

TEXT_A1iN_ISH4_Part2_Session1_10062021

Thu, 6/10 11:28AM • 1:17:58

00:02

Good morning. Mr. Harrold, can you please confirm you can hear me in the live streaming of events has commenced?

00:11

I can confirm that I can hear you clearly. Bear with me while I just confirm the live stream. Yes, I can confirm that's now live. Thank you very much. Time is now 10 o'clock and time for this hearing to resume. This is day two of issue specific hearing for into environmental matters in relation to the application made by highways England for the a one in Northumberland, hammock, 12 engine.

00:36

My name is Kevin Gleason. I'm lead member of the panel of inspectors appointed by the Secretary of State for housing communities, local governments to examine this application.

00:47

I'm joined by my fellow inspector Andre Pinto, who's also a member of the panel. Together we constitute the examining authority.

00:57

I understand that there's no one attending today's session who's not attended nearly hearing, but if so, please indicate now and they can provide a more comprehensive introduction.

01:14

I'm not seeing any hands raised on that basis. I think we have no additional attendees. I can simply confirm that the same preliminary comments made at the early hearings apply. Consequently, we can dispense with further introductory comments. And as details of people wishing to speak were provided at the start of the hearing yesterday. There's no need to ask people to introduce reintroduce themselves now. They will ask that you do that the first time you speak this morning.

01:46

Before moving on to item five on the agenda, are there any matters arising which needs to be addressed immediately.

01:57

I can't I'm not seeing any indication of that. So in that case, we'll move directly to item five, which is transport and traffic.

02:16

So I started the agenda, the focus of this item is to consider

02:22

Northumberland County Council's proposed amendments to the DCO in respect of schedule one and schedule three.

02:32

At deadline 8.

02:34

counsel submitted documents called ncci edits for purpose of delivering nmu route for mod Felton.

02:44

This has the reference rep 8028. b and proposes changes to draft DCO in respect of scheduled one and scheduled three.

02:58

So before looking at the specific changes proposed to the draft DCO, can I ask counsel to briefly outline what is proposed through these changes? bearing in mind the issues were extensively discussed at issue specific hearings two and three. And the further response further comments were provided in response to our question,

03:24

set of questions that says questions, its deadline eight.

03:29

I've asked the applicant to briefly responds to what's being proposed by the changes before we consider the details proposed amendments to the draft DCO. So can I begin then with counsel to miss Robbie leading on this, please?

03:49

Thank you. So now I'm going to ask Matthew Payne to lead on this. He's put the proposal together. Thank you very much.

03:58

Thank you Mr Gleeson. Yes, the morning. Yes, the proposed changes that we've put in chapters one three, simply deliver a solution to connect far more with film for nmu users

04:13

with submitted an accompanying plan in Appendix A of our submission, sort of try and pinpoint where those locations are. just for ease of reference. Do you want me to walk sort of take you through sort of the route or are you happy contending, you know, now I think it would be helpful if you could

04:32

walk us through

04:35

that phrase with us, if we start from the south on sheet one of that of that appendix. So let me just get that appendix of 10. So the reference number is

04:51

rep eight A

04:55

to A B until a B

05:00

Does that include the drawing?

05:04

should do? Yes. I think that includes the drawings of the back.

05:09

I'll double check myself.

05:16

loads.

05:19

Yes, that includes the drawings as well. So that's the end of the proposed amendments on the schedules.

05:37

Yep.

05:40

Right if I take you through from sheet one, so at point NCC one, the current proposed realigned by the way for 701

05:51

turns off to the east, and what we are suggesting is a new designation of bridleway runs along the bottom of the embankment of the a 697.

06:04

On slip to one southbound two point nccl to to connect it with the existing footway. Yes, yeah. And then northward from that point, the existing footways converted to a shared footway cycleway

06:21

to then on continuing on to sheet two continues around the high loss junction.

06:30

So that includes amendments to the proposed footway that takes it around ilos Junction to the south of Hebron road. The shed cycle footway, then crosses Hebron road at point NCC oh three on the north side of Hebron road, which is also a point to lash they on the pole rights where access plans

06:55

to continue to the new bridleway that is proposed to run north from point NCC oh four along the private access road

07:08

continuing northwards along with that proposed bridleway

07:13

to where that by the way for deviates away from the alignment of the a one round the back of the wooded area.

07:23

Simple changes to the designations of the existing footpath

07:31

sort of to the south of priests bridge and the proposed project wide way to convert those into bridle ways to allow cyclists to use those routes is connects up to the bottom of the D trunked a one point nccf five on sheet three. Yes.

07:51

moving north from there

07:54

section of new footway cycleway as part of the revised potential revised cross section to the a 1d trumped up trickle in first goal, and then running north from point NCC oh six on sheet four converting the existing

08:10

footway, to a shared cycleway, footway, it gets a bit complicated around the revised junction not travelling school in terms of

08:21

the locations and sort of how the shedule suggests change. The checks suggested changes the shedule are in there, but basically, the shared cycleway, footwear continues north and then new footwear is provided on the realign section of the a one.

08:39

The new friend rather lane East junction, the upgrade junction, and then it's like connects to the fence. The footway that's proposed on defend Robin junction. So that means that from the west of the fence rather junction you have a continuous four way connection up to the existing stroke. Improve footway, cycleway on the detour and what will be the Detroit section of the a one moving north.

09:06

Yep, moving north from point NCC 10 on sheet four. The existing footway. footway, is converted to footway cycleway as part of our own obviously our ongoing discussion in terms of the deep deal with the drunk section of the a one that continues through sheet five onto sheet six.

09:28

To cause the

09:32

cosy Park hug Lodge, where the existing footwear will be converted to footway cycleway.

