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00:10

Good afternoon, everybody. It's now 10 past four. And this issue specific hearing is now resumed. Mr. Hauser, can you just confirm that the live stream and the recording has commenced?

00:23

I can confirm that I can see in here UV recording has started. And I'm just going to refresh the live stream to see that it's working Correct. Yep, it's working correct. And the capture the captions are working. That's

00:39

great. Thank you for that confirmation. Thank you. So if I can move on to Item five on the agenda, which is climate change, and, but just before I do, I'm just conscious of the time and where we are. Looking at the agenda, I think we've got climate change, and then cultural heritage, population, human landscape and visual effects. To cover what I'm thinking. Mr. Pratt, hopefully, you popped up just as I was gonna say, I'm wondering whether there's a chance that we might be able to deal with the climate change side of things. And then the heritage as well. This evening, potentially. And then look at if we need the other ones to carry over to tomorrow morning, which will be population, human health, landscape and visual, and I think it's just a few mop up other issues as well.

01:30

So absolutely, I'm in your hands and my team are happy to stay as late as needs be. I think Miss klaten might have something to sell it as I would anticipate that they have lockdown heritage. So the alternative option I was going to officer is that if you wanted to reject the agenda to bring in some of the perhaps shorter items and forward so you can leave or whatever time you propose to finish tonight to make sure that we don't leave heritage hanging halfway through that that's also an option that we'll be able to reach out in quite easily to meet that, sir.

02:03

Okay, thank you, Miss Clinton, if I could just come to you because yeah, Mister Mister is absolutely correct. And there'll be issues, I suspect you want to, to raise with regards to the heritage side of things, but I'm not sure how your team is fixed and arrangements outside of stuffs.

02:18

So I think from our perspective, yes, there is going to be quite a lot to say on cultural heritage. And the fact is that our points on cultural heritage actually, obviously tie rather neatly in with landscape. And so I hadn't thought of it myself, having heard my legged friend suggestion then about perhaps, if it works for the applicant and others, to deal with the other topics, and then to come back tomorrow to deal with heritage of landscape together. For my part, I think that that will be better. I also think so that given

we're not at our freshest at this point in the day, put it, put it that way. And I and I think they are quite important topics that would benefit from the freshness that starting on them in the morning might provide.

03:11

That's fine. And I can I can take the point that you're trying to make that I understand that well. Okay, if that's the way then what I propose we do is we retake climate change, we push heritage and have that tomorrow. And then we can then pick up human health, and then a few people there, mop up questions that I have today. So that will then leave the landscape of visual to be dealt with tomorrow as well. What we'll do is once we get to the end of today, we'll decide on the time the arrangements for the morning. But if we proceed on that basis, so if I could move on to Item five, which is climate change, and got a series of sort of questions around this, and then the first one is really just to ask the applicant to outline your assessment and approach and the mitigation measures. But one of the things I'd like to refer to is dmrb, la 114. I think it's paragraph 322, which identifies that project should seek to minimise greenhouse gas emissions in all cases, to contribute to the UK is target for net reduction in carbon emissions. And it would just be helpful to understand how the scheme is set about achieving these.

04:34

So Michael, pray for the applicant. As you might expect. I'm going to hand over to Mr. David Jackson, and Miss Sarah Holmes to answer these questions. I'm not sure we'll take that one first. So I will disappear and allow them to introduce themselves to the examination, sir, is Mr. Jackson

04:51

Yeah, hi, sorry, David Jackson representing the applicant. So with your guards to your first question, a seeking to minimise greenhouse gas emissions. Hey, I'm sorry and carbon emissions, I'll use the term carbon just to refer to all greenhouse gas emissions, just a shorthand over the rest of my discussion. So to start with the mitigation options around that, and what we're doing to minimise carbon, this can be looked at in two areas, or two main angles for First of all, what we're doing to minimise carbon through the design and construction. And then secondly, looking at how this aligns to wider policy and targets with regards to a end user and tailpipe emissions. So if I may, I'll start with what we're doing within the design and construction. And as Mr. Arthur mentioned earlier, we are looking at this in terms of the chiral carbon hierarchy that was first introduced in the infrastructure carbon review in 2013, but also in pads 2080 Carbon Management and infrastructure and specification around that, which is to look at built nothing built less built clever and built efficiently. And in a section 14.9 of the IES, Chapter 14 On climate, which is rep 3014 or 015. For the tract version, we highlight in that a number of options around this. So, first of all, as Mr. Arthur was mentioning earlier, I there there have been decisions taken where we can look at built nothing and looking at how we can through design, and then not needing to over engineer a things that could have had a large carbon impact through construction. And then in Section 14.9 I other items with regards to building less are there so looking at what we can do to replace a on the surface, a course on pavement rather than a full pavement reconstruction. A minimising earthworks a, specifically in the western point of the skin, which looks at a building efficiently. So those were some of the things that were highlighted within section 14.9 of the climate chapter. But it should be stated that this isn't the final point of it pas 20 It sets us a goal of how we measure and monitor carbon which is defining a baseline looking at ways to reduce that a monitoring

