

A1 in Northumberland: Morpeth to Ellingham

Scheme Number: TR010059

7.6C Statement of Common Ground with The Environment Agency

Rule 8 (1)(e)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure) Rules
2010**

**The A1 in Northumberland: Morpeth to
Ellingham**

Development Consent Order 20[xx]

**Statement of Common Ground with The
Environment Agency**

| | |
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1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1. This Statement of Common Ground (SoCG) relates to an application made by Highways England (the Applicant) on 7 July 2020 to the Secretary of State (SoS) for Transport via Planning Inspectorate (the Inspectorate) under the Planning Act 2008 (the 2008 Act) for a Development Consent Order (DCO). The application was accepted for examination by the Inspectorate on 4 August 2020.
- 1.1.2. If made, the DCO would grant consent for the A1 in Northumberland, Morpeth to Ellingham (the Scheme). The Scheme is formed of two parts as follows: A1 Morpeth to Felton (Part A) and A1 Alnwick to Ellingham (Part B). A detailed description of the Scheme can be found in Chapter 2: The Scheme of the Environmental Statement (ES) [APP-037].
- 1.1.3. This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Inspectorate website <https://infrastructure.planninginspectorate.gov.uk/projects/North%20East/A1-in-Northumberland---Morpeth-to-Ellingham/>
- 1.1.4. The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 PARTIES TO THIS STATEMENT OF COMMON GROUND

- 1.2.1. Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the SoS. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.2. The Environment Agency is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs with the stated purpose “to protect or enhance the environment, taken as a whole”. Within England it is responsible for, amongst other things: regulating major industry and waste; treatment of contaminated land; water quality and resources; fisheries; inland river, estuary and harbour navigations; conservation and ecology; and managing the risk of flooding from main rivers, reservoirs, estuaries and the sea.

1.3 TERMINOLOGY

- 1.3.1. In the tables in the Issues chapter of this SoCG, “Not Agreed” indicates a final position, and “Under discussion” where these points will be the subject of on-going discussion wherever

possible to resolve, or refine, the extent of disagreement between the parties. “Agreed” indicates where the issue has been resolved.

- 1.3.2. It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to the Environment Agency, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to the Environment Agency.

WITHOUT PREJUDICE

2 RECORD OF ENGAGEMENT

- 2.1.1. A summary of the meetings and correspondence that has taken place between Highways England and the Environment Agency in relation to the Application is outlined in Table 2-1.
- 2.1.2. This table has been split to reflect discussions held on Part A, Part B and the Scheme as a whole. This reflects the history of the Scheme. Part A and Part B were originally proposed to be the subject of separate applications for DCOs but were combined into the current single Scheme.
- 2.1.3. Engagement detailed within the separate sections for Part A and Part B relates to discussions held prior to the combination of the two parts of the Scheme in March 2020. All engagement following combination is detailed under the header for the Scheme.
- 2.1.4. Further meetings with the Environment Agency to progress this SoCG have been held on 11th and 19th March and 23rd and 29th April 2021. The most recent of these meetings between the Applicant and the Environment Agency took place 7th May 2021. This latest iteration of the Environment Agency SoCG is submitted to record the conclusions of this meeting and updates the previous version of the SoCG that was submitted at Deadline 6.

