition of land, DCLG, September 2013
A57 Link Roads draft first written questions

No	Question to	Reference	Question
			<ul style="list-style-type: none"> • noise, vibration, smell, fumes, smoke or artificial lighting; • the effect of the construction or operation of the Proposed Development on property values or rental incomes; • concerns about subsidence/ settlement; • claims that someone will need to be temporarily or permanently relocated; • impacts on a business; • loss of rights, e.g. to a parking space or access to a private property; • concerns about project financing; • claims that there are viable alternatives; or • blight?
15.3.	Affected Persons Interested Parties	Known inaccuracies	Are any Affected Persons or Interested Parties aware of any inaccuracies in the Book of Reference [REP1-011], Statement of Reasons [REP1-010] or Land Plans [APP-007]?
15.4.	Applicant	Diligent enquiry into land interests	<p>a) Please could the Applicant summarise where it has not yet been able to identify any persons having an interest in land, including any rights over unregistered land?</p> <p>b) What further steps will the Applicant take to identify any unknown right during the Examination?</p>
15.5.	Applicant	Updates	<p>Please will the Applicant ensure that the Book of Reference [REP1-011], Statement of Reasons [REP1-010] or Land Plans [APP-007] and Special Category Land Plans [APP-019] are:</p> <ul style="list-style-type: none"> • kept fully up to date with any changes and the latest versions submitted at the Deadlines shown in the Examination timetable together with an explanation of the reasons for each change; • supplied in two versions at each Deadline, the first being the up-to-date clean copy and the second showing tracked changes from the previous version; and

No	Question to	Reference	Question
			<ul style="list-style-type: none"> supplied with unique revision numbers that are updated consecutively from the application versions, clearly indicated within the body of each document and included within the electronic filename; and that the dDCO, including Schedule 10, is updated accordingly?
<p align="center">How it is intended to use the land, whether reasonable alternatives have been explored and whether the rights sought are legitimate, proportionate and necessary</p>			
15.6.	Local planning authorities Local highway authorities	Options appraisal	<p>Paragraph 4.27 of the NPSNN states that all projects should also be subject to an options appraisal, which should consider viable modal alternatives. It goes on to advise that national road schemes will have been subject to a proportionate options appraisal as part of the investment decision making process. Further, that it is not necessary for the ExA to reconsider that process if it is satisfied that the assessment has been undertaken. Paragraph 2.21 also advises that relying solely on alternatives such as demand management and modal shift <i>"is not viable or desirable as a means of managing need"</i>. Do the local planning authorities or local highway authorities have any concerns about whether a proportionate options appraisal, including the consideration of viable modal alternatives, has been undertaken?</p>
15.7.	Local planning authorities Local highway authorities	Reasonable alternatives Necessity	<p>Are the local planning authorities or local highway authorities aware of:</p> <ol style="list-style-type: none"> any reasonable alternatives to any compulsory acquisition or temporary possession sought by the Applicant; or any areas of land or rights that the Applicant is seeking the powers to acquire that they consider are not needed?
15.8.	Applicant	Flexibility	<p>Paragraph 2.5.1 identifies parts of the Proposed Development where some flexibility is proposed.</p> <ol style="list-style-type: none"> What is the potential for the detailed design of those parts to result in a reduction in the need to acquire land or rights? What is the potential for different options considered during detailed design to have different human rights implications?

No	Question to	Reference	Question
			c) How would human rights be considered during detailed design?
Individual objections, issues and voluntary agreements			
15.9.	Affected Persons	Affected Person's issues and concerns	Does any Affected Person have any concerns that they have not yet raised about the legitimacy, proportionality or necessity of the compulsory acquisition or temporary possession powers sought by the Applicant that would affect their land or their rights in land?
15.10.	Applicant	Updates on discussions with Affected Persons	<p>At each of the relevant Deadlines shown in the Examination timetable, please will the Applicant provide a schedule of progress on discussions regarding Compulsory Acquisition and Temporary Possession, voluntary agreements, objections and any progress in respect of blight that:</p> <ul style="list-style-type: none"> a) identifies the Affected Person, their interests in each plot, the powers sought by Applicant; the purpose(s) for which they are sought; and the anticipated duration of any Temporary Possession; b) summarises any objections by the Affected Person to the powers being sought by the Applicant, and the Applicant's responses; c) identifies whether voluntary agreement has been reached; d) sets out the progress made since the last update, any outstanding matters, the next steps to be taken and the progress anticipated by the close of the Examination. <p>The above information will be published on our website, so commercial and/or confidential details need not be given.</p>
Crown interests			
15.11.	Applicant	Crown Land	<p>Section 7.1 of the Statement of Reasons [REP1-010] refers to plots that became subject to escheat and fell to be dealt with by the Crown Estate. The Applicant has suggested that those plots should not be considered as Crown Land for the purposes of the PA2008.</p> <p>Please could the Applicant:</p>