09:39

The footway proposed on the coffee Park overbridge would then subsequently connect to the existing footway, stroke, upgraded footway, cycleway to provide continuous connection for Causey Park Road. So obviously pedestrians are entering the, the carriageway don't have to do so on that short stretch between the new overbridge and the Detroit

10:00

Day one, and then a new footway cycleway continuing north from point NCC 12 on sheet six, continuing up to the to the end of the currently proposed shared cycleway, footway on at North Brookfield bridge. Okay. That

10:20

sort of in summary summarises the route that was suggested in those amendments to the, to the DCO. There are alternative solutions in some locations where there may be other factors that mean certain sections can't be delivered. But, you know, we just put together one

10:38

suggestion amendment for one solution

10:43

for the continuous link, but that there are places especially around burners house and the public right of way, area south of bracebridge, where alternative solution alternative options could deliver the same goal. So all these sock, all these proposals are within the order limits. I take it. Yes. What you said. And, yeah, and the all the options would also be within the order limits. It's just a different way of doing something. Absolutely. Yeah. Yes. Cheering the same. The same goal? Yes, certainly, we would be I understand that they would fit within the order limits. Yes. Okay, thank you.

11:23

So, then,

11:36

before we get into the detail of how you think this can be achieved through TCL itself, let me ask the applicants if they want to just comment on what you have presented so far, in terms of

11:52

the objectives that the county council is trying to achieve. Mr. Bassford? Good morning. Good morning, sir.

12:01

Howard Bassford on behalf of the applicant, how is England

12:06

the

12:08

applicant has been promoting this section of the scheme for some years.

12:16

And it is notable that with a natural weeks left in the examination, detailed proposals have only just been put forward by Northumberland can cancel and you will understand the problem that that causes you and us in that. These may seem like amendment straightforward amendments to the wording in the decio. But in practice, there are a number of other considerations that have to be all in mind. So my first submission is that this is a very late set of suggestions. We've talked a considerable length in relation to the D Trump section of the a one, but we are only now seeing the other proposals that Northumberland county councillors bringing forward

13:07

the second thing I would say is that the

13:13

design standards that are applicable to the provision of the

13:21

footways bridleway cycle ways that are suggested by

13:26

by Northumberland county council mean that it is not simply a case of re designation. In many cases there would be additional works required. And those works may require additional land and would almost certainly have an additional environmental impacts. To take for example, the section and I'm sure we will travel through the entirety of the route. But if one were to take the section of the route, just saying the pylons junction, and you'll see that on Mr. Payne's sheet two of six, the you will see that the

14:03

the footway that is proposed to be transformed into a shared footway. cycleway to the east of the Awan is in a relatively constrained location. The philosophy of housing that has been minimised lamps taken that as entailed expansion of the highway limits to the west. The existing footway could not simply be turned into a footway cycleway because it is not a sufficient width and doesn't have sufficient segregation. And therefore it would be necessary to take additional land, the the area is also wooded and there would be impacts upon upon ecology as result that we would need to consider.

14:43

The next thing I would say is that a lot of these works are on roads which are already within the jurisdiction of Northumberland county council. If this was necessary, one would have thought that they would have carried

15:00

At least works themselves.

15:02

Because, like us, they have to look at their network and see what requires upgrading. And to say they don't have a budget

15:12

is not the answer. Because all that is all that happens is that our constraint budget gets looked for so. So this is this is opportunistic, but

15:26

that's how, but nobody can count.

15:37

Mr Bassford. I'm losing you just

15:41

I lost you for five, six seconds, then. Could you repeat?

15:47

I think the last comments you'd made was about being opportunistic, if you could repeat what you said, please.

15:55

Sure. I'm reassured that you're paying attention. So he heard what I said to try to.

16:02

I'm very grateful. The final section, of course, is the Detroit section of the a one now, Northumberland Council has been saying that it considers that that needs substantial works, carrying out to it. We've

pointed out before that if this is again a matter of Northumberland county Council's hands, and if the wish to reduce the speed limit and white line, the

16:31

the

16:32

A cycleway in that area, then that's the matter that they can address, because that road will not any longer be fulfilling its function as a as a trunk road. So these are all matters that in many cases not 100 can council can address. The final point I'd say is that

16:50

this is a this is a provision of an additional route, where there are already plenty of North safe routes that are much more heavily trafficked than the a one in this area and are much more on the desire line for cyclists and walkers, such as for instance, the Sustrans cycleway, which follows the coastal route.

17:16

Thinking that doubtless you may wish to you may wish to travel through the individual areas. At that point, I will probably introduce Mr. Ian Salisbury, from the consulting engineers WSP, in order to in order to support that discussion. Thank you.

17:38

So if we can go back then to

17:44

Mr. Payne, I think

17:52

perhaps it is worth focusing on one or two pinch points as Mr. Bassford says.

18:02

Let's take the key junctions, I think. But I'm happy to pick up others if Mr. Bassford wishes to get into detail, because I think he will help to understand

18:17

what's proposed on the ground and then we can move on to the changes proposed to the dcl and see if they achieve what's the County council trying to achieve. So shall we start and with

18:33

this area around Warners of treating Mr. Payne, you identified the word options there. Can you talk me through a little bit more detail how things might work there?

18:49

Obviously that there is the new private access road that was going round to the east of awareness house in North Gate farm. Yes, which could be designated as a public roadway to avoid a potential pinch point along the bottom of the embankment on the 697.

19:10

To connect with the footway cycleway pass war on his house,

19:13

that is an option.

19:17

other option is to designate the private practice to Warren This house is a property by the way, so they don't need to absolutely don't need to add an extra

19:26

width of access road or share footway, cycleway, if you'd like along there to minimise

19:34

engineering in that, in that area. I think those are the sort of the main two key areas. And certainly if you move north and south, again, you could utilise the private access to the fields as put rights away.

19:51

I think in terms of pinch points north of that, so it just Yeah, sorry. Move on. Yeah. So the options then her

20:00

Anwar in his house, if you're taking what you're currently looking at, so nccl want to go to?