Table 2-1 - Record of Engagement for the Whole Scheme

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|------------------|--|---|
| 07 October 2020 | Telephone call with Environment Agency | <p>Key Topics</p> <p>Discussion of comments received in September 2020 following Environment Agency review of Part A draft Chapter 10 Road Drainage and the Water Environment appendices dated January 2020 (Appendix 10.1 Flood Risk Assessment, [APP-254] Appendix 10.2 Water Framework Directive Assessment, [APP-255] Appendix 10.3. Drainage Network Water Quality Assessment [APP-256] Appendix 10.4 Geomorphology Assessment) [APP-257].</p> <p>Discussion of proposed movement of River Coquet Bridge piers as part of Parameter 10 amendments.</p> <p>Discussion of approach to agreement of SoCG.</p> <p>Key Outcomes</p> <p>Method of assessing Parameter 10 amendments to be agreed.</p> <p>Summary of proposed works to watercourses and mitigation to be provided by Highways England to support future discussions.</p> <p>Lucy Mo (Environment Agency) to coordinate preparation of SoCG on behalf of Environment Agency.</p> |
| 27 November 2020 | Telephone call with Environment Agency | <p>Key Topics</p> <p>Discussion of proposed changes to DCO application with regards to land stabilisation works in River Coquet.</p> <p>Key Outcomes</p> <p>Timescales for assessments required to support proposed changes to DCO application discussed. Agreement that further consultation required.</p> |
| 07 December 2020 | Telephone call with Environment Agency and Natural England | <p>Key Topics</p> <p>Discussion of potential for changes to DCO application with regards to land stabilisation works in River Coquet.</p> <p>Key Outcomes</p> <p>Programme and scope for further assessment agreed with focus on potential impacts to SSSI, biodiversity and fluvial geomorphology.</p> |
| 10 December 2020 | Telephone call with Environment Agency | <p>Key Topics</p> <p>The Environment Agency's Relevant Representations for Geomorphology were discussed with the Environment Agency's Geomorphologist. A method for quantitative 2D geomorphological modelling was presented by Highways England, which would provide the certainty sought in the Relevant Representations.</p> <p>Key items discussed:</p> <ul style="list-style-type: none"> - Explanation of the proposed 2D modelling methodology using LiDAR; - Reasoning for not adjusting bed level of the LiDAR due to only having one cross-section, therefore any error in bed level would be systematic through the model; |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|------------------|--|--|
| | | <ul style="list-style-type: none"> - How the Applicant had accounted for varying bed roughness in the model – we discussed and agreed these values on the call; - Limitations of the approach; - Shared preliminary results showing shear stress for both baseline and the proposed scheme for the 2008 flood level; - Shared preliminary results of Froude for both baseline and proposed; - Agreed what flood return periods we would include within the model runs; - AL agreed that the preliminary results are showing no relative change. <p>Key Outcomes</p> <p>The Environment Agency’s Geomorphologist accepted the proposed methodological approach for demonstrating any relative change to geomorphological indicators and for addressing the Relevant Representations. The Environment Agency Geomorphologist stated that if the results show similar conclusions to those reported in the submitted reports, then it will provide him with the confidence he needs.</p> |
| 16 December 2020 | Telephone call with Environment Agency and Natural England | <p>Key Topics</p> <p>Discussion of potential for changes to the DCO application associated with proposed land stabilisation works and temporary bridge in the River Coquet.</p> <p>Key Outcomes</p> <p>The drivers, extent, nature and programme of proposed works were clarified along with further discussion of potential impacts, required mitigation and scope/approach of assessment of effects.</p> |
| 16 February 2021 | Skype Call between Andy Smith and Joanna Goodwin on behalf of the applicant and Lucy Mo of the EA. | <p>Key Topics</p> <p>Discussion in the EA’s view of the DCO application and the draft SoCG. Also, a discussion of the revisions to the Scheme that are being consulted on ahead of Deadline 4.</p> <p>Key Outcomes</p> <p>It was agreed that further meetings would be held 19th March and 23rd April 2021 to progress the SoCG.</p> |
| 11 March 2021 | Meeting between Andy Smith (WSP on behalf of the applicant) and the Environment Agency | <p>Key Topics</p> <p>Position of the parties in relation to the submitted documents.</p> <p>Key Outcomes</p> <p>The Environment Agency confirm that they are in agreement to the FRA and they have no comments on the Surface Water Drainage Strategy or the Drainage Network Water Quality Assessment as NCC are the responsible authority.</p> |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|---------------|---|---|
| | | <p>Key Topics Groundwater, Flood Risk, Biodiversity and WFDa</p> <p>Key Outcomes Clarity obtained between all parties as to the current position, with a request for clarity and further discussion on the impacted waterbodies. To be followed up with a meeting on 19th March 2021.</p> |
| 19 March 2021 | Meeting between Andy Smith (WSP on behalf of the applicant) and the Environment Agency | <p>Key Topics Definition of watercourses within submitted DCO documents.</p> <p>Key Outcomes Clarity obtained between all parties as to the current position, with a request for further discussion during follow up meetings.</p> <p>Key Topics Culvert design.</p> <p>Key Outcomes The Environment Agency have requested further justification regarding the depth of natural bed proposed for the culverts.</p> <p>Key Topics Watercourse loss mitigation and compensation.</p> <p>Key Outcomes Individual watercourses affected by the Proposed Scheme were considered including their current state, proposed changes, mitigation, Order limits and long-term ownership plans. The Environment Agency accept that design constraints and Order limits mean that there is minimal space to provide mitigation for loss of watercourse and further discussions are required to agree acceptable mitigation and compensation.</p> |
| 23 April 2021 | Meeting between Andy Smith (WSP on behalf of the applicant) and the Environment Agency. | <p>Key Topics Definition of watercourses within submitted DCO documents.</p> <p>Key Outcomes Clarity obtained between all parties as to the current position, with a request for further discussion during follow up meetings.</p> |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|---------------|---|---|
| | | <p>Key Topics The Environment Agency have asked for further details regarding the proposed mitigation / compensation for loss of watercourse and habitat.</p> <p>Key Outcomes The Environment Agency accept that design constraints and Order Limits mean that there is minimal space to provide mitigation for loss of watercourse and further discussions are required to agree acceptable mitigation and compensation. A financial contribution to local Environment Agency funded schemes in the immediate area was discussed.</p> <p>Key Topics The Environment Agency discussed the presence of otters, particularly in Part B, and the mitigation required to safeguard commuting routes.</p> <p>Key Outcomes Clarity obtained between all parties as to the current position, with a request for further discussion during follow up meetings. This matter was discussed during a meeting on 30 April 2021 (see below).</p> |
| 29 April 2021 | Meeting between Andy Smith (WSP on behalf of the applicant) and the Environment Agency. | <p>Key Topics The Environment Agency requested clarity between the Outline CEMP and the Culvert Mitigation Strategy.</p> <p>Key Outcomes Clarity obtained between all parties as to the role of each document. Environmental mitigation will be secured through the DCO process in the CEMP whereas the Culvert Mitigation Strategy is a summary document to aid discussions. The CEMP will be updated once all outstanding issues have been addressed and agreed with the Environment Agency.</p> <p>Key Topics The Environment Agency have been to site and have confirmed the presence of Otter along Shipperton Burn.</p> <p>Key Outcomes The Environment Agency are to share their information. Potential mitigation options will be investigated with a request for further discussion during follow up meetings.</p> <p>Key Topics The Environment Agency have asked for further information regarding culvert design including size, shape, depth of natural bed, mammal passage and fish passage.</p> |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|------------|--|--|
| | | <p>Key Outcomes Request for further discussion during follow up meetings.</p> <p>Key Topics The Environment Agency have asked for further details regarding the proposed mitigation / compensation for loss of watercourse and habitat.</p> <p>Key Outcomes The Environment Agency accept that design constraints and Order Limits mean that there is minimal space to provide mitigation for loss of watercourse and further discussions are required to agree acceptable mitigation and compensation. A financial contribution to Environment Agency funded schemes in the immediate area was discussed. In addition, plans to clarify where mitigation and compensation are proposed will be circulated and discussed during follow up meetings.</p> <p>The Applicant has received details from the Environment Agency regarding financial contributions to other schemes being delivered by the Environment Agency, outside of the DCO boundaries. These will be for discussion in a meeting on 7 May 2021, after Deadline 6.</p> |
| 30/04/2021 | Meeting between Andy Smith, Jack Fenwick and Kevin Stubbs (WSP on behalf of the Applicant) and the Environment Agency | <p>Key Topic The Environment Agency raised that during a recent site visit undertaken by the Environment Agency (week commencing 26 April 2021), evidence of otter adjacent to the study area for Part B (otter spraint along Shipperton Burn) was recorded.</p> <p>Key Outcome The Applicant is considering the findings and the potential need for fencing along Part B at key crossing locations. The Applicant is actively engaging with the Environment Agency on this matter and is making progress to seek a resolution. The matter is to be discussed further during a meeting scheduled for 18 May 2021.</p> |
| 07/05/21 | Meeting between Andy Smith and Kevin Stubbs (WSP on behalf of the applicant), Michael Greig, Henry Jeffreys and Howard Bassford (DLA on behalf of the Applicant) and the Environment Agency. | <p>Without prejudice meeting to discuss environmental mitigation</p> |