No	Question to	Reference	Question
			a) provide written evidence from the Crown Estate to support their view, together with an explanation of the legal basis of that position; and b) set out how it suggests proceeding in accordance the PA2008 if those plots were to be considered as Crown Land.
Statutory Undertakers			
15.12.	Applicant	Updates on discussions with Statutory Undertakers	At each of the relevant Deadlines shown in the Examination timetable, please will the Applicant provide a schedule of progress in relation to each Statutory Undertaker where s127 and/ or s138 of the PA2008 applies and that sets out: a) an up-to-date list of Statutory Undertakers b) the nature of their undertakings; c) the Statutory Undertaker’s land, rights or apparatus that would be affected and how it would be affected; d) the progress made in discussions with Statutory Undertakers since the last update in relation to the tests set out in s127(3)(a) or (b), s127(6)(a) or (b) and s138(4) of the PA2008; e) any agreement or differences between the Applicant and the Statutory Undertaker about whether the tests have been met, the next steps to be taken, and the progress anticipated by the close of the Examination. The above information will be published on our website, so commercial and/or confidential details need not be given.
15.13.	Statutory Undertakers	Statutory Undertakers land	Paragraph 7.4.4 states that none of the land that is proposed to be acquired is Statutory Undertakers’ land for the purposes of s127(3) of the PA2008. Do any Statutory Undertakers disagree? If so, why?
Special Category Land			

No	Question to	Reference	Question
15.14.	Applicant	Open space and replacement land Section 131(3) and (4) and section 132(3) and (4) of the PA2008	Paragraph 7.2.4 of the Statement of Reasons [REP1-010] is not clear whether s131(3), s131(4), s132(3) or s132(4) of the PA2008 apply. Please could this be clarified?
15.15.	Applicant Local planning authorities	Open space and replacement land Sections 131(5) and 132(5) of the PA2008	Paragraph 7.2.3 of the Statement of Reasons [REP1-010] states that Special Parliamentary Procedure is not required for the acquisition of six open space plots as the plots <i>"are required for the widening or drainage of an existing highway and the giving of land in exchange is unnecessary"</i> . Please could the Applicant justify that statement with reference to s131(5) and s132(5) of the PA2008: a) what uses are proposed for the plots; b) are there any reasonable alternatives; and c) could the giving of other land in exchange be required <i>"in the interests of the persons, if any, entitled to rights of common or other rights or in the interests of the public"</i> ? Please could the local planning authorities comment?
15.16.	Applicant Local planning authorities	Other Special Category land	Table 7.1 of the Statement of Reasons [REP1-010] identifies various land plots within the Order limits as open space. Does any other land within the Order limits comprise land forming part of a common, open space or fuel or field garden allotment?
Compensation provisions and the availability and adequacy of funds			
15.17.	Applicant	Availability and adequacy of funds	Paragraph 2.1.1 of the Funding Statement [APP-024] indicates a cost of £180.6 million from the Options stages to opening for traffic. a) How can the ExA be satisfied as to the reliability of that figure, and what is its degree of accuracy? b) What proportion of that figure can be attributed to compensation payments and potential claims?

No	Question to	Reference	Question
			<p>c) What comfort can be provided of funding being available should the cost be exceeded?</p> <p>d) What comfort can provided that the scope will not be reduced in response to any future changes in funding?</p>
Other matters			
15.18.	Applicant	Acquisition of other land or rights	Are any land or rights acquisitions required in addition to those sought through the dDCO before the Proposed Development can become operational?
15.19.	Local planning authorities	Potential impediments	<p>a) Have potential impediments to the development been properly identified and addressed?</p> <p>b) Are there concerns that any matters either within or outside the scope of the dDCO for the development to become operational may not be satisfactorily resolved, including acquisitions, consents, resources or other agreements?</p>
15.20.	Applicant	The Equalities Act 2010 and public sector equality duty	<p>a) Please could the Applicant clarify how it has had regard to the Equalities Act 2010 and its public sector equality duty in relation to the powers sought?</p> <p>b) Have any Affected Persons been identified as having protected characteristics? If so, what regard has been given to them?</p>