and then kind of taking that iterative process forward. So, I within a team, excuse me within PCF and stage five when we look at detailed design a Mr. Arthur again a gave her a breakdown of what the different PCF stages were earlier I we will be continuing to work with the say the each discipline with regards to a options through value engineering to look at how we can minimise carbon in the detailed design. And through that process, we will be able to look at how efficiencies can be made aligned to pass 2080 which is in the manner that also reduces carbon in a way This also reduces cost. And then from from that, what we will be doing is a hunting a finished baseline over to the contractor a we already have a 47 carbon Working Group A with the contractor. Looking at options there are innovations that we can bring to the schemes, the proposed schemes across the 47. So this could be a things to do with using green energy in welfare units or the use of biofuels. So really starting with with the design, but also kind of carrying on all the way through construction, A to C to pursue options to minimise carbon from build. And then that leads on to the second point which is what has been done to mitigate carbon emissions associated with tailpipe or end user emissions once the scheme is in operation. And I'd like to point you to a firstly the government's Net Zero strategy which was published last month in October, the Department for Transport transport decarbonisation plan and the applicants on a roadmap to net zero the laboratory work was published in July of this year a all setting out how they will be working a to ensure that a road user traffic is net zero by 2050 in line with the proposed a net zero target of the UK

09:34

Great, thank you very much. Just in terms of that document that you refer to finally the the July 21 decarbonizing transport document, if you can just sort of press provide a bit more information about how the scheme fits with these commitments, and if there's any sort of particular examples you can, you can sort of sign me to

09:56

with regards to end user, yes, yes. Duty, yes. So that the scheme in itself a and those commitments are part of a national, decarbonisation strategy and pathway A. So within the scheme, A, we have looked and looks at operational emissions and there is going to likely be an increase in End User admissions as a result of the scheme. However, that does fit into the wider a policies of a the applicants of Department for Transport and then also at a national level of how a cumulatively, the UK can reach it, say achieved carbon targets and say carbon goals.

10:43

Thank you very much. So, in terms of the targets, you can refer to some of those they're against weight sort of targets and policy should be the scheme be assessed. And so how does he perform against those targets at this stage?

11:00

Yeah, thank you. So, yes, with regards to what the scheme should be assessed against this is the national policy statement of 2014, which sets they are assessments should be at a national level A, A and monitored against the the set carbon budgets they so at present that it gives us targets up to 2037 with the sixth carbon budget, and five year iterations between now and then. So assessment has been done against the fourth, fifth and sixth carbon budgets due to the DIR construction would start the third

carbon budget has not been assessed against. And within those a the reports a as outlined within a table 1410 of the chapter 14 which is rep 3014 or 015. A that shows how the scheme A A excuse me how the scheme a comp compares to each of those four carbon budgets. I this assessment was also done over a 30 day over a 60 year period to take things out to 2087. However, there is currently no a set target against which to assess.

12:25

Thank you very much. That's a sort of helpful background and then detail and answers that so thank you very much. And just before I move on to some of the other bullet points under that heading, I just want to see if there are any interested parties that have any comments with regards to to this issue and an ROI you've heard. I have a hand up from mare Bay if I could, please.

12:54

Hi. I have a fairly long piece for me. Is that Is that okay, include some questions in that movie about poker lips. Oh, sorry. I couldn't hear you that.

13:10

MY fault. Sorry, I was on me. How long are we talking

13:12

about five minutes? That's No,

13:15

no problem at all.

13:16

Okay, thank you. I'm sorry. To start. I wish to add some context to my questions about carbon emissions. The British prime minister has warned World Leaders Conference six that we're facing a doomsday clock to tackle climate change. UK his former chief scientist city King said that humanity has less than a five year window to take decisive action on climate change. And so David Attenborough has said we are facing the collapse of civilization. However, I'm aware that the inspectorate and Africans are following existing policies, including the outdated 2014 national policies wind, which I believe is being revised, but it has it isn't going to come into effect for a couple of years. So I wish to ask, well, the scheme he assessed against all other road schemes and the need for the entire road network to reduce emissions. So currently, the carbon emissions of this scheme been assessed in isolation against UK carbon budgets. In the recently published government led zero strategy, carbon emission reduction targets for transport are outlined. And I'll read this now. Base. This is quoting the document based on our whole system modelling by 2050. Total transport emissions including international aviation and shipping could need to drop by 76 to 86% Compared to 2018. In the interim to meet her NDCs and carbon budgets, six targets we expected could fall by 22 to 33% by 2030, and 46 to 59% by 2035. Compared to 2019 levels. These figures are based on an indicative transport sector pathway contributing to the whole economy net zero and interim targets Potential pathway also indicates residual emissions from domestic transport would need to fall by around 30 to 45% by 2030 and 65 to 76% by 2035 volatility to pass and maintain levels. That's the end of the quote. So these projections

helpfully show the dramatic reductions in domestic transport emissions that will be required in less than 15 years. Part of the reason why that reduction needs to be so dramatic is because there's been comparatively little reduction in the domestic transport sector compared to other sectors over the past seven years.