20:12

Can you do what you're seeking to achieve with adopting your own standards holds no standards for cycleways or shared pathways.

20:26

We don't have the level of detail available to us in terms of

20:33

scale drawings or level of detail that is available to us to to fully determine that.

20:40

You could, as I said, we could make the private access road and designated, by the way, similar to what, in terms of some of the footway, designations and Broadway designation there are elsewhere in the scheme on private access roads.

20:58

But you're certainly I mean, I couldn't say for certain that an engineering solution, you know, that the solution is there. I mean, there is an engineering solution to the problem within the limits in terms of you start cutting into the bottom of the embankment, and then you introducing retaining features, etc, if there's nothing there, but obviously, the potentially cheaper and more cost effective and solutions to that desert designating either adjacent to or on that private access road. Right. Okay.

21:31

Okay, shall we move forward then to the next point, which I think so do you?

21:38

Forgive me? Is it worth us taking each junction that I respond to them while with Mr. Salisbury support, rather than Mr. Payne taking us all the way through and then us? Way through? Yes, maybe maybe you're right, Mr. Bassford, let's do the channel. I have to remember a lot of things for a long time. Okay. That's understood.

22:01

He Okay, with that, Mr. Payne that we do, it's almost side by side. That's absolutely fine by me. Okay. So, Mr. Payne

22:12

Start with saying.

22:14

Thank you, sir. There are some points from me. And then Mr. Salisbury, will be able to comment as well as Mr. Payne fairly says, He does not he has not engineered these solutions. And so, he is speculating at this stage. As to the as to the design, there's a question about whether the relevant bridleways would be adopted by Northumberland county council. The

22:46

the standards of things such as drainage if they are used, which would be different for PMA and for adopted highways. The next thing to say is that the routes in this location pass either side of the Warren house or in this house properties. So if one passes to the west, of course, that is constrained between the existing a one carriageway and the properties there, the Mr Salisbury will comment on the

23:19

the availability of space in that location. But to if one passes to the

23:27

front passes to the east, then the right of way that is anticipated would pass, of course, from the very science of the scheme up past Mr. Moore's house. He hasn't been consulted about this, then pass around the war on his house properties, and Mr. Hawes hasn't been consulted about this, and Mr. Davidson hasn't been consulted about this. And it would not surprise me in the least, if they would have something to say about this. And the impacts are people passing along that private means of access.

24:00

Now, it may be a good idea, it may not but they need to be able to comment and that is

24:07

mean that they will be answering on the hoof now, instead of with a proper consultation.

24:13

Mr. Salisbury would you

24:16

would you introduce yourself and

24:21

comment please, on the availability of land between the Warrens has properties and the existing a one and the engineering possibilities for delivering that location?

24:33

Yeah, sure. My name is Ian Salisbury and I'm project manager for the Northumberland scheme representing the applicant.

24:41

Just looking at that section. We certainly accept it be feasible to utilise the PMA and that provides the access the new access to Warner's house. But as Mr. Bassford said, the resonance of the war and of house properties haven't been consulted on that such change of use of the PMA.

25:00

I don't think it would necessarily be feasible to utilise an alternative access along that corridor. The south side of that PMA is to be planted if you look at the landscape mitigation master plans, that is existing planting on the embankment of the existing road. And that is supplemented by some further planting between the PMA and the embankment of the road.

25:24

You then have the access the existing access from biggest thing he went into the Warner's property buildings, that was obviously designated to be stopped up so it could be left open. But again, there's an expectation and part of the one of those residents that that would be stopped up and then you have permanent Hi, we've only created there which obviously would no longer be the case. If you provided this split we cycle we link through to onto the one itself.

25:51

Okay, thank you.

25:54

And then and then Mr. Salisbury, passing to the the west of North Gate farm and Capri Lodge.

26:04

How much space is there?

26:06

Yeah. Do we want to cover the intersection from windows up to halos junction?

26:13

suggest if you just take it as far as Capri lodge there. Yeah. Then I think Mr. Payne will comment next. Well, I think the I think it's generally the same argument you have a fairly limited footprint there between the existing category and the proposed category and the existing highway boundary The intention is to retain the existing highway boundary. If you go north of copy Lodge, then the width is just over three metres. If you were looking at a shared foot, we cycle where you would require a width of three metres and then you would need a separation strip between the cycleway and the proposed carriageway as well. So we don't believe that would be sufficient space to incorporate that. Okay, thank you. Thank you, Mr. Let's move on then to the next location. High lows junction. Mr. Payne, could you talk us through the detail here please?

27:12

Certainly

27:15

going sort of around high those junction

27:19

in a plan view, there appears to be space to widen from the proposed two metres to three metres

27:29

you know this.

27:31

There's not really much to say I think on the design in potentially you could utilise part of the private access to Strafford house, if again, with this tightness of space towards the top end of that section.

27:47

And certainly would

27:50

be that we do correct me if I'm wrong, but there are limits of deviation within the decio that may allow for minor relocation of carriageway centre lines

28:03

to what is shown currently on the plans that are submitted for this inquiry that may allow minor

28:11

you know, for example, a minor relocation of the dual carriageway to the to the west within the order limits which would then open up space to widen an existing footway, or convert an existing footway verge into a wider shared use facility.

28:29

So I think that's probably all we need to say on high laws I think.

28:34

Okay. Mr. Bassford

28:40

sorry on me. Yes, but always speaks and then realises

28:46

there are very similar constraints here involving non adopted private means of access the standard which there would need to be made up and the availability of space whilst there is a power deviation here.

28:59

They do throughout the scheme laterally horizontal deviation as you will know, of course, there has to be sufficient room on both sides of the

29:10

of the A one including the new the new carriageway, and if one were to move the entire projects to the west in order to accommodate the this footway cycleway, whilst it might only be a matter of a couple of feet, the consequence on the western side may be that the slopes were steeper structure may be required, and we haven't designed it. So it isn't as straightforward as simply deviating within the power. This is this is something which is new hasn't been assessed hasn't been consulted on Mr. Salisbury Would you comment a little on this as well? And this this next section, please?