Table 2-2 - Record of Engagement for Part A Only

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|------------------|--|--|
| 09 January 2018 | Meeting with Environment Agency and Northumberland County Council as Lead Local Flood Authority (LLFA) | <p>Key Topics</p> <p>Discussion regarding approach to hydraulic modelling, climate change, permitting, assessment of embankments and design of watercourse crossings.</p> <p>Key Outcomes</p> <p>Methodology for Flood Risk Assessment (FRA) (including hydraulic modelling, assessment of embankments and design of watercourse crossings) and 25% climate change allowances agreed to be included in the hydrology. EA highlighted that permitting could be included in DCO application if appropriate level of detail provided or would be applied for as a separate application if detail not available.</p> |
| 19 January 2018 | Conference call with Environment Agency | <p>Key Topics</p> <p>Discussion regarding stakeholder requirements and to review the available WFD information and agree (in principle) the methodology, appropriate mitigation and management options during both construction and operation.</p> <p>Key Outcomes</p> <p>Methodology for Water Framework Directive (WFD) Assessment (including HAWRAT) agreed – no further action required.</p> <p>Potential mitigation and management options would need to be developed further during the assessment. The Northumberland Rivers Trust and wider catchment projects were discussed.</p> |
| 06 February 2018 | Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist) | <p>Key Topics</p> <p>Initial email from Highways England to Environment Agency to discuss ecological matters in relation to the proposed A1 Morpeth to Felton Scheme (i.e. Part A).</p> <p>Key Outcomes</p> <p>Request for confirmation of the appropriate person within the Environment Agency with which to engage about ecological matters in relation to Part A. A meeting was arranged for 06 March 2018 (as detailed below).</p> |
| 03 March 2018 | Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist) | <p>Key Topics</p> <p>Prior to the meeting scheduled for 06 March 2018 (See below), Highways England issued a document to the Environment Agency with an overview of the aquatic and riparian mammal surveys that had been undertaken to date and a summary of their findings (Appendix A). In addition, figures extracted from the baseline reports were also provided for reference.</p> <p>Key Outcomes</p> <p>The contents of the document were discussed during the meeting on 06 March 2018 (detailed below).</p> |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|---------------|---|---|
| 06 March 2018 | Meeting between Highways England and the Environment Agency (Heather Harrison, Northumberland Catchment Coordinator; Sarah Beeson, Biodiversity Officer; and Robbie Stevenson, Fisheries Officer) | <p>Key Topics</p> <p>A preliminary meeting between Highways England and the Environment Agency to discuss ecological matters. Following the issue of the aquatic and riparian mammal survey summary document (issued by Highways England on 03 March 2018 (see above), Highways England requested feedback on the information provided.</p> <p>In addition, the following matters were discussed during the meeting: water quality, culverts, biosecurity, water vole and otter, River Coquet and the Water Frameworks Directive (WFD) Assessment.</p> <p>Key Outcomes</p> <p><i>Aquatics and Riparian Mammal Surveys</i></p> <p>The Environment Agency confirmed that the survey effort was suitable, and they did not have any significant issues with the survey work completed. Highways England explained that due to access, aquatics surveys could not be undertaken upstream of the location where Part A crosses the River Lyne and Floodgate Burn. The Environment Agency agreed that this was not a significant issue. Highways England confirmed that they intended to extrapolate the data recorded elsewhere along these watercourses to inform the impact assessment.</p> <p><i>Water Quality</i></p> <p>It was agreed by both parties that the potentially most significant impact from Part A is likely to be water quality, both from direct impacts to watercourses and also from run-off. The Environment Agency stated that of particular importance are Longdike Burn and the River Lyne, which are both designated as WFD classification rivers.</p> <p>The Environment Agency explained that there are existing/proposed works to improve the condition of the River Lyne, however, there have been significant impacts from run-off and modification (not related to the Scheme) that have decreased the value of the water courses. The Environment Agency confirmed that the current state of the watercourse is considered to be the “new norm”. The Environment Agency confirmed that two previous projects along the River Lyne aimed to improve eel and fish passage and deal with rural diffuse. The Environment Agency confirmed that these issues are considered key with regard to the River Lyne.</p> <p>The Environment Agency stated that mitigation and compensation for the Scheme should ensure that there is no impact/deterioration to the current status of each waterbody, and that tributaries should be considered when determining impacts to the three WFD designated watercourses (River Coquet, Longdike Burn and River Lyne).</p> <p>The Environment Agency raised it would be preferable to see the creation of water habitats, designed for use by both water vole and fish. Highways England confirm that current proposals include the creation of “drainage ponds” and, depending on the structural design, these could be created in a way to benefit wildlife as well as performing a hydrological function. The Environment Agency highlighted that any water habitats created for fish should consider avoiding entrapment of fish and would therefore require connectivity to the surrounding flowing watercourses.</p> <p><i>Culverts</i></p> <p>The Environment Agency explained that their preference would be to use softer engineering approaches to culverts (such as bridges). Should culverts be implemented, they should be designed to maintain fish pass by considering the depth of water along the length of the culvert. The need for features to assist passage (such as baffles) should also be considered.</p> |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|---------------|--|---|
| | | <p>Highways England raised the possibility of replacing existing culverts along the Scheme with soft infrastructure alternatives, although Highways England highlighted that this would be above the scope of the Scheme.</p> <p><i>Biosecurity</i></p> <p>Highways England commented that the extended Phase 1 habitat survey for Part A recorded Japanese knotweed, New Zealand pygmyweed and curly waterweed (invasive non-native species) within the surveyed area. The Environment Agency raised that a Biosecurity Plan would be required to address the potential risk to spreading floral invasive non-native species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) and that this should also be extended to fauna (American mink and signal crayfish (both recorded during baseline surveys)). Highways England confirmed that any biosecurity requirements would be addressed within the Environmental Impact Assessment (EIA) and appropriate mitigation developed.</p> <p><i>Water Vole and Otter</i></p> <p>The Environment Agency highlighted that the field records for water vole within the survey area for Part A were surprising and interesting. Anecdotally, water vole have been considered by some as absent from Northumberland. Highways England confirmed that an updated water vole and otter report was expected, which may provide clarity or information regarding the distribution of water vole and activity of a burrow recorded along Londike Burn.</p> <p>Highways England confirmed that a potential otter hold was recorded on the River Coquet, which would be lost to the construction of the new bridge for Part A. Highways England confirmed that information was not available at the time to confirm if the potential holt was active and therefore, if required, the impact assessment would assume the hold was active and devise mitigation accordingly.</p> <p><i>River Coquet</i></p> <p>Highways England confirmed that the design of the new bridge over the River Coquet (at the time of the survey) avoided entering the watercourse, with piers located parallel with those of the existing bridge. As such, no impacts to fish passage were predicted as a result of obstruction.</p> <p>Highways England explained that given the known sensitivity and importance of fish species within the River Coquet, the assumed presence of migratory species passing through the study area to reach spawning grounds (based on desk study record) and the large size of the Coquet within the study area, it was deemed unnecessary to undertake a fish survey of this watercourse. The Environment Agency confirmed that as whilst baseline surveys did not record fish within the River Coquet (with the exception of an incidental juvenile salmon record during the crayfish survey), as targeted surveys were not undertaken, the impact assessment should operate under the assumption that priority species (such as salmon) are present. Highways England agreed with this approach.</p> <p><i>WFD Assessment</i></p> <p>Highways England requested if there were any specific requirements for inclusion in a WFD assessment that would be highlighted by the Environment Agency. The Agency confirmed that information had previously been supplied to Highways England's technical specialist undertaking the WFD assessment.</p> |
| 09 March 2018 | Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist) | <p>Key Topics</p> <p>Submission of meeting minutes following meeting with Environment Agency 06 March 2018.</p> |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|---------------|--|---|
| | | <p>Key Outcomes Submission of meeting minutes to Environment Agency capturing discussions at meeting.</p> |
| 07 April 2018 | Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist) | <p>Key Topics Confirmation from Environment Agency of accuracy and agreement to submitted meeting minutes from 06 March 2018.</p> <p>Key Outcomes No outcomes – request for confirmation of acceptance of meeting minutes by Environment Agency only.</p> |
| 23 May 2018 | Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist) | <p>Key Topics Request for comment on proposed culvert design and mitigation.</p> <p>Key Outcomes Request for discussion and Environment Agency’s position on requirements for mitigation at all culverts or those only with confirmed presence of fish/otter/water vole.</p> |
| 14 June 2018 | Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist) | <p>Key Topics Request for confirmation of Highways England’s understanding of Environment Agency position on need for culvert mitigation.</p> <p>Key Outcomes Request for confirmation from the Environment Agency that all culverts will need to consider mitigation to facilitate fish and mammal passage, not just those where presence has been previously recorded.</p> |
| 14 June 2018 | Email from Environment Agency (Lucy Mo, Planning Technical Specialist) to Highways England | <p>Key Topics Confirmation of Environment Agency’s stance on mitigation requirements with regards culverts</p> <p>Key Outcomes Confirmation of the Environment Agency’s stance on the need for mitigation to be considered for all culverts irrespective of the absence of evidence of fish passage or mammals. Advice taken into account in design of Part A. Mammal ledges have been incorporated into the design of culverts where possible, subject to topography and design constraints, to provide safe passage for mammals beneath Part A. Culverts of Part A have been designed where possible, subject to flow rates and topography/design constraints. to include natural beds and maintain and assist fish passage. The existing wooden baffles of a culvert along Longdike Burn would be replaced with more durable and long-lasting material to improve the long-term function of this feature. Further, baffles would be retrospectively installed within the existing culvert beneath the existing A1 along the River Lyne, to provide an improvement to current conditions.</p> |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|-------------------|--|---|
| 05 September 2018 | Meeting with Environment Agency and Northumberland County Council as LLFA | <p>Key Topics Review of Part A's proposals and proposed mitigation with regard to maintaining hydraulic connectivity, consideration of fish passage requirements where appropriate, natural beds where appropriate, SuDS ponds and habitat loss .</p> <p>Key Outcomes Environment Agency familiar with Part A proposals and proposed strategy for mitigation agreed in principal, no further action required. Environment Agency confirmed that trash screens would not be required on any proposed culverts.</p> |
| 01 November 2018 | Meeting with Environment Agency | <p>Key Topics Discussion regarding Part A's proposals for the new River Coquet bridge crossing in regard to flood risk and geomorphological assessments.</p> <p>Key Outcomes Potential assessment methodologies for flood risk and geomorphological assessments to be considered further and reviewed in subsequent meetings. Environment Agency confirmed that hydraulic modelling would not be required for the permanent works scenario based on the proposed new piers being aligned with the existing piers.</p> |
| 30 November 2018 | Email from Highways England to Environment Agency (Heather Harrison, Northumberland Catchment Coordinator) | <p>Key Topics Request from Highways England to Environment Agency to advise of any projects/schemes proposed for improvement/enhancement of watercourses</p> <p>Key Outcomes Request for information regarding any known projects/schemes where improvement/enhancement of watercourses is proposed that could be considered by Highways England for compensation purposes owing to a net loss of watercourse resulting from Part A</p> |
| 05 December 2018 | Call held between Environment Agency and Highways England | <p>Key Topics Call to discuss mitigation options and potential for net loss of watercourse habitat as a result of Part A.</p> <p>Key Outcomes Production of meeting minutes capturing meeting discussions and clarity received of the Environment Agency's position on mitigation requirements to address likely net loss of watercourse. The Environment Agency stated that mitigation and compensation for Part A should ensure that there is no impact/deterioration to the current status of each waterbody, and that tributaries should be considered when determining impacts to the three WFD designated watercourses (River Coquet, Longdike Burn and River Lyne)."</p> |
| 05 December 2018 | Email from Environment Agency (Heather Harrison, Northumberland | <p>Key Topics Response to request for information regarding projects/schemes that could be consideration for compensation for loss of watercourse.</p> |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|------------------|--|--|
| | Catchment Co-ordinator) to Highways England | <p>Key Outcomes</p> <p>Information provided by the Environment Agency about current projects/schemes the Environment Agency is aware of or actively working on. The information was taken into consideration as part of the proposed mitigation and compensation strategy for Part A, but not taken forward owing to the mitigation designed into Part A.</p> |
| 19 December 2018 | Meeting with Environment Agency | <p>Key Topics</p> <p>Further discussion of the flood risk and geomorphological assessment requirements for the new River Coquet bridge crossing.</p> <p>Key Outcomes</p> <p>Assessment methodology agreed in principal – no further action required.</p> |
| 14 January 2019 | Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist) | <p>Key Topics</p> <p>Request for Environment Agency's advice in relation to need for a Permit to facilitate investigative survey of River Coquet Bridge.</p> <p>Key Outcomes</p> <p>Request for the Environment Agency to provide advice as the requirement for a Permit to allow investigative works on the River Coquet Bridge.</p> |
| 18 January 2019 | Email from Environment Agency (Lucy Mo, Planning Technical Specialist) to Highways England | <p>Key Topics</p> <p>Confirmation of requirement for Permit in advance of investigative survey works on River Coquet Bridge</p> <p>Key Outcomes</p> <p>The Environment Agency confirmed there would be a requirement to obtain a permit in advance of undertaking investigative survey works on the River Coquet Bridge. The Environment Agency additionally advised the potential requirement for a Flood Risk Activity Permit (FRAP). However, the Environment Agency requested additional information to be able to confirm any such requirement.</p> |
| 25 January 2019 | Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist) | <p>Key Topics</p> <p>Submission of a draft specification document to the Environment Agency detailing information of the proposed structure investigation works proposed to the River Coquet Bridge.</p> <p>Key Outcomes</p> <p>Request for the Environment Agency to confirm whether the information contained within the specification document and associated figures to allow them to determine the need for permits to allow works, confirming the type of permits required.</p> |