15:37

And yet, applicants document environmental statement chapter 14 climates on page 17 And predating carbon emissions from the scheme have been assessed against the entire carbon budgets for the UK, so presenting the road scheme as being a tiny percentage of the UK carbon emissions. However, I haven't seen any evidence that this has been assessed against the netzero transport targets for domestic transport, or how the scheme will impact the carbon budgets and climate strategies of local authorities in the region of the scheme, rather than just a national level. The combined effects of carbon emissions should be measured across multiple simultaneous EU building projects to properly understand the impact. Obviously, any development in isolation is not going to use up the entire UK carbon budget for a period visit cumulative effects of developments to simplify the comparison, it's like one car driver thinking the carpet I make from my journey is miniscule and I won't have any impact. But when you're 14 million drivers will thinking less than the carbon emissions add up to one of the largest sources of emissions in the UK. These schemes will increase collaborations with through construction and operation by increasing road capacity and allowing traffic growth. And this contradicts the net zero strategy statement that domestic transport emissions could need to fall by 34 to 45% by 2030, and 65 to 76% by 2035 relative to 2019 levels. So the national highways should be focusing their efforts, efforts on how to reduce the road networks current carbon emissions. That includes the operational ones that he uses and tailpipes by up to 76% by 2035, which would mean implementing measures to reduce road traffic and cancel any plans involve increasing both capacity and therefore emissions like the scheme while prioritising reducing traffic. Flow traffic would also improve traffic flow, improve road safety, improve air quality, reduce noise pollution, save money, conserve biodiversity, and most importantly, lower carbon emissions. Given the climate and ecological crisis, which is threatening the collapse of civilization is emergency situation. Surely the funding of this scheme should be reallocated to transport decarbonisation evolving modal shift and both traffic reduction which was also aligned with the number one strategic priority in the decarbonizing transport paper. I'd also like to just quickly add that even in the most optimistic electric vehicle model that scenario, road transport emissions will not meet production targets with electric vehicles alone. The government's own decarbonizing transport Annette series strategy report say this, along with the committee on climate change the CCC bold and ambitious transport modal shift that aims to reduce private vehicle use is essential to this. So it makes no sense to be investing in carbon intensive infrastructure for motor transport that must be reduced in the next 15 years. And that's that green or one of the points are asked about the benefit cost ratio. But I'm happy to wait until the script needed. Thank you.

18:47

That's great. Thank you. Thank you very much. Some of those questions that you post that particularly because the community side of things are under the next bullet point. So it's helpful that you've raised us here. So thank you for that. Mr. Frey, perhaps if I could come to the applicant for for response to that I think it would be helpful if you could provide a response in terms of the the national policy statements in the position there. And then any other matters that that you wish to.

19:17

So Michael fry for the African, I think this is going to be dealt with by by Ms. Holmes. I'll just see if she she comes forward now. I'm very grateful. All right.

19:29

Thank you. Thank you, sir. In terms of the approach to be taken in the determination of the application, it is of course, the national policy statement that the Secretary states required to apply. And the circumstances in which he may be able to not apply it and choose an alternative route are clearly set out in Section 104. And we're proposing to submit The written material to set out all the legal aspects of that twist everybody as especially as Dr. Boswell, I know, it's not able to be here today and has indicated a wish to respond in writing in December. So we'll set out the legal approach the required approach to the determination and the the fact that the only targets that Parliament has mandated for the reduction for assessing the significance of carbon emissions from national network projects is against the carbon budgets and not against any other targets at any other level and there is of course, no sectoral target against which this scheme or or others would be assessed. So it is the the carbon budgets and that is the assessment that the applicant has undertaken in accordance with dmr le 114. As far as the climate change committee is concerned, we will also be covering that because it was published on the 26th of October, which was the day that Dr. Bell's will completed his submission on the Diaby junctions case, and the overall assessment of the independent analysis undertaken was the net zero strategy, including the the transport decarbonisation plan within that was that it was an ambitious and comprehensive strategy that marks a significant step forward for UK climate policy setting a globally leading benchmark to take to cop 26. further steps we need to follow quickly to implement the policies and proposals mapped out in the net zero strategy if it is to be a success and the transport decarbonisation plan obviously sets out a number of measures and the road to net zero that highways England published sorry, the applicant published in July, this year fits with the transport decarbonisation plan

22:18

Thank you very much for that. Well, I think might be helpful would be now to press a look at the points that are raised and questions that I've got in terms of the cumulative assessment side of things.

22:33

So

22:35

we've heard today but also a number of IPs. And you've referenced Dr. Boswell there and every sort of issue in terms of the lack of accumulative assessment in relation to the impacts of the scheme. And in particular, there's three are a number of other 847 schemes that are that are currently sort of in the process at the moment. And as a result of the lack of this sort of cumulative assessment, this falls foul of VaR regulations and is therefore a decision in terms of the evidence that's necessary before the examiners to to come to a decision on this be helpful to sort of get your your view on this if we could.

23:12



Okay, so I can deal with the decision making framework and the EIA regulations. And then for the actual assessment that was undertaken in the environmental statements, Mr. Jackson will be able to assist. So the applicants very firm position is that the environmental statement is not legally defective. There is no requirement for an assessment of the significance of carbon emissions in the context of any other carbon level assessments of a van in the context of the carbon budgets and the It's in that context, given that the budgets themselves cover the economic sectors within the the UK and obviously, the six carbon budget also includes some of the additional transport sectors which carbon budgets four and five didn't. It's hard to see how there would be any other meaningful way of undertaking an assessment that would give rise to anything any outcome that was material in the decision making process.