29:56

Yeah, I think the only other thing I would add to that Mr. Bassford was

30:00

That, if you, you potentially could move everything to the west, but you then lose the benefits of reusing the existing category as a new one. So its own category. So it obviously a bit less sustainable solution, you would read more material of any sort of a negative negative impact on your or your carbon footprint.

30:19

So I think that the intent was to to retain as much of the existing infrastructure as we possibly can, which is why we're keeping the existing version existing. And the option of going to the east of course requires because because there was only so much space within the order limits requires additional land from third parties, and we're at the application for that, as you said previously, that are strips of

vegetation of trees there as well. And partway along and just south of Stafford house that were the plan is to retain those. Okay, thank you, I think. I

30:52

don't think we have Mr. Williams with us today. But we have to bear in mind, of course, this is the coronation Avenue, so

30:59

it's important. Okay, thank you.

31:04

So then, moving on, Mr. Payne.

31:09

Let's move to NCC oh five, which is on sheet three, and then take up four on sheet four as well. Take this from that. You. In your overview. You talked about

31:25

the junction north as a school.

31:30

Can you explain any particular issues in the location, please? Certainly. Do you want me to do a quick overview of potential options to the south of that point as well? Yes, please. Yeah, I mean, you know, what we've tried to do is we've tried to utilise routes that are already in the decio to the size of the utilising the initially proposed public footpath and the existing footpath covered right away. Another option, rather than deviate the route away from the a one

32:01

to the west of the woods, which, unfortunately, my printed version doesn't, I can't read what the name of the word floodgate would I think it is, or fieldgate would floodgate? Yeah, I think it's floodgate would

32:15

you could

32:17

run that adjacent to the a one carriageway, potentially subject to obviously space and and the design of that section

32:29

north of NCC Oh, five. Obviously, we're on to the

32:36

D trumped by one section. So are

32:40

we are we have previously obviously submitted the cross section of how you deliver that. And certainly on potentially on that section south of Trenton Church of England first school, you could potentially narrow the carriageway further than the 7.3. Because it's a it's a cool nice, it will become a cul de sac to a small number of properties. Again, that would we would have to sort of look at that in detail.

33:10

The detail design and when when the D transaction was handed over, in terms of the area north of trickling Church of England first school

33:21

where we are have the existing footway on the alignment of the D trunk day one. Again, it would be that the cross section principles that we've set out previously

33:34

around the area of the foam roller lane, East detrunked junction

33:42

the proposals retain the existing alignment of the existing foot way past that junction, but equally you could run that route around the carriageway edge of the carriageway, so rather than going straight up adjacent to the old day one, which will be landscaped and stopped up new could alternatively when it's around the curb line, and we have talked about that with the applicant in previous discussions about what that footway could put way off always like away could could route around that area. And certainly it was our understand from the discussions that that routing is available for discussions of during the detailed design stage.

34:22

In terms of connections, the other connections shown on the plan around nccl 809. Again, that simply just

34:31

filling the gaps and in getting it in the right sections between New footway on new carriageway and new foot way on existing carriageway to provide the connection to the foot waves that are going that are proposed on fairing rather junction. Certainly a footway connection, form frame rather junction to the existing existing footway on

34:55

on the D trunk day one is in our

35:00

opinion is necessary. Otherwise we have piecemeal footway, connectivity even even if the examiner decided that you know, the footway cycleway is outside the scope. It would be potentially would have a gap in footway, President provision longfeng River lane east. And also those sections from from forby through to nccls. would secure that within within the DCF.

35:25

Probably that's probably best place to leave it on that section to give use cases to explain that. plus points further. So

35:38

points about another lane East junction and nccl nine instance. Roughly, yes, so that would be a footway connection to connect with connect the footway that is proposed around the junction to the existing footway. Or the upgraded foot by default way. cycleway provide long the D drunk day one

36:04

a piecemeal provision

36:06

in that area. Okay. Okay. He talked about the east west.

36:12

Connectivity over the new awong alignment

36:17

closes off that connectivity with an existing facility intelligence on the one which actually were seeking to be upgraded. Okay, understand that. So, again, missed the passwords and results preview could respondent are we looking at a different situation here? Take on portfolio previous comments about consultation and other wider matters. But is there a difference here? Because it is

36:48

30 transversion. So you're not dealing with the issues that Mr. Salisbury raised about reuse of existing carriageway? It is a different type of reuse of existing cabinetry in this situation, isn't it?

37:02

So there were quite a lot of points in there from Mr. Payne, because in the end, we did say things on a piecemeal basis. I think when we take it back from high levels junction to give you the full picture.

37:19

And still with floodgate and the woods around there, my understanding is that, again, we're constrained for space, both between the one and the other rather than woods and also the diversion of the bridle. We put my bridleway in the woods there.

37:35

The when you get to the

37:38

the D Trump, a one you've had up, I don't want to make my submissions at length again. There's no need for this. No, certainly no.

37:51

Understood, you could probably recite them back to me so so I will spare you the policy, etc. So, really what we're talking about there is engineering within the existing highway boundary, but substantial works. If it is as proposed by Mr. Payne, that as I have said, there are options available to NCC which are available to them to remedy this when the road is handed to them.

38:26

I mean, it is worth bearing in mind as well that federal that language we've just looked at is already an NCC ro, they have not bearing in mind that this is the this is the link between the school and

38:45

the village of them rather.