| Date | Form of correspondence | Key Topics Discussed and Key Outcomes |
|------------------|--|--|
| 19 February 2019 | Email from Environment Agency (Lucy Mo, Planning Technical Specialist) to Highways England | <p>Key Topics</p> <p>Confirmation from Environment Agency of requirement for a Flood Risk Activity Permit in advance of bridge investigation works</p> <p>Key Outcomes</p> <p>Flood Risk Activity Permit advice taken into account and programming of investigative survey works of River Coquet bridge.</p> |

Table 2-3 - Record of Engagement for Part B Only

| Date | Form of Correspondence | Key Topics Discussed and Key Outcomes |
|-----------------|--|--|
| 1 November 2018 | Environment Agency and Northumberland County Council as LLFA | <p>Key Topics</p> <p>Discussion regarding stakeholder requirements and to review the available flood information and agree (in principle) appropriate mitigation and management options during construction and operation. Methodology for the FRA and WFD (including hydromorphological assessment) was discussed and it was agreed that consultation regarding the surface water drainage strategy would be through Northumberland County Council as LLFA.</p> <p>Key Outcomes</p> <p>Methodology for FRA including hydraulic modelling approach and WFD Assessment (including HAWRAT) agreed – no further action required.</p> <p>Agreement on climate change allowance of 25% to be used in the hydrology.</p> |
| 09 January 2019 | Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist) | <p>Key Topics</p> <p>Initial contact with Environment Agency to present the Alnwick to Ellingham scheme (i.e. Part B) with a link to the Scoping Report and request for a meeting/call to discuss Part B.</p> <p>Key Outcomes</p> <p>Request for meeting/call to discuss Part B and any concerns Environment Agency may have over impacts to water environments and impacts to fish and aquatic fauna.</p> |
| 10 January 2019 | Call from Environment Agency (Lucy Mo, Planning Technical Specialist) to Highways England | <p>Key Topics</p> <p>Call discussing Part B, with Environment Agency pointing Highways England in the direction of the Environment Agency's scoping response.</p> <p>Key Outcomes</p> <p>The Environment Agency directed Highways England to their response to the Scoping Report, which captures key considerations. Details of the EA's response to the Scoping Report were considered through development of the Scheme, the approach to surveys, assessment and mitigation.</p> |

| Date | Form of Correspondence | Key Topics Discussed and Key Outcomes |
|------------------|---|--|
| 28 February 2019 | Email from Environment Agency (Morton Heddell-Cowie, Fisheries Technical Officer) to Highways England | <p>Key Topics</p> <p>Information regarding appropriate electric fishing survey window from the Environment Agency.</p> <p>Key Outcomes</p> <p>Information regarding timing of surveys taken into consideration in programming of electric fishing surveys and submission of application for Section 27A fishing/trapping authorisation.</p> |
| 28 February 2019 | Email from Environment Agency (Morton Heddell-Cowie, Fisheries Technical Officer) to Highways England | <p>Key Topics</p> <p>Clarification from Environment Agency over permit for crayfish survey.</p> <p>Key Outcomes</p> <p>Recommendations from Environment Agency taken into account in aquatic ecology survey programming.</p> |
| 05 March 2019 | Email from Environment Agency (Morton Heddell-Cowie, Fisheries Technical Officer) to Highways England | <p>Key Topics</p> <p>Email declining request to undertake electric fishing along the Shipperton Burn due to survey window being requested sitting outwith the Environment Agency's preferred fish survey window.</p> <p>Key Outcomes</p> <p>Highways England sought clarity as to the Environment Agency's position in an email dated 06 March 2019.</p> |
| 05 March 2019 | Email from Environment Agency (Morton Heddell-Cowie, Fisheries Technical Officer) to Highways England | <p>Key Topics</p> <p>Response to Highways England from the Environment Agency clarifying position on use of electric fishing and timing of surveys.</p> <p>Key Outcomes</p> <p>Recommendations from Environment Agency taken into account in aquatic ecology survey programming.</p> |
| 06 March 2019 | Email from Highways England to Environment Agency (Neil Winter, Fish Movements Team Leader) | <p>Key Topics</p> <p>Email to Environment Agency seeking clarity regarding differences in the advice provided with regard to the acceptance of electric fish survey timings.</p> <p>Key Outcomes</p> <p>Request for clarity and discussion as to the variation in advice provided with regards electric fishing survey timing restrictions when compared to other schemes.</p> |
| 02 April 2019 | Email from Environment Agency (Morton Heddell-Cowie, Fisheries | <p>Key Topics</p> <p>Email from Environment Agency providing justifications for advice surrounding electric fishing surveys and confirmation of survey window</p> |

| Date | Form of Correspondence | Key Topics Discussed and Key Outcomes |
|---------------|---|---|
| | Technical Officer) to Highways England | <p>Key Outcomes</p> <p>Electric fishing surveys were programmed to take into account the Environment Agency's advice regarding the timing of the surveys. Subsequent issue of an application for Section 27A fishing/trapping authorisation.</p> |
| 15 April 2019 | Email from Environment Agency to Highways England | <p>Key Topics</p> <p>Confirmation of receipt of application for a Section 27A fishing/trapping authorisation.</p> <p>Key Outcomes</p> <p>No outcome – confirmation email acknowledging receipt of application.</p> |
| 16 April 2019 | Email from Environment Agency to Highways England | <p>Key Topics</p> <p>Receipt of Equipment Permit.</p> <p>Key Outcomes</p> <p>No outcome – receipt of Equipment Permit attached to email for electric fishing on Shipperton Burn.</p> |

2.1.5. It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) the Applicant and (2) the Environment Agency in relation to the issues addressed in this SoCG.