24:30

I'm very happy and I will set out in detail writing, because I've read all of Dr. Was Was submissions on the EIA regulations, and we don't accept that his understanding and analysis is the correct application of the regulations. The EIA regulations do not require government to determine significance by reference to specific levels, whether local, regional or national, those those are matters for government to determine and the government and as approved by Parliament in the national policy statement has determined that the effects of national network infrastructure shall be determined against the in the context of carbon budgets, and which is the approach that the applicant has taken and dmr b la 114 requires us to probably not helpful if I go into the minute detail of the IAEA regulations, but we will do we have done it elsewhere. And I will do in our written response, but but just to be very clear, the EIA regulations do not place any obligation on the secretary of state to require or to find that the ESA is defective because other levels of assessment of carbon emissions have not been undertaken.

25:47

Okay, thank you for that. And yeah, we can leave the details to the written submissions, which we can then progress as we do with other written submissions. Thank you for that. Did you say a colleague who's going to come in in terms of the the numbers and the figures? Yes, Mr. Jackson

26:07

Yep. David Jackson on behalf of the applicant more just to talk through the methodology of how we've done this and the cumulative assessment that has been done. So in line with Le one on excuse me, one are for the environmental assessment and monitoring includes a series of definitions and requirements relating to a cumulative assessment a that have been put into this A into the climate chapter rep a 3014. So, la 104 dmr b, la 104, excuse me. So, the expectation that environmental assessments shall assess the cumulative effects a in two ways firstly, on a single project it for example, the IT numerous different effects of the impact on a single receiver and secondly, a different projects together with the project that is being assessed. And this is how we have set out our methodology and our approach. So, with regards to the first point there with regards to cumulative impacts on a single project, this has been looked at a through the carbon emissions a within the spatial boundary of the receptor, A, this is to be looked at at a national level, but at a single as a single projects, the cumulative assessment is inherited within the Le 114 Climate methodology as it considers those emissions from construction use and end user emissions. And then secondly, in terms of a cumulative assessment with a other schemes in the area, you mentioned a other a 47 schemes and had previously we've been

talking about the northwestern link as well. And these projects, together with the project that the proposed scheme here have been assessed, a through inclusion in the traffic models and the end user carbon assessment, which are also inherently cumulative. So So between those items, a cumulative assessment has been carried out for the proposed scheme.

28:18

Thank you very much. Are there any comments in response to what the applicant has said? Yes, maybe if I could come to you.

28:45

I serve a query. So does that mean the applicant is going to ignore what was set out in the recently published at zero 2050 paper by the government and instead follow what was set out in the national policy statement in 2014. As the domestic transport emission reductions are clearly stated in the netzero 2050 strategy. So is it the Africa mentality, just ignore that? Thank you.

29:19

Thank you, I'm not sure who from the applicant would would pick one up, Miss Holmes.

29:27

Yes. Can you see me? Seems a bit of a strange yeah, there's a delay on teams. I think I can. Okay, that's fine. Okay. So the carbon budgets that are defined under the Climate Change Act set the pathway to net zero by 2050. Government policy is going to have to ensure that those carbon budgets are achieved. And it is in that context that the secretary of state's funding but we'll look at the consequences or the effects of this scheme when determining the application. Clearly the transport decarbonisation plan seeks to achieve net zero for that sector by 2050 and the applicant's own netzero strategy fits within that and sets out the role that the applicants envisaged as it will play in delivering the transport decarbonisation plan. It is not a case I don't I don't understand how it could be the case that compliance with the advice in the national policy statement, therefore, which is that the carbon budgets should be complied with, will be in conflict with a netzero strategy. And from my reading of the climate change committee's independent analysis with a netzero strategy, it seemed looking at the red, yellow, amber and red classification of the different economic sectors covered by the strategy that domestic transport including aviation and shipping was looking relatively favourable in terms of its ability to achieve its plans by 2050.

31:32

Thank you very

31:33

much. Methane, the further point here,

31:39

it's um, yeah, the but the net zero 2050 strategy says that domestic transport would emissions would need to fall by 65 to 76% by 2035. And this scheme is going to increase the operational emissions. So that's the tailpipe end users. So I can't see how that could fit in with that. And I haven't seen any



wherever the applicant has evidence. I've also read the decarbonizing transport paper and couldn't see any sort of working as our calculations to demonstrate how the road strategy would help to meet that there's some policy recommendations. But I can't see any sort of carbon sort of figures and calculations. And yes, I haven't seen any light if you if you've could possibly include them later on some some buttons? Well, that would be very helpful.