38:49

MCC have not provided footway cycleway on that route themselves, to serve their own school, so

38:57

that there isn't they have not assessed there to be a need for that even for the people who might be going to the school. I'm here to ask Mr. Salisbury to speak again so that he can cover the engineering aspects as I am not qualified to do that, even though I've made a few submissions on those carpets, Mr. Salisbury

39:16

Thank you, Mr. Bassford. Yeah, I was just going to pass comment on this section between high lawyers and pre stretch that doesn't exist for is probably a way footpath along that section. I think Mr. Payne proposed to change that effectively to a braid away.

39:33

along a good part of it that is feasible, but there are some engineering constraints, just south of floodgate wood that are to 90 degree bends. If you were going to utilise a cycle where you need to introduce radius radiation that would potentially take your alignment out with the order limits.

39:53

Just that section running parallel to floodgate would. That is a very narrow strip that has been taken

40:00

The order limits which is just over three metres wide,

40:03

put a blade away, you would need a width of three metres wide, so it'd be difficult to incorporate the blade away within that strip

40:11

that has an existing crossing or floodgate burn. And the moment which the plan would be to reuse again, if you were upgrading it to a bradable status set up may or may not need to be upgraded. And then you have pre spreadsheet itself, the existing structure there which has to be attained has got a stone part of it, which is no more than one metre high. If you're going to introduce a cycleway or even use for bike equestrians in proximity to that you would need to increase the height of that part of it to 1.5 or 1.8 metres.

40:45

Men with regard to the engineering aspects of the proposal was that fan rather than there will be the the lane you found rather lean to the Easter's and use section of category. So that would be a bearish there. So whether that is a software job, whether you provide that with a footpath and then that would be feasible, and that's that's always a matter to discuss between the applicant and NCC. Okay, thank you.

41:11

Can we then move on?

41:14

it? So just to check, Mr. Salisbury Did you have any other points that you wanted to pick up there? Or do we? Not? I think, as you said, Mr. Bassford, the discussion around the detron section and in copying your cycle, we've we it's been discussed at length, and I don't think there's anything I could add to that to that discussion. Thank you. Thank you, sir.

41:36

So moving on.

41:39

Just the pain.

41:42

We're on to

41:45

think sheets,

41:48

five, unless there's anything in particular, you want to highlight on sheet four?

41:55

No, nothing else nothing as to highlight on on sheet four. So on sheet five candies on the T trunk section, and it goes past

42:06

is the email

42:08

you're sending get that general location now. Further, once we get back onto the D John section for the remainder of the of the proposal, I think it's very much as per what we previously discussed on the on the D Trump section.

42:24

I think the only only point to make is probably on six

42:29

making the connection between the footwear has to be provided as part of the scheme over the on the quarterback over rich, again, complete the link to the existing footway.

42:42

Certainly by introducing a footwear here and under

42:46

thermal, you're giving people the facility and then you're not giving people the facility.

42:53

on that, on that on that section and connectivities is, is you know, it's definitely presented for sustainable transport.

43:03

Understand the obsessional method.

43:06

But certainly moving on. See, I didn't continue north of sheet six, because it's the same, there was nothing else to label. Nobody already had a nice clear label within the party rights away and access plans. So basically, from the north of the thermal junction, it's the D trunked cross section. Yes.

43:25

Thank you. So, Mr. Bassford, Mr. Salisbury, anything further you want to add to those last two sheets?

43:34

It is

43:38

add anything that he sees appropriate after I've spoken. But at Causey Park. Of course, this is another one of those situations where there hasn't been provision by MCC of a footway to date. But there would be the ability for them to provide a connection This is this will be on their unaltered highway network where they are able to provide a connection. So

44:06

these are matters within their own competence. What sorts of Did you have anything else to say there?

44:13

No, I've just endorsed that comment. I think we are providing a footpath on the coast of quasi Park over bridge and over the section where we are realigning the existing road to crossover the new one out with that plan wasn't to do anything beyond what is the present. I mean, from an engineering point of view, there would be width on the south side to to accommodate a footpath, but there isn't one there at the moment and we're not planning to change anything. I think that it's worth and it is worth bearing in mind that what will be in place after the scheme will in and of itself be an improvement for nm use, because currently they have to cross the a one which is a busy trunk road, whereas they will now be able to use a great separator

45:00

Crossing So, so there is already an improvement.

45:06

Okay.

45:09

Okay, that's been very helpful in understanding the

45:16

proposals,

45:18

which cans council wishes to promote here.

45:27

As I've said, I think we also just need to look at fee measures to

45:35

allow those proposals to be taken forward.

45:39

Ultimately, that's required through schedules.

45:47

one and three of TCL. Can I'd like to start with the council,

45:53

just to ask you to explain the changes that you're proposing to the TCL. And how they would achieve your objectives. And then I'll ask the applicant to respond on that.

46:10

So Mr. Payne, please, certainly,

46:16

we are not dcl drafting specialists, as you, as you well know, and we have put together what we think is the correct wording to achieve what we have initially discussed within the extra wording for works number five, A,

46:35

which is the Westview.

46:38

And then subsequently, utilising

46:43

previously detailed descriptions within parts five, and Part Six of the sheduled. Three,

46:56

to

46:59

put together what we've just talked about. So

47:02

this much specifically for me to add over what we've talked about that, that effectively, you know, what, what we did was we took what was already in there and applied it to worked our way up scheme and applied it utilising, obviously our appendix drawing to to assist you in identifying where some of the locations were where there weren't labels on the other plans.

47:24

So,

47:26

you know, that's we've proposed it in there may may have ramifications elsewhere in these Yeah, but with

47:34

that said before, we don't quite we're not, you know, we're not drafting, especially so you know, this this is a suggestion that we put to, to the to the applicant a few weeks ago. Yes. Understood.

47:48

Yeah, the changes are to work number five a, that's the only change to the work numbers, I believe. So yes. What that does is that that converts the

48:01

footway, proposed to the west view works to be a footway. cycleway. Yes. Okay. And then,

48:10

as you've said, changes to parts five, and parts six or part five other public rights of way, par six foot ways, and cycleways to be provided.

