

Application by National Highways for an Order Granting Development Consent for the A66 Northern Trans-Pennine Project (“the Project”) (also referred to as the A66 Trans-Pennine Dualling Project)

Relevant Representation of Cumbria County Council

This representation is made by Cumbria County Council (“the Council”) to explain in summary the matters that it wishes to raise and have considered during the Examination.

The Council has been working closely with Eden District Council during the pre-application stage of the Project supported by a Planning Performance Agreement (“PPA”) with National Highways and currently intends to submit a joint Local Impact Report (“LIR”) at the appropriate stage of the Examination process. A draft LIR has been prepared, which identifies the impacts which officers consider to be the most significant. However, the LIR will need to be formally approved by each local authority and consequently there may be additional matters which are raised.

Until the submission of the application for the Project the Council was adequately resourced through the PPA to respond to the consultations and engagement with National Highways. Since then, there has been minimal support and the Council has lacked the resources to carry out a review of the application documents. It is not clear therefore, if the Project as submitted has addressed the Council’s concerns which were raised in consultation responses. The Council has been left with no alternative but to raise these issues in this representation and set them out in more detail within the accompanying Principal Areas of Disagreement Summary Statement (“PADSS”). There is a need to resolve this resourcing issue to enable the Council to engage effectively with National Highways, engage in the application process and contribute to the detailed design of the Project to support its delivery under Project Speed.

On 1 April 2023 local government in Cumbria will change. The current six district councils, along with county council, will be replaced by two new ‘unitary’ councils. For the area of the County in which the Project is located, the new Westmorland and Furness Council will be created. It will inherit the roles and functions of, and replace, Cumbria County Council and Eden District Council. From this date Westmorland and Furness Council will be responsible for providing all the services currently delivered in those areas by the three district and borough councils and Cumbria County Council. A Joint Engagement Statement is submitted alongside this representation and sets out how the existing and replacement authorities will engage in the Pre-examination and Examination stages of the Application process.

This representation relates only to the matters of most concern to the Council.

Support for the Project

1. The Council supports the principle of dualling the remaining single carriageway sections of the A66 between Penrith and Scotch Corner, as well as improvements to junctions along the route. A suitably designed scheme will improve connectivity within and beyond Cumbria, improve resilience, road safety and journey time reliability, and help to support future economic growth and investment.
2. The Council acknowledges that the Applicant has engaged in a statutory and non-statutory consultation process. It is however concerned that the inclusion of the Scheme within Project Speed has resulted in an application that has been submitted against extremely tight deadlines and there are some negative impacts of the Scheme that could have been further

mitigated with time for more consultation and engagement and the provision of more detail. These matters will need addressing during the Examination.

Key Tests

3. In response to the A66 Section 42 consultation, the Council identified a number of areas where mitigation was required to minimise negative local impacts and ensure the benefits of the Project are realised. These were identified as the Council's 'key tests' for the Project and represent the issues of greatest importance to the Council. The key tests are:
 - Connectivity - Improving Connections to Local Communities, Maintaining North-South Connectivity and Minimising Severance
 - Key Junction Improvements
 - De-Trunking of the Existing A66
 - Active Travel
 - Network Resilience
 - Improved Facilities for HGVs
 - Maximising Socio-Economic Benefits
 - Construction impacts (including Diversion Routes)
 - Environmental Mitigation, including drainage

Each of these issues is summarised below and is set out in more detail within the accompanying PADSS.

Improving Connections to Local Communities, Maintaining North-South Connectivity and Minimising Severance

4. The Project should result in clear and effective junction strategies across the A66 and greater junction safety and legibility, supporting both east and west bound journeys. There should be no loss of north-south connectivity or loss of connectivity for communities and key destinations across the route. The main areas that will suffer an impact on connectivity are around Penrith (M6 Junction 40, Kemplay Bank and Skirsgill) and at a number of locations along the route where right turn movements will be removed or where the new road severs an existing route.

Key Junction Improvements

5. The Project should develop effective junction solutions that are able to support forecast traffic flows and alleviate any congestion issues (such as those experienced on a Friday at M6 J40) and at Kemplay Bank. Junctions that are critical to diversion routes should be enhanced to address capacity and resilience concerns. Junction capacity needs to be informed by a clear approach to traffic modelling and forecasts.