32:37

Okay, just to make the point that the whole purpose of the carbon budget system recognises that there are sectors that are going to emit greenhouse gas emissions, and the budgets the carbon budgets themselves, enable the government to achieve net zero by 2050. By taking into account the wider economy and driving down emissions, and to achieve savings in some areas where increases are unavoidable in others. And of course, there are many other facets of government policy, including the levelling up agenda that need to be taken into account. And it's the fact that there is a an ink that a particular scheme would give rise to a predicted increase in emissions is not a reason for its refusal. Because the carbon budgets approach to deliver net zero by 2050, expressly contemplate the offsetting of some emissions that are undertaken where it's desirable for activities to take place for other reasons, against savings in other places. But as I say, the highways the applicants own netzero strategy fits within the traffic, decarbonisation plan which fits within the net zero strategy. And the climate change committee stated that the net zero strategy sets out sectoral ambitions so therefore, including domestic transport, that add up to a quantify pathway to meet the UK is nationally determined contribution for 2030 that to the Paris Agreement, and the six carbon and budget.

34:28

Thank you for that. You refer to a written submission? I'm presuming that a lot of this that we've been through will be within that written submission. Is that the applicants plan

34:40

Sarah into the applicant? Yes, it is. Yes.

34:43

Brilliant. Okay. That's that's helpful. Thank you very much. If there's no further comments or questions with regards to the punitive side of things, there's just one other issue. I just want to come cover off For on the climate change side of things, so if there are no other questions on that, and I'll move on to the final point on that, which is to the applicant, and which is with regards to the recent high court judgement, and that I'm sure you're aware of, and it's really just to get an indication from the applicant, what the implications are of the recent case, and how it implies sort of what I need or what the applicant should be doing at this stage.

35:37

Sara Holmes sarahan. To the applicants, we will be covering this in writing the case has is not one that the applicant has relied on in presenting its case, it's not specifically to do with the determination of applications for DCA projects, it was an application, the hearing of an applet into an application for judicial review into the road investment strategy to decision of the Secretary of State's on the 11th of March 2020, pursuant to section three one of the infrastructure act 2015. The first time that this case

actually came up in one of the 47 schemes was when it was raised by Dr. Boswell in the blofield application prior to the time that the judgement came out, and he thought that he had the application for judicial review being allowed that the the case would have implications for the DCO project, but the application for judicial review was refused. And therefore because the point was raised in his written submissions, the applicant then had to respond to those edits next, representations and say set up various quotes from the case which add no new material, but confirm the role of the carbon budgets confirm the status of the national policy statements. And so on. So the and I noticed I've been through Dr. Boswell's submissions on this particular scheme. And I note that he doesn't refer to the case, other than to to note that there is an appeal against the refusal of full permission for judicial review. So we will cover it in our written representations. But it's not a case that the applicant is seeking to rely on in persuading you that there are any matters relevant of direct import that are not already covered under the Planning Act or the NPS.

38:03

Okay, thank you that that's sort of a helpful summary and authentication of the position. And I have no further questions into the climate change topic. But just before I move off, I just want to make sure that there are no others. Maybe.

38:22

Hi, just a quick one about the benefit cost ratio, the scheme as the applicant updated the benefit cost ratio, the scheme to include recent policy updates and carbon. So these updates are the HM Treasury Greenbook valuation of energy use and greenhouse gas supplementary guidance to the HM Treasury, Green Book and appraisal and evaluation central government. And this is published in October 2021. And the evaluation of greenhouse gas emissions for policy appraisal evaluation, which was published on the second of September 2021, which is government policy papers setting out revised approach to valuing greenhouse gas emissions and policy appraisal, as we're doing with the applicants, updated benefit cost ratio of this scheme that's take into account those if you

39:16

Thank you, Miss Holmes, if I could come to you if there's an answer to that one.

39:21

Okay. So we will look at those and address those in our written submissions. I don't have an answer for you now.

39:28

That's fine. But yeah, we could we could pick those up through the written submissions. that would that would, that would be helpful. Thank you. And I have a hand from Mr. Caudron.

39:40

Hello, thank you very much, sir. I just like to understand why. I understand from the newspapers, there's something like 750 acres of land, which is going to be taken over for the works and for the temporary works. I mean, in general terms, construction tends to strip clear that 750 acres of vegetation

and carbon sequestering soils and trees. And yet this is not taken into account in carbon budgets. Could somebody explain to me why that's the case? Thank you.

40:26

Thank you, Mr. Caudron. I'll probably go Mr. Jackson, from the applicant.

40:33

Sorry that thanks for the question. We can give a proper response to this in writing. I just say that with the planning and the landscape design, which hadn't been done that stage three, A, A, that that was something that was not within the carbon assessment at the time.

40:55

Thank you. Yeah. So yeah, if we could pick that one up as a written response. That would be that would be helpful. Mr. cauldron, I see you still got your hand up? Not sure that's left up, or there's a further point you wish to raise.

41:14

So I just hope our grandchildren will forgive us.

41:20

Thank you for that. Mr. Frey.

41:27

So Michael, prior to that, just one, one small point to address it, what I think is the end of this, I did. Dr. Jackson a disservice in my introduction. And he was too modest to correct me just for the purpose of your notes. So he is Dr. Jackson, as opposed to Mr. Jackson.

41:47

Thank you for that. Okay, well, that that concludes the discussion with regards to climate change. As we discussed, what I'm going to do is we will hold our discussions on heritage till tomorrow. So we'll move on on past that. And also, we're going to leave the landscape and visual till tomorrow as well. And so if we could go on to item seven, which is population and human health. And this stage, I think, what would be helpful if I could come to the applicant, and it'd be helpful to sort of get a an appreciation of the provision plus, I think there may have been a number of changes that may be made that deadline three, so if you're possibly able to, to outline those that that would be helpful.