48:21

And you've taken

48:24

I suppose, as a template, you've taken what's in the existing dcl and applied it to what you're absolutely. Is that fair? Is that fair? Yeah, I think that that is exactly correct. That's exactly what Okay. Okay. There's nothing further to add on TCL changes, due to changes, if any suggestions for the applicant where we've missed something or we need to add it to a work schedule that we've missed in terms of work number, then obviously, we take that on board. But you know, like I say it's it's it's our attempt at sort of writing down what we've talked through on and showing. Okay, thank you, Mr. Bassford, then please

49:03

like to respond to what is suggested as changes within the CEO.

49:10

Thank you, sir. And, in fairness to Mr. Payne and Northumberland county council, we are grateful for them engaging with the order, it is helpful to have their thinking set out.

49:21

The problem, however, is that,

49:26

as Mr. Payne described, and this is because we are coming to it very late, we don't know whether these are sufficient changes. I'm not going to go through each of the amendments because that will be a bit like me reading the telephone directory, if such things still exist.

49:45

But the The point is that because we don't have a detailed design, we do not know whether the changes to the worst is sufficient. Mr. Salisbury has roof describes to you how

50:00

Radio would be needed, for instance by floodgate would. Now that is because this would be more substantial engineering than simply designating a beaten track over the ground. So it has a different status, because nowadays that is that we are not simply dealing with big contracts when we consider public rights of way anymore. Yes, that that means that we need to know if there's a work required there. And in other locations, the suggestion of the a new private, a new route along the toe of the embankment for the on the southbound on slip at Warren's house, that potentially is another work. And

we would need to look at design now. So that that is the problem. And there's of course an assessment consequence for that.

50:53

Question is, could we address this with a requirement? saying that there is

51:01

a need for detailed design? Can you can you amend the order to cure that problem? The problem, I think, sir, is I don't think we can. And the reason is, because we don't know if we can even fit the design within the order limits. And you will know that we can't use the requirements to amend the decio. And we can't there's case law in the 1998 regime, about having a fundamentally different development

51:30

authorised through conditions to the one that's actually consented. So that's associated with the EIA, public consultation and so on. So, it is difficult to use the requirements say a right of way will be provided between points NCC x and NCC why

51:50

subjects the deadline of that being approved by the Secretary of State, because the Navy in EIA requirement, there may be a consultation requirements, there may not be enough space there. And so the the requirement may be frustrated by the practicalities of delivery. At this stage in the examination, it is too late for us to resolve those issues.

52:15

And that that is why Sir, I would suggest that these are not points that we can address through this means.

52:24

Okay, thank you.

52:29

Yes, I certainly agree there's no reason to go through

52:36

what is proposed in Part Six, and part five, it wouldn't serve any purpose to go through line by line.

52:48

We still will say was upset. We'll supply comments for you. And obviously, MCC will be able to see them in, in writing so that you can have those in mind when you were advising Secretary of State. That would be helpful. Thank you. Okay.

53:03

So, Mr. Payne, is there anything further you want to say about the proposal? The proposal at this stage? Couple further comments, questions? Not for me, I would I would like to use Mr. Laux, who's our

head of tech services, just to sort of give a brief comment from his sort of standpoint within the within the council if that's okay with you, sir. Absolutely fine. Yes. Mr. Laux

53:34

Thank you, Mr. Gleeson? Yes. David Laux. I'm head of technical services for Northumberland county council with responsibility for highways generally within the council?

53:47

Yeah, I think generally, we do think that this is

53:53

a link that could be provided. I appreciate

53:59

that, that there may be

54:02

some difficulties still to look at and you have to look through. But it is. It's quite disappointing. I think that this is something that we raised

54:14

a number of months ago, it was in what was put forward at that deadline one.

54:21

So I do find it disappointing when Mr. Bassford comes forward and and talks about the concerns because this has only recently been put forward.

54:31

So yes, the detail we've just put forward at your request. But it does feel like something that we've raised many, many months ago, and the applicant hasn't really engaged fully with us on it in terms of whether things could have been

54:50

achieved as the process it move forward.

54:55

We do believe that this is an opportunity that can be

55:02

can achieve improvements during

55:06

these works. And that is something that should be considered in terms of the overall improvements for sustainable transport.

55:17

And we would like the applicant to continue looking at it from the point of view of can it be achieved, as opposed to looking at it from the point of view of giving reasons why it can't be achieved.

55:33

So I think that that really is, is the general situation that we have.

55:41

With regard to work to the D trunk section.

55:44

We have had previous discussions on that and about the width and our concerns about the ongoing safety there on the D Trump length.

55:54

And that those are still concerns that we have,

55:59

I think Mr. Bassford was talking about these are things that could be

56:03

resolved by Northumberland county council after the scheme has been done and when the road has been de trumped. But we do feel that it not really appropriate for a burden to be placed on the county council to do works that we believe should be done as part of the

56:24

the overall a one duelling scheme, to, you know, to give us back that the trombone section

56:34

in a situation that we think it should be in at that stage.

56:39

Just to mention as well, that we have talked on on that front about cycle and designated funds in the past. But

56:48

there have been, I think, two meetings

56:52

since we last spoke on it, but really no real concrete progress in terms of

56:59

anything coming forward for from that at this stage.

57:05

I think that's all I really wanted to say on on that issue. Thank you.

57:11

Just picking up on that last point, and I'll ask Mr. Bassford to spawn generally. And then on this specific point. So one thing I picked up was the applicants response.

57:27

Rep eight Oh, 26.

57:33

Which says

57:37

paragraph three, three, let me just

57:41

make sure you've got the proper reference. This was the response to

57:47

our question tt 3.1.