3 ISSUES

Table 3-1 – Issues Related to the Whole Scheme

| Item | Document | Environment Agency | Highways England Response | Status | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|---|---------------|----------------------------------|---|---------------|--|--|-----------------------------------|-----|---------|---------------------------------|--------|---------|--|---------------------------------------|---------|--|-----|----------|---------------|--|--|--|--------|---------|------------------------------------|-------|---------|-------------------|
| 1 | Culvert Mitigation Strategy - Rev 0 [REP1-066] and Rev 1 [REP5-022] | <p>The Environment Agency agree that affected watercourses cannot be directly replaced with new watercourses as a source of water is required, which is not practical as part of the Scheme.</p> <p>The Environment Agency agree that the Applicant has maximised compensation that is provided within the DCO boundaries, in terms of offsetting the loss of watercourse as a result of the Scheme, however, the Environment Agency considered that for both parts additional mitigation / compensation / offsetting is required for the impacts on the watercourses caused by the Scheme.</p> <p>The Environment Agency require further information on the need for all measures proposed on the Longdyke Burn, in relation to the value they will add in relation to the current condition of the watercourse.</p> <p>The Environment Agency consider that the Scheme should also be seeking to compensate for the impacts caused by the existing structures.</p> <p>The Environment Agency consider that additional depths of natural bed should be provided within the culverts and are considering their position on fish passage requirements.</p> | <p>The Applicant considers that the loss of watercourses as a result of the Scheme is minimal in Water Framework Directive terms when the nature of the watercourses (in terms of permanent flows, magnitude of the Q₉₅ flows, location in the very upper reaches of the catchment) is considered.</p> <p>The information on a watercourse by watercourse basis is summarised within the Culvert Mitigation Strategy [REP5-022] and fully detailed within the WFDa [APP-255 and APP-312]. This has been combined with the lengths of water channels within each catchment (as detailed on the OS 1:10,000 mapping for the smaller water channels and the OS Open Rivers dataset for the larger rivers) to demonstrate that the Scheme will have the following negligible impacts on the WFD designated water bodies:</p> <table border="1"> <thead> <tr> <th>WFD Catchment</th> <th>Total Increase in Culvert Length</th> <th>Total length of watercourse in designated WFD catchment</th> </tr> </thead> <tbody> <tr> <td colspan="3"><i>Part A</i></td> </tr> <tr> <td>Wansbeck from Font to Bothal Burn</td> <td>13m</td> <td>35,700m</td> </tr> <tr> <td>Lyne from Source to Tidal Limit</td> <td>231.5m</td> <td>93,700m</td> </tr> <tr> <td>Longdike Burn catchment (trib of coquet)</td> <td>79.2m plus additional 34.2m of bridge</td> <td>63,800m</td> </tr> <tr> <td>Coquet from forest burn to tidal limit</td> <td>20m</td> <td>120,800m</td> </tr> <tr> <td colspan="3"><i>Part B</i></td> </tr> <tr> <td>Aln from Edlingham Burn to Tidal Limit</td> <td>77.85m</td> <td>71,400m</td> </tr> <tr> <td>Embleton Burn form Source to N Sea</td> <td>92.3m</td> <td>29,400m</td> </tr> </tbody> </table> | WFD Catchment | Total Increase in Culvert Length | Total length of watercourse in designated WFD catchment | <i>Part A</i> | | | Wansbeck from Font to Bothal Burn | 13m | 35,700m | Lyne from Source to Tidal Limit | 231.5m | 93,700m | Longdike Burn catchment (trib of coquet) | 79.2m plus additional 34.2m of bridge | 63,800m | Coquet from forest burn to tidal limit | 20m | 120,800m | <i>Part B</i> | | | Aln from Edlingham Burn to Tidal Limit | 77.85m | 71,400m | Embleton Burn form Source to N Sea | 92.3m | 29,400m | Under discussion. |
| WFD Catchment | Total Increase in Culvert Length | Total length of watercourse in designated WFD catchment | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Part A</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Wansbeck from Font to Bothal Burn | 13m | 35,700m | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lyne from Source to Tidal Limit | 231.5m | 93,700m | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Longdike Burn catchment (trib of coquet) | 79.2m plus additional 34.2m of bridge | 63,800m | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Coquet from forest burn to tidal limit | 20m | 120,800m | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>Part B</i> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Aln from Edlingham Burn to Tidal Limit | 77.85m | 71,400m | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Embleton Burn form Source to N Sea | 92.3m | 29,400m | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| Item | Document | Environment Agency | Highways England Response | | Status | |
|---|----------|--------------------|--|--------|---------|--|
| | | | Brunton burn from Source to N Sea | 27.65m | 31,400m | |
| <p>The Applicant agrees with the Environment Agency that the loss of watercourses cannot be directly replaced with new watercourses as a source of water is required, which is not practical as part of the Scheme.</p> | | | | | | |
| <p>The Applicant considers that it has incorporated appropriate measures to compensate / mitigate / offset the loss of watercourses as a result of the Scheme, these include, natural beds in culverts (although giving due consideration to the importance of the incorporation of these against, watercourse disruption during construction, embodied carbon and presence of species which would benefit from a natural bed), riparian planting, fish baffles and channel enhancement this is detailed within the Culvert Mitigation Strategy [REP5-022]. Furthermore, the Applicant has previously agreed the approach and design of the culverts with the Environment Agency for Part A1 this was on 09/01/18, during which the Environment Agency agreed with the design approach of using the CIRIA Culvert Design and Operation Guide (C689). A further meeting was held with the Environment Agency on 05/09/18 during which details on the proposed bed levels and fish passage were discussed and agreed.</p> | | | | | | |
| <p>The Applicant considers that the impacts of culverting are relatively minor, with the impacts extremely localised and do not need to be compensated for. Especially as the Applicant considers that the Scheme will not cause a deterioration in the overall waterbody status for any waterbody, nor will it prevent the designated waterbodies from achieving their WFD objectives or be required to offset the loss of habitats.</p> | | | | | | |
| <p>The Applicant considers that the Environment Agency's view that the existing operational infrastructure comprised in the A1 trunk road should be mitigated for is not correct, as there is no loss of watercourse associated with the presence of the existing as a result of the Scheme.</p> | | | | | | |
| <p>The Environment Agency have proposed that the culverting and loss of watercourses as a result of the Scheme are offset / compensated for by a financial contribution to other schemes being delivered by the</p> | | | | | | |