42:41

So Michael pride for the applicant at this stage, I'm going to introduce Mr. Mark Duckworth to the examination.

42:57

Good afternoon, sir. Good, hello. I'm not sure my video is working.

43:06

That's fine. I can I can hear you which is which is fine.

43:10

Okay, and I mean, just in response to your bullets, it might be worth in the first instance that I just outline the approach that we've taken to the WCAG assessment and then expand on from there. Yes. Okay. I mean, in terms of the the overall approach, we undertook a walk incited in horse riding assessment in accordance with the dmr standard, 2g 142. And as part of that assessment, obviously, we looked at the presence of existing facilities in the local area, we undertook dialogue with the active travel officers and the public rights away officers of the County Council. We studied quite carefully the feedback on the various consultations, particularly from interest groups, and obviously, obviously, the local community. We undertook a number of site visits to get a feel for the network in the area. And we also commissioned a series of surveys to record usage existing uses at key locations along the corridor. These surveys were carried out for a period of 14 days, over over 12 hours each day. So it gave us a fair representation of what's actually happening in and around the scheme. Obviously, we looked at the, the location of the villages and mean it is and we identified a initial walking cycling horse riding strategy to not just to mitigate the effects of the scheme but to look for opportunities to sort of enhance the network's you know, to satisfy the requirements of the MPs, in terms of you know, improving active travel choice, and that sort of thing. The sort of initial strategy was then presented to in various stakeholder groups, the council's parish councils are those local Liaison Group I understand and that and the strategy was refined based on those consultations and to the strategy that we have today, obviously, you know, a more summary of the walk in cycling trends assessment is provided in the case for the scheme. That's a pp 140. In essence, the scheme provides more or less a continuous east west route through the corridor, making use of existing facilities, existing local roads, new cycle track facilities, shared use facilities, and more importantly, the scheme strategy the working ciphering strategy proposes great separated crossing facilities of the a 47 for locations that currently there there are only at grade facilities, which are not entirely suitable for the volumes of traffic on the road. One of the notable ones is at the ringland lane dog lane crossing which you may have seen where there is a gap in the dual carriageway, stairs down the embankment and need to run across very quick to get across. So the scheme obviously looked at the issue of severance, and obviously to prevent severance from the scheme. So the strategy included for four sets of great separately crossing facilities to facilitate that north south movement. And just to give you give you a feel for sort of the strategy itself, I missed my colleague, Mr. Arthur touched on it earlier, but I'd just like to sort of give you a few key points really that there's an existing shared use facility on day 47 corridor between Ling road and sort of Hawker in our the street hockey ring, and that will be lost to the scheme but there'll be a direct replacement for that facility. And in total, we're providing our scheme sorry, the scheme will provide in excess of six kilometres of new shared use, try cycle track.

48:00

The there'll be over a kilometre of new restricted byway to take account of the sounds of restricted byway one at Harlingen and and we are also upgrading best part of 300 metres of existing footway to bridleway status to facilitate its use by cyclists to take account of local accessibility in the area of hunting. And so

48:31

that probably

48:33

gives you a summary of where we're at, I think.

48:42

Thank you, Mr. DeWitt. That, that that's helpful. A question I was going to ask, but I think you may have just dealt with in those final points was just sort of explaining why enhancements had been made. And I think, actually, if I asked you that, you would probably just give me those same figures that you've you've just given me. So I don't think there's any point in me sort of going going through that again. We missed Mr. Arthur, is there anything you would like to just add before I open it up to any interested parties?

49:15

Thank you, sorry, buddy, for on behalf of the applicant, it's really just to pick up the fact that I mentioned this morning that the proposed scheme also introduces four segregated crossing points for WCAG WCAG provision along the route of the scheme. Currently, there's only one crossing point formalised at Eastern, which is the the old style set of steps down an embankment to our central reserve crossover. So obviously, that doesn't conform to current standards. And it's particularly unsafe and as part of the scheme that will be closed off, but there will be four segregated points provided west east along the scheme, which saw a significant enhancement. Thank you, sir.

49:56

Thank you very much on that one, and in turn As of this, this element of thing, are there any comments questions from any interested parties at this stage on what they've heard? misc, clutton.

50:23

So, yes, Rebecca clutton for Mr. Metal. So I just wanted to draw to your attention. One of in the context of walkers, cyclists and horse riders, I just wanted to draw to your attention, one of the particular benefits of the alternatives that are being proposed on behalf of Mr. Mendel. And in the applicants, proposals, particularly in when you're looking at the northern cyclists who's coming from the south and hoping to access the north or the east. The proposal for cyclists in particular is extremely convoluted. And so you can see that by reference to their environmental management plan, document, our EP 3016. And so if you look at because the correct page, if you look at page 10, of that document, this is the PDF page numbers. So you shouldn't be on sheet eight of 14, do you have that?

51:33

Just opening up slowly, there it is.

51:36

EMP is a slow document. And it's very large.

51:40

So so that was PDF page. 10. Did you say That's right, so

51:43

yeah,

51:44

I'll turn that up now.