57:51

So the applicants response to that

57:55

says, designated funds Working Group held their second session on 14th of may 2021. With the next meeting scheduled for July 2021. It's important so there's no requirement for mitigation or totally critical policy. So it goes on. My question is, what is this designated funds working group? Is scheme specific. How long has it been meeting? And is the county council contents with his progress? And then Mr. Laux if you can learn to that please. And then I'll ask Mr. Bassford to respond on that and your wider comments.

58:43

Mr Laux, sorry Mr Gleeson.

58:46

Yeah, um, the the designated funds working group is schemes specific in that it's dealing with with the a one g ruling and and potential designated funds schemes that could be looked at in relation to that. It has only recently been formed

59:09

in the last couple of months, was the first meeting of it. But to date, really, it just looked at what what

59:20

the potential

59:22

whole range of schemes are that could be taken forward in relation to designated funds. Potential potentially, but in terms of the cycling and walking in relation to be

59:38

the the de Trump section, all that we've talked about it. As far as I'm aware, nothing's actually gone in as a bid

59:50

to

59:52

to the overall designated funds process

59:56

for any funding for that as yet.

1:00:00

And bear in mind that we've been talking for probably three years about the potential that designated funds could be used for this.

1:00:09

Okay, thank you.

1:00:16

Thank you.

1:00:21

Can you pick a PowerPoint first of all about

1:00:26

why this hasn't been addressed sooner, if you've been talking with totally apathy councils in raising this for three years, and I'm already thinking that in other schemes of highway England schemes, this has been an integrated approach, which has

1:00:46

looked at designated funds being used in parallel with the application.

1:00:55

So, the starting point to remember here is that there is no policy requirement for the improvement of the D Trump T one. And you have our evidence that there is no safety requirement for the provision of a cycle way on the detrunked a1.

1:01:15

the therefore, this isn't mitigation. And so therefore, it doesn't appear in the budget for the scheme. And as a taxpayer funded national organisation, we can only provide that which we're funded to provide. So essentially, whether one is looking for mitigation through the scheme or designated funds, it has to be remembered that Northumberland can Council is coming to the applicant and asking for money. And so, it has to do that. And we have support it in the correct way. And whenever one is dealing with government and governments entities, it has to proceed in that way. This means that we need to formulate the submissions in an appropriate manner. And we need to we need to submit them in an appropriate way.

1:02:10

That is the work that has begun in the discussions with Mr Laux. There has been work on the a 697 cycle we also now my instructing clients at housing funds affirm that they would prefer progress to have been made more swiftly. But there has been a global pandemic within the last year. And unsurprisingly, whilst matters are improving, they have not proceeded as quickly as they may have on another scheme. And so that in some measure explains why this may not have come forward quite as swiftly. There are internal discussions going on at highways England with the designated funds cycle a lead. So internally, highways England continues to work in you've heard that there are meetings that will take place in due course, the objective is that a business case for funding until I say one has to ask the question in the right way, will be submitted in August or September of this year. So that is the progress that is being made.

1:03:20

So

1:03:23

in the two years before the global pandemic, discussions on these possibilities

1:03:31

if the council were raising these issues about and then let's not let's focus on the the

1:03:40

the matter which Mr. Laux raised about

1:03:44

transection.

1:03:47

The council having to pick up the cost of changes, because this isn't additional work that the county council just wants to see. And to have funded. This is the consequence of your a one ski couldn't that be looked at in the two years previous to the application being submitted?

1:04:09

You refer to the you refer to the

1:04:15

D transaction. It is important to note that contrary to what Mr. Laux said, Santa bracebridge. The very first that he had heard about any proposals was within the last six weeks so that the timing is not consistent. And I would not want to be left with an impression that everything has been discussed at length over a long period in the period prior to the works, being promoted through the decio for two years to which you refer the a 697 was being prioritised as a matter for discussion as between housing land and the county council and it is

1:05:00

Important to bear in mind that

1:05:04

until the delivery partner was identified for the works on the D trunk day one, this was not a matter which could properly be progressed. So there were contractual matters also to people in mind. And as I say, there was no need, I think that has to consider is there a need for these works? And what you mentioned that and I would encourage you, perhaps not to think this is a consequence of asking it is not a consequence or asking only if it is necessary mitigation? Would it be a consequence of the scheme? What we're discussing is whether it would be desirable as an additional enhancement as a result of the scheme, not whether it is necessary mitigation.

1:05:48

I accept that points. And I

1:05:52

we've heard the evidence from yourselves and we've heard the evidence with county council about the safety issues and

1:06:00

we'll go back to that to

1:06:04

understand Thank you, I cannot change the proceeding two years prior to the covid 19 pandemic, but what I can say is the objectives which highways England is working to, which is a business case submission in the next couple of months, and so that is progress. And that has been achieved by Mr. Laux and your examination of this matter. And so that is what I was England is tackling right now. Okay, thank you, Mr.

1:06:39

Mr. Laux, is there anything further you wish to add before we move on?

1:06:45

Nothing too substantive. Just Just though, in terms of the Morpeth to

1:06:52

generally and the the, the area between Morpeth to the south end of the D Trump section. Just to clarify that we did mention that in the local impact reported deadline one.

1:07:06

And as well as discussions with highways England themselves prior to that,

1:07:13

so it isn't just something that we put forward in the last few weeks. Okay, thank you.

1:07:29

Okay, so moving on.

1:07:32

Unless Mr. Bassford sensing further you wish to say on that.

1:07:36

Next, thank you. Thank you.

1:07:44

So

1:07:46

our third set of questions. Three t 3.2.

1:07:53

counts council responded to that. Eight Oh, 28. This was a question about the

1:08:01

clarifying the safety issue on the transaction.

1:08:07

counts council responded as upset.

1:08:11

The applicant hasn't commented or responded on that. Council view. I don't know whether there is an intention to do so. Mr. Bassford.

1:08:24

I do beg your pardon, sir. Someone was passing me a virtual post it note at that moment. Would you terribly repeating I'm so sorry. That's fine. So we asked the question.