De-Trunking of the Existing A66

6. The Project needs a clear strategy for the sections of the A66 that will be de-trunked, so that assets adopted by the Council are at an acceptable and agreed standard and appropriate commuted sums are provided to support future upkeep. The transferred assets should be subject to enhancements where necessary to reflect their new role as part of the local road network. There is no agreed approach to de-trunking and the Council needs to have a full understanding of the liabilities that may arise. There are specific concerns regarding the transfer of structures as these carry particular risks.

Active Travel

7. The Project should support the delivery of an east-west corridor suitable for walking, cycling and horse riding. The design details need to be agreed and must comply with recognised standards, including LTN 1/20 and Active Travel England guidance. Clarity is needed regarding maintenance responsibilities. The design for walking and cycling. The scheme should also address the needs of travellers to Appleby Horse Fair and incorporate meaningful improvements for horse drawn traffic.

Network Resilience

8. To increase the resilience of the route once operational, the scheme should incorporate the use of more and smarter technology, for example variable message signs. Consideration should be given to enhancing the existing strategic diversion routes, specifically the A6 and A685. The impact of the Project on permanent diversion routes needs to be considered and mitigated during the planning and construction phases.

Improved Facilities for HGVs

9. Consideration of the adverse impacts arising from substantial increase in HGV traffic is required. The Project should act as a catalyst to the provision of high quality and dedicated HGV parking and service provision across the A66 corridor. To support the logistics sector NH need to provide clarity on provision of parking and services to accommodate increased usage by HGVs and parking and services demands.

Maximising Socio-Economic Benefits

10. The Project should maximise the economic benefits resulting from the scheme, deriving social value and legacy benefits. This should include support for skills development to enable local take-up of employment opportunities from the Project, as well as support for the local supply chain to position local businesses to win work. The impacts of accommodating the construction workforce are unclear and may have an adverse impact on the visitor economy, local housing and communities through use of existing accommodation or poor siting of the accommodation. Opportunities should be taken to generate lasting benefits from the provision of accommodation.

Construction impacts (including Diversion Routes)

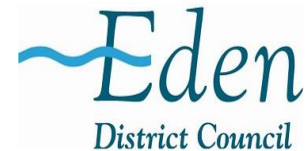
11. There should be a clear construction traffic management plan and the establishment of suitable diversion routes to support the construction of the new upgraded sections of the A66. Potential diversion routes are not suitable without mitigation and fall outside the DCO boundary.

Environmental Mitigation

12. The scheme should provide environmental mitigation to minimize harm and boost benefits. There should be opportunities for carbon offsetting across the scheme. Biodiversity net gain is also an issue of importance.
13. The Council has concerns about the drainage proposals for the Project and the potential impact on the water environment. There are matters that need resolving in terms of drainage design principles and details, which have impacts on the extent of land needed for drainage systems, particularly with regard to flood risk and future maintenance liabilities.

Other Matters

14. From a property and land perspective, the Council has significant concerns about the land National Highways is planning to acquire on a permanent basis at Skirsgill and Kemplay Bank due to the serious detrimental effect this will have on the Council's ability to provide essential services.



**PLANNING ACT 2008 (AS AMENDED) - SECTION 89 AND THE INFRASTRUCTURE
PLANNING (EXAMINATION PROCEDURE) RULES 2010 - RULE 9**

**APPLICATION BY NATIONAL HIGHWAYS FOR AN ORDER GRANTING
DEVELOPMENT CONSENT FOR THE A66 TRANS-PENNINE DUALLING PROJECT**

PROCEDURAL DECISION MADE UNDER SECTION 89

JOINT ENGAGEMENT STATEMENT

**CUMBRIA COUNTY COUNCIL, EDEN DISTRICT COUNCIL AND WESTMORLAND AND
FURNESS COUNCIL**

4 SEPTEMBER 2022

Introduction and Purpose

Further to the Examining Authority's letter of 29 July 2022, this paper sets out the Joint Engagement Statement of Cumbria County Council, Eden District Council and Westmorland and Furness Council. It details how the existing and replacement authorities will engage in the Pre-examination and Examination stages of the Application process for the A66 NTP Project, particularly in regard to the submissions of documents such as the Local Impact Report, Written Representations, Statement of Common Ground and Principal Areas of Disagreement Summary Statements.

Local Government Reorganisation (LGR) in Cumbria

On 1 April 2023 local government in Cumbria will change. The current six district councils, along with Cumbria County Council, will be replaced by two new 'unitary' councils.