51:45

Great. So on that if you looked at the south along berries flavour, and if you were a cyclist travelling northwards, if you wanted to go either west or north, you're going to travel up to just below Mr metals main drive, and then you're going to have to turn east along the new segregated cycle path that's being created just to the north of Marywood. You're then going to have to travel north along the newly created road. You're then going to go Ece, and I'm just going to check we're going on to a different sheet here. I'm just checking which sheet it is. Yes, answer sheet 11. So if you just watch sheets, nine PDF page 11. You're going to travel east again, you will then go into when you get to the juncture of the whole park farm underpass turn north, go along the whole park farm underpass, then you're going to start travelling west again along the side. Well, it's not it's it's on the new path along there and back to page 10 And then up actually to page nine. So you're going to carry along you're going to go along with cycleway here after around the NWS Firth and then carry along lease on the northern side of the new carriageway link road forgive me and that is we would say a rather convoluted journey that's got to be done if you're getting close north or west in the alternative presented by Mr. Metal sir if you get if you want to look at this probably it's easiest to go to our alternatives document which is rep 3045 And you want page nine of that serve

54:01

Yeah, got that name is cotton bags.

54:03

Thank you sir. In our alternative it released in the version involving the ladies Grove underpass, which this is the same cyclist would carry on up. If they wanted to go north or west, the same cyclists will carry on up various lay, it would turn left on to the D trunks existing a 47 road which would have very much lower levels of traffic and then it would either carry on westwards and then go on to the ladies Grove overpass and and westwards from there. And so we consider that to be a considerable improvement for cycle accessibility in this location. And so the second point in relation to the act is not only will it improve journey times and the set of all the economy convoluted route for cyclists, what it also do, in our view, is save the urbanising effects that changing the hunting and footpath three to one Sacred Sites segregated cycleway would have been including, of course, the loss, we understand of trees and hedges that are associated with the what's described as an upgrading of that, of that footpath to the segregated cycleway. So so that just a flag there one of the benefits that is identified in association with the alternatives

55:29

thank you for that Miss cotton. Thank you. Would you Mr. Arthur on behalf of the applicant.

55:37

Thank you, sir. By offer on behalf of the applicant, I would just like to point out that the appraisal that we have provided on the alternate has provided was based on the highway design elements only and has not taken account any of the following enhancements so more than happy to return in writing with an appraisal of the differences between the applicant's proposed WCAG routes and those proposed by Mr. Mainau. What I would touch on there is that the information stated by Miss Miss cotton was factually correct is not the intent to remove any trees along the border of Mary with House adjacent to the footway cycleway enhancement that we are proposing as an error in the arboricultural report, which the applicant will be correcting and resubmitting to remedy that sir. And this has been communicated to the the owners of Mary with house as well sorry, the tenants of metal Itos at one of the last engagement meetings we had with them. That's all sorry. And one last point that the enhanced food we cycle we that we are proposing between berries later down the road, obviously offers significant east west connections between holding on under the existing public roadway network. And it's not the intent to have that as an asphalt surface. It will be an unbound surface with suitable landscape plantings. So that fits into the environment is proposed to be unseer. Thank you.

57:04

Thank you, Mr. Eisen. Thank you for that clarification with regards to Mary wood house, because that's a question I had under the landscape and visual side of things. So thank you for that. And are there any other comments or questions with regards to population and human health? And?

57:26

Okay, I'm not seeing any comments or hands. So that's great. Thank you. So I suggest what will now do is we move on to item nine, which is other issues, which is just three points, if I may. To contrast this to Mr. Frye in the first instance, which is just some clarification that that I wanted to see kind of a couple of things. So very briefly, it was to do with the lighting arrangements around the roundabouts. And there seems to be, you provided me with information on those which is helpful. But from my perspective, there seems to be quite a lot of conflicting things in terms of the lights need to deliver the highway standards minimise light spill, but also protecting biodiversity as well. So the lights have an awful lot to do. And I just sort of wanted to sort of get some indication of sort of how the lights would deliver all those barriers, and potentially competing requirements.

58:28

So yeah, you direct your question to me, so I popped up, but this is one that I am going to hand over to Mr. Arthur sir.

58:39

Thank you, So barring offer on behalf of the applicant. So I'll just give you a quick summary sorted and hopefully this answers the questions you have and if not, I'm happy to do so afterwards. So whilst lighting is required with respect to the health and safety regulations, the lighting proposed will be positioned sympathetically to minimise light spill and disturbance for receptors. The impacts of the lighting and proposed mitigation measures are assessed with an IES chapter seven, landscape and visual effects which is EPP 046 and ies, Appendix 7.7 lighting assessment which is document a pp 095. Section seven of yours appendix 7.7 provides a summary of the safety need for artificial lighting on the