| Item | Document | Environment Agency | Highways England Response | Status |
|------|---|--|--|-------------------|
| | | | Environment Agency outside of the DCO boundaries. This has yet to be agreed. | |
| 2 | Flood Risk Addendum - Rev 0 [REP1-067] | The Environment Agency confirm that they agree with the content of the Flood Risk Addendum Rev 0 [REP1-067] on Table in Section 2 – 11th March 2021. | Agreed. | Agreed. |
| 3 | Biodiversity No Net Loss Assessment for the Scheme [REP2-009] | The Environment Agency commented that there appears to be a heavy reliance on the planting of woodland as mitigation or compensation for the loss of watercourse. The Environment Agency have stated that they “would welcome a package of works that would provide meaningful compensation for the loss of watercourses”. | The Scheme will result in the overall loss of 289m of watercourse (running water). This was discussed with the Environment Agency during a meeting on 19/03/2021. | Under discussion. |
| 4 | Annex A - Approach to the Assessment of Losses and Gains of Watercourses [REP2-010] | The Environment Agency agree that affected watercourses cannot be directly replaced with new watercourses as a source of water is required, which is not practical as part of the Scheme. | <p>The Applicant agrees with the Environment Agency that affected watercourses cannot be directly replaced with new watercourses as a source of water is required, which is not practical as part of the Scheme.</p> <p>The Applicant has submitted a range of measures which are considered to be suitable to mitigate and/or offset the impacts of the Scheme with regard to loss of watercourse channel.</p> <p>These measures collectively form the package of compensatory works and include riparian woodland planting, design of realigned watercourse channels (138m, Part A) to be better (in terms of environmental condition and biodiversity value) than that lost, retrospective installation of fish baffles on the existing culvert of the River Lyne (Part A), replacement of the wooden baffles within an existing culvert of Longdike Burn (Part A) to increase the life span of this feature and improvements to the 850m of Longdike Burn that falls within the Order limits.</p> <p>In addition to measures currently proposed, the Applicant is exploring opportunities to improve lengths of other existing watercourses that fall within the Order limits to further compensate for the loss of watercourse channel. This may involve the re-naturalising and re-meandering of historically heavily modified and straightened channels.</p> <p>The Environment Agency have proposed that these impacts on the watercourses as a result of the Scheme are offset / compensated for by a financial contribution to other schemes being delivered by the Environment Agency outside of the DCO boundaries. This has yet to be agreed.</p> | |

| Item | Document | Environment Agency | Highways England Response | Status |
|------|--|--|---------------------------|-------------------|
| 5 | Environmental Impact Assessment - Flood Risk Outside Order Limits [REP3-007] | The Environment Agency confirm that they agree with the content of the Flood Risk Outside Order Limits [REP3-007] on Table in Section 2 – 11th March 2021 – Meeting. | Agreed. | Agreed. |
| 6 | Environmental Impact Assessment - Surface Water Outfall Strategy [REP3-011] | The Environment Agency confirm that they have no comments on the content of the Environmental Impact Assessment - Surface Water Outfall Strategy [REP3-011] on Table in Section 2 – 11th March 2021 - Meeting. | Agreed. | Agreed. |
| 7 | Outline Construction Environmental Management Plan – Rev 2 [REP3-013] | Under discussion. | Under discussion. | Under discussion. |

Table 3-2 - Issues Related to Part A Only

| Item | Document | Environment Agency | Highways England Response | Status |
|------|--|---|---|-------------------|
| 1 | Appendix 10.2 Water Framework Directive Assessment Part A [APP-255] | The Environment Agency agree that the Culvert Mitigation Strategy [REP5-022] as outlined in Item 1 of Table 3-1 provides a summary of the elements under discussion as part of the WFDa. Therefore, the aspects under discussion are the same as Item 1 of Table 3-1. | The Applicant considers that the outstanding elements are as detailed in the Culvert Mitigation Summary, which is a summary of the WFDa as Item 1 in Table 3-2. | Under discussion. |
| 2 | Chapter 10: Road Drainage and the Water Environment Part A [APP-050] | The Environment Agency confirmed that trash screens would not be required on any proposed culverts during the meeting on the 05/09/2018. The Environment Agency agree that Flood Risk, Surface Water Drainage and Water Quality aspects are agreed. The only aspects which remain under discussion are those related to the WFDa as per the Environment Agency's letters remain under discussion, as outlined in Item 1 in Table 3-1. | | Under discussion. |
| 3 | Chapter 11: Geology and Soils Part A [APP-052] | The Environment Agency confirm that they agree with the content of Chapter 11: Geology and Soils Part A [APP-052]. | Agreed. | Agreed. |
| 4 | Appendix 9.20 Biodiversity No Net Loss Report Part A [APP-246] | The Environment Agency agree that Appendix 9.20 Biodiversity No Net Loss Report Part A [APP-246] has been superseded by Biodiversity No Net Loss Assessment for the Scheme [REP2-009] detailed in Table 3.1. | Agreed. | Agreed. |

| Item | Document | Environment Agency | Highways England Response | Status |
|------|---|--|---------------------------|---------|
| 5 | Appendix 10.1 Flood Risk Assessment Part A [APP-254] | The Environment Agency confirm that they agree with the content of the Flood Risk Assessment Part A [REP-254] on Table in Section 2 – 11th March 2021 – Meeting. | Agreed. | Agreed. |
| 6 | Appendix 10.3: Drainage Network Water Quality Assessment - Part A [APP-256] | The Environment Agency confirm that they have no comments on the content of the Drainage Network Water Quality Assessment - Part A [REP-256] on Table in Section 2 – 11th March 2021 - Meeting). | Agreed. | Agreed. |
| 7 | Appendix 10.4: Part A Geomorphology Assessment – River Coquet [APP-257] | The Environment Agency confirm that they agree with the content of Appendix 10.4: Part A Geomorphology Assessment – River Coquet [APP-257] on Table in Section 2 – 12th March 2021 – Letter to Planning Inspectorate REP4-076. | Agreed. | Agreed. |
| 8 | Appendix 10.5: Drainage Strategy Report – Part A [APP-258] | The Environment Agency confirm that they have no comments on the content of the Drainage Strategy Report – Part A [REP-258] on Table in Section 2 – 11th March 2021 - Meeting (Minutes to follow). | Agreed. | Agreed. |
| 9 | Appendix 10.6: Road Drainage and the Water Environment DMRB Sensitivity Test Part A [APP-259] | The Environment Agency confirm that they agree with the content of Appendix 10.5: Road Drainage and the Water Environment DMRB Sensitivity Test Part B [APP-259]. | Agreed. | Agreed. |
| 10 | Appendix 10.7 Geomorphology Assessment – River Coquet Parameter 10 Part A [App-260] | Agreed. | Agreed. | Agreed. |
| 11 | Environment Agency Meeting Minutes Geomorphology - Rev 0 [REP1-069] | Agreed. | Agreed. | Agreed. |
| 12 | Environmental Impact Assessment - River Coquet Geomorphology Modelling Assessment [REP3-009] | Agreed. | Agreed. | Agreed. |