Westmorland and Furness Council will be created and will inherit the roles and functions of and subsequently replace Cumbria County Council and Eden District Council.

The draft Cumbria (Structural Changes) Order 2022 to set out the process of creating the new councils is proceeding through Parliament and will be agreed by 29 March 2023.

The Order states that on 1st April 2023 the existing district councils and county council will cease to exist.

From this date Westmorland and Furness Council will be responsible for providing all the services currently delivered in those areas by the three district and borough councils and the County Council.

Established working arrangements between Cumbria County Council and Eden District Council

Cumbria County Council and Eden District Council have well established working arrangements to co-ordinate their input into the A66 NTP project.

Prior to submission of the Development Consent Application a joint Planning Performance Agreement has provided the mechanism to resource both councils' input to providing an effective response to this complex proposal.

To date the councils have used joint technical support from consultants to underpin their responses and ensure a joined-up approach. The councils have engaged with National Highways through joint meetings.

Transitional Arrangements

Cumbria County Council and Eden District Council will continue to operate and deliver all current services until April 2023 and maintain their responsibilities and decision-making powers as local highway authority and local planning authority, as well as responding as host authorities to the Application process.

In this respect Cumbria County Council and Eden District Council will continue to co-ordinate their input to responses to information relating to the A66 Trans-Pennine Dualling project, including:

- Principal Areas of Disagreement Summary Statements
- Relevant Representations
- Local Impact Report
- Written Representations
- Statement of Common Ground

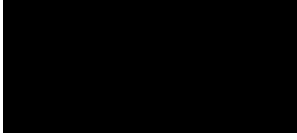
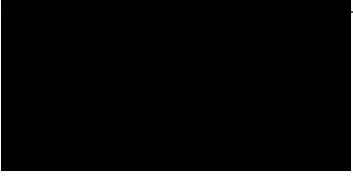
As part of the process to set up the new unitary councils, 'shadow' authorities were created following elections in May 2022. The Shadow Authority for Westmorland and Furness Council will be overseeing the planning and preparation for the new unitary council between now and April 2023.

The Shadow Authority currently has no responsibility for service delivery or decision-making powers, but it operates alongside the existing councils until Westmorland and Furness Council becomes operational on 1 April 2023.

In order to maintain an efficient transition between authorities a programme of joint briefings of Cumbria County Council and Eden District Council and Westmorland and Furness Council elected members is established. Members of all three councils will be briefed on the content of the LIR and other key submissions. Eden's current Cabinet Portfolio holder responsible for planning and development has been appointed to a similar role in the new authority, therefore, providing consistency of political inputs to this project. The resourcing of this project is being considered through the LGR Place Theme and captured within both Highway and Planning workstreams. This work should support the smooth transition between existing and new councils.

However, the Councils will not have additional resources following the LGR process meaning that existing resource pressures will remain. Should further PPA or other funding be secured to support local authority's engagement in the project, it would be possible for the PPA to novate to the new Westmorland & Furness Council and resource to transfer.

AGREED BY:

Signature		Signature	
Name	Angela Jones	Name	Fergus McMorrow
Title	Executive Director	Title	Assistant Director
	Cumbria County Council		Eden District Council
Date	2 nd September 2022	Date	1 st September 2022

A66 NTP: Cumbria County Council - PRINCIPAL AREAS OF DISAGREEMENT SUMMARY STATEMENT