1:08:38

Whole sets of third written questions. Tt 3.2 which is a question about

1:08:50

the cycleway on teaching section 31. Not required for safety reasons.

1:08:56

And county council has to confirm his position in writing. which stated at rep eight oh 28.

1:09:05

Captain normally responds to comments that have been made by other parties hadn't done in this case. I just wondered whether there's anything further you wish to say on that point.

1:09:18

Usually we can't help ourselves. You're absolutely right, sir. So I will check that point. To make sure that that isn't an omission it was directed to NPC they've also responded when

1:09:32

he was directed them but as you say, do normally comments on questions with chances to view so

1:09:41

it's certainly Yes.

1:09:43

Thank you.

1:09:50

Just read my notes can

1:09:54

Oh, yes.

1:09:56

The same counsels response.

1:10:00

In rep eight, oh 28 this was a response to question TCL 3.5, which has to cancel confirm he was happy with schedules three and four TCL. And the response in respect of schedule four said subjects confirmation in respect to the memorandum on adoption or maintenance responsibilities

1:10:28

confirming the flexibility and precise locations is built in, then we are content with scheduled. Four, based on the scheme as it currently stands.

1:10:38

Can I ask counsel first comments,

1:10:42

extending further wish to add on that, and then the applicant responds. I think that hopefully we can

1:10:49

tie that issue.

1:10:52

I said, Mr. Payne? Yeah, thank you, sir. Now, I don't think there's anything else to add on that that memorandum is with us, we talked during in our last monthly catch up. And we just need to go back to the applicant to confirm the detail but there there's a it'll be submitted to the to the examining authority in due course, as a memorandum between both parties.

1:11:17

We're still just working on some of the finalise work, the wording of that to give us the conflict and also give the applicant the conference as well in terms of adoptions and maintenance boundaries, etc. Okay, that's good. Thank you, Mr. Bassford. That will come to you not as a matter that you need to require or impose by an order provision, it will come as evidence of the matter being addressed is the only thing I would add on that, sir. Okay, thank you.

1:11:55

Next item was in relation to

1:12:01

question Gen 3.7.

1:12:07

cans cans cancel, responded again, it's paito 28. And it was this

1:12:14

potential conflicts between statements.

1:12:20

In relation to the widening of easily called access roads provide a two lane carriageway without passing base.

1:12:29

As a result, consultation with NCC on the requirements for adoption of the access road, then paragraph 3.3. Point three describes Texas roads as private accesses. And our question was is the conflict between these two statements?

1:12:45

counsel said they thought there was the applicant said the decio takes precedence. There's no need for COVID code

1:12:58

to make it clear up to make it clear. Yes. Yeah, give up on that one.

1:13:05

Is there anything else that county council wishes to speak to say on that matter?

1:13:13

Nothing, sir. I think I'm gonna say the the article

1:13:18

correctly identifies that as a road to be adopted, along with all the associated plans. And under the recent deadline, eight a submission for the general arrangement and drawings, addresses that metallian had at the north end of East Lincoln Road as well. Okay, that's good. And while you're there, Mr Payne as well. Next question for you.

1:13:41

stems of common ground at deadline at a confirms that all articles t co agreed? Does this include all the schedules or the highway?

1:13:52

So it will pick up the highway adoption and maintenance responsibilities? Are all the schedules acceptable? Now? Clearly, we've had the discussion about

1:14:02

the

1:14:04

schedules one and three apart from those. Are you concerned with every schedule now by I will need to get back to you to confirm that. But as far as I'm aware, there is there is one minor typographical error on part three of sheduled. Three with regards to high halos road in terms of the road classification that was being

1:14:26

accidentally deleted.

1:14:28

On that section. So yes, we will confirm that we will confirm that in writing but as far as I'm aware that the schedules based on the scheme as it currently is proposed, reflect that that scheme. Okay. Thank you. That's good.

1:14:45

Thank you, Mr. Payne. Mr. Bassford with anything you want to pick up on that. I was going to say something helpful, but Mr. Payne covered it admirably in his last sentence. And because we understand that they would prefer changes to deal with the the nmu premise

1:15:01

But Mr. Payne's clarification very helpful. Thank you. Thank you. So the last question I have then human relations, traffic transport is just to pick up on something that we covered at issue specific hearing, too, which was about the Department of Transport publication of July last year appraisal and modelling strategy, route map updating tag during uncertain times.

1:15:29

applicant responded orally and in writing at grep. For 25. Just wanted to as we're getting to the ends of the examination to find out if the sending further the applicant wishes to add to the previous comments on that.

1:15:46

At I have to look metaphorically behind mice, behind me to see if there is a further comment, I think this is probably something that we will be better to come back to you It should respond to you upon in writing. understood that. That's absolutely fine. Thank you. Yes, if something works today.

1:16:06

Okay.

1:16:09

Who writes? So are there any further questions or comments anyone wishes to make under item five?

1:16:24

I'm not hearing that there are.

1:16:26

I think, then, rather than moving into the next item, the next item is not going to take too long mitigation of construction impacts.

1:16:36

But I'm not sure we'll finish in 1015 minutes. So perhaps we'll have a break now and then start afresh on that one.

1:16:46

Again, we've got item six, and then item seven is combined and cumulative effects. And then that's effectively it. So I don't think we'll need the whole of the next session.

1:17:05

As timetabled, we should be able to finish fairly

1:17:11

soon before lunch. So can I suggest them that instead of a half hour break now? We take

1:17:20

until so it's just half the quarter. Let's take until 25 to 12. We'll come back at that point. And then we should be able to wrap up fairly quickly after that. That's okay to parties.

1:17:34

Just for me. So thank you very much. Good. Thank you. So the trend now 18 minutes past 11. we'll resume at 25 to 12. As before, please keep locked in to this. This hearing has run away. Thank you very much.