Table 3-3 - Issues Related to Part B Only

| Item | ES Chapter | Environment Agency | Highways England Response | Status |
|------|--|--|---|--|
| 1 | Chapter 9: Biodiversity Part B [APP-049] | <p>The Environment Agency disagree with the conclusion that otters are “likely absent” due to the presence of historic records of otter within 2km of Part B, including otter deaths on the A1. The Environment Agency hold data that contains 3 records of otter within 2km of Part B from the last 10 years (2015, 2016 and 2017).</p> <p>The Environment Agency also disagree with the statement “<i>the assessment considered those records within the last 10 years, as earlier records may not be relevant to the current ecological baseline.</i>”</p> <p>The Environment Agency consider otter widespread in Northumberland and, following Issue Specific Hearing 3, the Environment Agency completed a site visit (week commencing 26 April 2021) and recorded evidence of otter (spraint) along Shipperton Burn.</p> <p>The Environment Agency agree that the otter surveys were completed in line with relevant standard guidelines (including method). The Environment Agency do not disagree with the search area used for the desk study (2km) in relation to otter records.</p> | <p>The most recent record of otter from the Applicant’s desk study (within 2km and from the last 10 years) dates back to 2015 approximately 1km to the east of the A1 carriageway. The most recent road casualty of otter within the Order limits dates back to 2011. The records from 2016 and 2017 for Part B referred to by the Environment Agency were not present within the Applicant’s data set. However, following further discussion with the Environment Agency, the Applicant acknowledges the two otter records from 2016 and 2017, which are located approximately 2km from Part B.</p> <p>When interpreting desk study records, which represent historic records, it is correct and necessary “<i>to give specific consideration to the age and likely validity of any records</i>” (as detailed in paragraph 7.5, CIEEM Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK). The consideration of records of otter from within the previous 10 years is considered proportionate for the Scheme and assessment of impacts to otter.</p> <p>The review of desk study records was also used to aid in the justification for practical field survey which is the primary avenue on which impact assessment is based. As detailed in paragraph 2.6 of CIEEM’s Guidelines for Preliminary Ecological Appraisal, desk study data “<i>may include historical records, which need to be considered in the light of more up-to-date information.</i>” Otter surveys for Part B were undertaken along watercourses spanning either side of the existing A1 carriageway in 2016, 2017, 2018 and 2019, with no evidence of otter activity or presence recorded along any watercourses or riparian habitat within the Survey Areas. In light of historical records of otter, on the basis of the survey results spanning four years, the conclusion that otters are likely absent from within the Order limits and Survey Area remains accurate and appropriate.</p> <p>Following the evidence of otter along Shipperton Burn provided by the Environment Agency, the Applicant is considering this and the potential need for fencing along Part B at four key crossing locations. The Applicant is actively engaging with the Environment Agency on this matter and is making progress to seek a resolution.</p> <p>Agreed</p> | <p>Under discussion.</p> <p>Agreed</p> |

| Item | ES Chapter | Environment Agency | Highways England Response | Status |
|------|---|---|--|-------------------|
| 2 | Appendix 10.2: Water Framework Directive Assessment - Part B [APP-312] | The Environment Agency agree that the Culvert Mitigation Strategy [REP5-022] as outlined in Item 1 of Table 3-1 provides a summary of the elements under discussion as part of the WFDa. Therefore the aspects under discussion are the same as Item 1 of Table 3-1. | The Applicant considers that the outstanding elements are as detailed in the Culvert Mitigation Summary [REP5-022], which is a summary of the WFDa as Item 1 in Table 3-2. Agreed | Under discussion. |
| 3 | Chapter 10: Road Drainage and the Water Environment Part B [APP-051] | The Environment Agency confirmed that trash screens would not be required on any proposed culverts during the meeting on the 05/09/2018. The Environment Agency agree that Flood Risk, Surface Water Drainage and Water Quality aspects are agreed. WFDa related aspects as per the Environment Agency's letters remain under discussion. As outlined in Item 1 in Table 3-1. | | Under discussion. |
| 4 | Chapter 11 Geology and Soils Part B [APP-053] | The Environment Agency confirm that they agree with the content of Chapter 11 Geology and Soils Part B [APP-053] | Agreed. | Agreed. |
| 5 | Appendix 9.11 Biodiversity No Net Loss Assessment Report Part B [APP-309] | The Environment Agency agree that Appendix 9.11 Biodiversity No Net Loss Assessment Report Part B [APP-309] has been superseded by Biodiversity No Net Loss Assessment for the Scheme [REP2-009] detailed in Table 3.1. | Agreed. | Agreed. |
| 6 | Appendix 10.1 Part B Flood Risk Assessment [APP-311] | The Environment Agency confirm that they agree with the content of the Flood Risk Assessment Part B [REP-311] on Table in Section 2 – 11th March 2021 - Meeting. | Agreed. | Agreed. |
| 7 | Appendix 10.3: Drainage Network Water Quality Assessment - Part B [APP-313] | The Environment Agency confirm that they have no comments on the content of the Drainage Network Water Quality Assessment - Part B [REP-313] on Table in Section 2 – 11th March 2021 - Meeting. | Agreed. | Agreed. |
| 8 | Appendix 10.4: Drainage Strategy Report – Part B [APP-314] | The Environment Agency confirm that they agree with the content of the Drainage Strategy Report – Part B [REP-314] on Table in Section 2 – 11th March 2021 - Meeting (Minutes to follow). | Agreed. | Agreed. |

| Item | ES Chapter | Environment Agency | Highways England Response | Status |
|------|--|---|---------------------------|---------|
| 9 | Appendix 10.5: Road Drainage and the Water Environment DMRB Sensitivity Test Part B [APP-315]. | The Environment Agency confirm that they agree with the content of Appendix 10.5: Road Drainage and the Water Environment DMRB Sensitivity Test Part B [APP-315]. | Agreed. | Agreed. |

Table 3-4 – Issues Related to the Changes to the Scheme

| Item | Document | Environment Agency | Highways England Response | Status |
|------|--|--|--|-------------------|
| 1 | Earthworks Amendments [REP4-061] | Under discussion. | Under discussion. | Under discussion. |
| 2 | 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063] | <p>The Environment Agency consider that the proposed activities outlined in 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063] are a significant variation to the original proposals. If implemented as outlined, it will result in the loss of and/or will cause significant damage to the riparian and in-channel habitats within the DCO boundary.</p> <p>The Environment Agency are dissatisfied with the level of assessment and compensation for the hard engineering rock armour proposed. The River Coquet and Coquet Valley Site of Special Scientific Interest (SSSI) has been formally recognised as a Habitat of Principal Importance (HoPI). The Environment Agency disagree that the mitigation measures outlined are sufficient; they will only partially lessen the impact and cannot be viewed as an appropriate alternative to a naturally functioning system.</p> <p>The Environment Agency consider the impact of the loss of natural riverbank on the SSSI and HoPI to be major adverse over the lifetime of the scheme and therefore consider the need for compensation to be essential.</p> <p>The Environment Agency confirms that the Flood Risk Assessment (FRA) must be updated to reflect the latest proposals, including the flood risk implications of the proposed temporary bridge in certain scenarios.</p> | <p>The Applicant acknowledges – and the Examining Authority has found – that the changes to the Application in the Addenda are material. It also acknowledges and predicts significant effects as a result of the proposed changes, as set out within 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063]:</p> <ul style="list-style-type: none"> – Significant effect (direct, permanent, Moderate Adverse) due to the loss of riverbank habitat in the River Coquet and Coquet Valley SSSI and HoPI, as a result of the proposed hard engineered scour protection to the north bank of the river. – Significant combined residual effect (Moderate Adverse) during construction as a result of both the biodiversity and road drainage and the water environment effects on the River Coquet. <p>The Applicant disagrees that the level of assessment of the rock armour is unsatisfactory and would note that the assessments have been undertaken in accordance with agreed assessment methodologies. Measures have been described in 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063] to mitigate the environmental effects reported.</p> <p>The Applicant acknowledges that as a Habitat of Principal Importance (HoPI) and habitat of a SSSI, compensation should be provided so far as appropriate due to the loss of riverbank habitat as a result of the proposed hard engineered scour protection to the north bank of the river, resulting in a Moderate Adverse significant residual effect (as reported in 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063]).</p> | Under discussion. |