approach to and through the proposed junctions, slept roads and associated roundabouts along with indicative lighting layouts. The design of the scheme lighting has been undertaken in accordance with the UK dmrB That's t 501. The road lighting appraisal. This document sets the process for the appraisal of new and replacement road lighting for motorway and all purpose trunk roads. The conflict area for the roundabout has been led to the infrasonic following the institution of lighting professionals waiting guide plg zero to the application of conflict areas on the highway and accordance with Bs five 49 Dash 120 20 table e4, which is lighting classes for conflict areas. Lighting is provided on the approach to the conflict areas for five seconds of driving distance or the expected speed to ensure a good visual guidance path is provided. In the gardens to light spill, the applicant has taken this into consideration by designing the proposed junctions below the 47 Mainline and cuttings to minimise the impact of light spill. The LED luminaires proposed in a warm white colour temperature light and they will be shielded with backlight shields to avoid emitting outboard light and impacting habitats. No light will be emitted above the horizontal plane lighting provision will be confirmed as part of the detailed design taking into account relevant standards guidance notes and will be approved through DDC requirement three, in consultation with the relevant planning authority, lighting associated with the existing agreed Eastern roundabout, and the four approach departure arms will be removed. That's part of the scheme as well. I'd also direct the examiner to the applicants response to relevant representations. And that's document rep one, Dash 0013. And it's relevant reps 17.2 17.3 and 5511. In those representations, there have been comments raised by interested parties with regards to impact on biodiversity, where the applicant has confirmed that the applicant will follow the required guidance relevant to such cases, one of those queries related to the provision of lightning for bots, and there's a guidance document referenced in that response as well. So so hopefully that answers your questions. If not, I'm happy to take follow questioning.

1:01:43

No, that does that. That's helpful. Thank you. Thank you very much. Thank you, sir. My next question just refers to temporary noise mitigation during construction. And I think if I remember rightly, there was comments made with regards to which point temporary noise mitigation would be installed. And I think there was a period of days. If construction went on over an excessive number of days, then that would justify temporary noise mitigation. And I just wanted to qualify and quantify the position with regards to that.

1:02:21

So yes, Michael fry for the applicant, can I introduce Mr. Dan Doherty to the inquiry at this point?

1:02:28

Good afternoon Dantos see on behalf of the applicant specialist in noise and vibration, and so, to answer your query construction noise has been assessed in accordance with dmrB la 111 construction noise constitutes a significant effect where certain duration thresholds are exceeded which I believe are 15 days in most simplistic way in the most simplistic threshold. So, that is one aspects that would be considered by the contractor within the Environmental Management Plan, which is document reference a PP 143 There are commitments relating to construction noise and one of those is for the contractor to develop a construction noise management plan and provide various means of mitigation to avoid significant environmental effects. Does that answer your question?

1:03:48

It does, I suppose, the you refer to sort of 15 days how why why 15 days in particular.

1:03:59

It dardo T on behalf of the applicant, this these date thresholds are specified in their guidance for for the assessment of construction noise, and our objective is to avoid significant effects defined in that way.

1:04:19

Okay, that's fine. Thank you very much. And then my final question is just to sort of seek some clarification on hours of work across the proposed development because and really, it probably goes back to that sort of disturbance in the temporary stuff in terms of from a construction point of view and weekend working and all that sort of stuff just so I can get a clearer understanding of what the suggestions are.

1:04:47

So Michael fry for the applicant, the construction hours, will take place between 07 119 100 hours on weekdays and 07 100 to 1900 hours. On Saturdays, and shall be minimised as far as practicable unless works outside these hours are unavoidable, the scheme contractor has to consult with the local authority before carrying out works outside these times, and agree appropriate methods of mitigation that account for the location of the works, hours work and expected duration. And this is set out sir at G one of the Riak the record of environmental actions and commitments, which is table 3.1. In the Environmental Management Plan, which you'll find it app 143. And compliance with the MP is secured by requirement for in the draft DCA. And also, sir, outside of that process, the stakeholder management manager for the scheme will keep any relevant local interests informed and updated of working out. Does that answer the question, sir?

1:06:00

He does. Thank you very much. That's helpful. Thank you. That answers everything that I wanted to deal with on the additional facts. And then like, like I said, it just leaves us with the issues of heritage and landscape and visual to pick up tomorrow. However, what I am conscious of is that not everybody may be available tomorrow. And I just wanted to make sure that there's no other issues that anybody who can't attend tomorrow wish to raise at this point. Okay, I'm not I'm not seeing any hands or anything raised. So what I'm going to suggest is that we reconvene at 10am Tomorrow morning to pick up to pick up like I say those items that that are identified as heritage, heritage and landscape and visual side of things. And then we can sort of take it forward from there from a procedural point of view and just checking. There's no need for the sort of formal arrangements conference that that you've added sort of every other, because this is just a continuation of the session, I think, but I will check my case team, the invites have all been sent out to everybody in advance of tomorrow being needed anyway. So I think but I'm in my case, the mayor will circulate those anyway, just forgot those

1:07:29

if I just may. They're just being sent out, maybe want to do a formal confirmation in the hearing before sending them.

1:07:34

Brilliant. Thank you very much. Mr. Hanson. That's excellent work. Thank you. So there should be with you. And I think it's a case of logging on about sort of 950 and then at my casting can then let you in. And then I will we can commence at 10 o'clock. So I just like to say thank you for your time and your input so far today. I appreciate a number of you hung around right towards the end to make your comments before we go on to relevant issues in bits and pieces. But thank you for your time. It's much appreciated and very helpful. So it is now 1718 and this issue specific hearing is adjourned until 10am tomorrow morning. So thank you and good evening. Thank you