| Item | Document | Environment Agency | Highways England Response | Status |
|------|---|---|--|-------------------|
| | | | <p>The Applicant and the Environment Agency are in agreement that:-</p> <ul style="list-style-type: none"> - The loss of Habitat of Principal Importance (HoPI) and habitat of a SSSI is a significant impact (although the parties disagree on whether this is a moderate adverse or major adverse impact; - There is a requirement for compensation to off-set the loss; - The Applicant has made reasonable endeavours to investigate the potential for local compensation measures but there are no suitable locations for such measures; - The parties are continuing to discuss alternative mechanisms for compensation. <p>The Applicant confirms that an addendum to the Flood Risk Assessment has been submitted at Deadline 7.</p> | |
| 3 | Appendix A Figures | The Environment Agency confirm that they have no comments on Appendix A. | Agreed. | Agreed. |
| 4 | Appendix B Summary of Proposed Changes to Application | The Environment Agency confirm that they have no comments on Appendix B. | Agreed. | Agreed. |
| 5 | Appendix C Visual Effects Schedule | The Environment Agency confirm that they have no comments on Appendix C. | Agreed. | Agreed. |
| 6 | Appendix D River Coquet Valley Slope Instability | The Environment Agency has a number of queries and clarifications regarding the description of slope failures within the gorge and whether these have influenced the planform of the river, the supply of materials and whether this constitutes an important driver in determining the nature of the channel within the gorge. | Under discussion. | Under discussion. |
| 7 | Appendix E Register of Environmental Actions and Commitments | The Environment Agency confirm that they have no comments on Appendix E. | Agreed. | Agreed. |
| 8 | Appendix F Preliminary Scour Assessment | The Environment Agency has a number of queries and clarifications regarding whether environmental impacts have been considered as part of the assessment procedure and whether there are any options that will deliver the necessary level of protection without negatively impacting on the river. | Under discussion. | Under discussion. |

| Item | Document | Environment Agency | Highways England Response | Status |
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| 9 | 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064] | <p>The Environment Agency consider that the proposed activities outlined in 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064] are a significant variation to the original proposals. If implemented as outlined, it will result in the loss of and/or will cause significant damage to the riparian and in-channel habitats within the DCO boundary.</p> <p>The Environment Agency are dissatisfied with the level of assessment and compensation for the hard engineering rock armour proposed. The River Coquet and Coquet Valley Site of Special Scientific Interest (SSSI) has been formally recognised as a Habitat of Principal Importance (HoPI). The Environment Agency disagree that the mitigation measures outlined are sufficient, stating that they will only partially lessen the impact, and cannot be viewed as an appropriate alternative to a naturally functioning system.</p> <p>The Environment Agency consider the impact of the loss of natural riverbank on the SSSI and HoPI to be major adverse over the lifetime of the scheme and therefore consider the need for compensation to be essential.</p> <p>The Environment Agency confirms that the Flood Risk Assessment (FRA) must be updated to reflect the latest proposals, including the flood risk implications of the proposed temporary bridge in certain scenarios.</p> <p>The Environment Agency considers that the combined effects of the proposed engineering works, either during construction or operation have not been fully considered by the Applicant.</p> <p>The Environment Agency considers that further information is required in terms of groundwater flow and level and that additional mitigation should be provided in the event that groundwater conditions are found to be different.</p> | <p>The Applicant acknowledges – and the Examining Authority has found – that the changes to the Application in the Addenda are material. It also acknowledges and predicts significant effects as a result of the proposed changes, as set out within 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064]:</p> <ul style="list-style-type: none"> – Significant effect (direct, permanent, Moderate Adverse) due to the loss of riverbank habitat in the River Coquet and Coquet Valley SSSI and HoPI, as a result of the proposed hard engineered scour protection to the north and south banks of the river. – Significant combined residual effect (Moderate Adverse) during construction as a result of both the biodiversity and road drainage and the water environment effects on the River Coquet. <p>The Applicant disagrees that the level of assessment of the rock armour is unsatisfactory and the Applicant would note that the assessments have been undertaken in accordance with agreed assessment methodologies. Measures have been described in 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064] to mitigate the environmental effects reported.</p> <p>The Applicant acknowledges that as a Habitat of Principal Importance (HoPI) and habitat of a SSSI, compensation should be provided so far as appropriate due to the loss of riverbank habitat as a result of the proposed hard engineered scour protection to the north and south banks of the river, resulting in a Moderate Adverse significant residual effect (as reported in 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064]). The Applicant is exploring opportunities for compensation for the loss of riverbank habitat through discussion with landowners. This may involve, for example, the restoration of bankside habitat elsewhere along the River Coquet to removal of an existing structure (such as a weir). The Applicant has recently conducted a site visit (20 April 2021) near Holystone and Hepple, located upstream of the Scheme, to meet with Forestry England and a private landowner. The options for compensation are currently being reviewed and will be discussed further with the Environment Agency. The Applicant also continues to explore other engineering solutions for the reinstatement of the riverbank, potentially reducing the extent of compensation.</p> <p>The Applicant confirms that an addendum to the Flood Risk Assessment will be submitted at Deadline 7.</p> | Under discussion. |

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| | | | <p>The Applicant notes that in Section 1.2 of 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064], the assessments of likely significant effects reported in Chapters 4 to 11, consider the combined effects of the Stabilisation Works, together with the Southern Access Works. The combined effects of the proposed engineering works during construction and operation have therefore been considered by the Applicant.</p> <p>The Applicant also notes that in Chapter 12 of 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064], the interaction of the combined biodiversity and road drainage and the water environment effects on the River Coquet are set out. This chapter reports that when considering both the biodiversity and road drainage and the water environment effects on the River Coquet, the Stabilisation Works and Southern Access Works would have a combined residual effect of Moderate Adverse during construction.</p> <p>The Applicant highlights that the limited information available on groundwater flows and levels for the south bank of the River Coquet is a function of the challenging logistics inherent in getting ground investigation plant down the southern valley slope. The reasonable and conservative assumption is that groundwater level is comparable to that on the north bank is a reasonable assertion. Due to the proximity to the River Coquet, groundwater flow would be directed towards the River Coquet and would be expected to be a contributor to baseflows of the river and near the surface.</p> <p>The Applicant confirms that all available information on groundwater levels has been used in producing 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064].</p> | |
| 10 | Appendix A Figures | The Environment Agency confirm that they have no comments on Appendix A. | Agreed. | Agreed. |
| 11 | Appendix B Summary of Proposed Changes to Application | The Environment Agency confirm that they have no comments on Appendix B. | Agreed. | Agreed. |
| 12 | Appendix C Visual Effects Schedule | The Environment Agency confirm that they have no comments on Appendix C. | Agreed. | Agreed. |

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| 13 | Appendix D Register of Environmental Actions and Commitments | The Environment Agency confirm that they have no comments on Appendix D. | Agreed. | Agreed. |
| 14 | Appendix E Preliminary Scour Assessment | The Environment Agency has a number of queries and clarifications regarding whether environmental impacts have been considered as part of the assessment procedure and whether there are any options that will deliver the necessary level of protection without negatively impacting on the river. | Under discussion. | Under discussion. |
| 15 | 6.44 Water Framework Directive Addendum for Change Request [REP4-068] | <p>The Environment Agency state that the scheme will result in significant disturbance to the water environment resulting from both the temporary works and loss of habitat due to the engineered bank stabilisation solution that is being proposed as part of the amendments to the scheme. The Environment Agency however agree that it is unlikely the scheme will result in a deterioration to the WFD status of the Coquet from Forest Burn to Tidal Limit waterbody.</p> <p>The Environment Agency do not agree with the suggestion in 6.44 Water Framework Directive Addendum for Change Request [REP4-068] that rock armour will provide adequate and suitable mitigation for the loss of 62m of riparian marginal habitat. The action of replacing a natural riparian marginal habitat with an engineered one will result in the loss of valuable riparian habitat. Appropriate compensation for the loss of this riparian habitat has not yet been provided. The Environment Agency would welcome further details of how the applicant is going to compensate for this loss of 86m of riverbank.</p> | <p>The Applicant notes that within Section 4 Compliance Assessment of 6.44 Water Framework Directive Addendum for Change Request [REP4-068], the impact assessment concludes that the impacts would not conflict with compliance or cause deterioration to water body status. The Applicant also notes the Environment Agency's agreement with respect to deterioration to the WFD status.</p> <p>The Applicant highlights, that under the provisions of the Water Environment (WFD) regulations, there is no legal requirement for compensation. This is further supported by the overarching Directive that also does not have a provision/requirement for compensation.</p> | Under discussion. |

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