Principal Issue in Question	The brief concern held by Cumbria County Council which will be reported on in full in WR / LIR	What needs to; change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination.
1 Penrith Area	General There are a number of issues associated with the proposals for M6 Junction 40, Kemplay Bank and the adjacent Skirsgill Depot. These have been grouped together geographically under the Penrith Area heading. Specific concerns are set out below.	See comments in relation to specific issues below	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the impacts of the proposals and contribute positively to the development of the project
2 Penrith Area	Junction Capacity at M6 J40 There is a key concern that the Project will worsen current congestion issues in Penrith, especially because M6 junction 40 does not see any significant capacity improvements, but will need to handle significantly more traffic. The Council therefore expects NH to undertake further reviews of the designs of this scheme and look to increase the capacity of this junction. The Council is not satisfied that J40 of the M6 has adequate capacity to manage traffic flows at peak times and on Fridays resulting in congestion and delays to local journeys. We consider that, following scheme opening, demand on this junction will grow with the potential for adverse impacts upon local residents, visitors, businesses alongside long distance travellers.	The Council needs to be provided with the opportunity to review the traffic modelling and traffic forecasts. Discussions are needed with NH to discuss the modelling and reach agreement on the approach, which informs the suitability of the junction design and road capacity (see also Traffic Flows and Modelling below)	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the impacts of the proposals at Junction 40 and review the modelling approach and traffic forecasts.
3 Penrith Area	M6 J40 Cycling and Walking crossing provision do not appear appropriate or in accordance with LTN 1/20. The proposals result in a slow and lengthy journey across the junction and are likely discourage sustainable modes. The proposals for the cycle route linking J40 and Kemplay Bank are unclear	The proposals need to be amended to comply with LTN 1/20, then reviewed by the Council to confirm agreement	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for cycling and walking crossing provision and confirm their acceptability
4 Penrith Area	Skirsgill Depot Proposed new access road to Skirsgill Depot is not agreed due to potential adverse impact of proposals on the delivery of CCC operational services (CTOT (customer transport), highway depot operations, county stores, buses, winter maintenance - during construction works and in operation	Discussion needed to ensure suitability of proposals and design integration with the operational usage of the depot. Incorporation of agreed solution in scheme design Need to review how the construction impacts will be managed in order minimise impacts and ensure continued viable operation of the site. Confirm suitability of junction design for depot usage, including CTOT (Community Transport) buses	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for Skirsgill access and the impacts upon the functioning of the depot
5 Penrith Area	The routes to access Skirsgill depot from the west by motorised vehicles can be increased by 2km if the secondary access if the M6 slip road is removed. Journey times can be lengthened significantly at peak periods. The Council oppose removal of this access, Karl M to confirm position	The vehicular access to the depot from the M6 slip road needs to be retained to enable potential access from the west. Further consideration of movements in and out of the depot is required. Final design needs to be agreed to the satisfaction of the Council	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for and impacts upon Skirsgill Depot
6 Penrith Area	Congestion at Skirsgill Depot entrance as a consequence of capacity issues at M6 J40	The vehicular access to the depot from the M6 slip road needs to be retained to enable access from the west. Further consideration of movements in and out of the depot is required. Final design solution needs to be agreed to the satisfaction of the Council	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for and impacts upon Skirsgill Depot
7 Penrith Area	Cycling & Walking crossing provision at Skirsgill Depot is not appropriate or in accordance with LTN 1/20. Opportunities to cross the A66 between the depot and Penrith are inadequate and the proposed design will discourage sustainable travel.	The removal of the uncontrolled crossing point across the A66, moving the access to Skirsgill Depot eastwards and the requirement to negotiate 4 sets of signals will make access to Skirsgill Depot less direct. There is a need to review the proposals and consider whether an amended design can address this concern.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for and impacts upon Skirsgill Depot
8 Penrith Area	Drainage at Skirsgill Depot Lack of clarity on how additional run-off from new access road will be managed. Council is concerned that drainage basins and associated access tracks will adversely impact development site.	The Council requires details of how existing depot drainage will cope with the increased runoff from the new access road, which will need to include treatment of surface run-off.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for and impacts upon drainage at Skirsgill Depot

Principal Issue in Question	The brief concern held by Cumbria County Council which will be reported on in full in WR / LIR	What needs to; change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination.
9 Penrith Area	Kemplay Bank Concern that access to Blue Light Hub at Kemplay Bank may be adversely affected by the proposals. There is potential for the construction activity to have a detrimental impact on the traffic flow and accessibility of the hub from the Kemplay Bank Roundabout. Response time is of critical importance for emergency services.	During construction of the A66 NTP, the Councils require assurance that the operational performance of the blue light hub facility will not be negatively impacted. It is expected that NH approach to this matter will be addressed in the EMP and detailed design process. The emergency services directly access the A66 from this facility as means of providing the fastest response and this needs to be retained throughout construction.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for the Kemplay Bank area and potential impacts upon the Blue Light Hub
10 Penrith Area	Kemplay Bank Concern that the Project will worsen current congestion issues in the vicinity of Kemplay Bank Roundabout, due to lack of capacity	The Council needs to be provided with the opportunity to review the traffic modelling and traffic forecasts. Discussions are needed with NH to discuss the modelling and reach agreement on the approach, which informs the suitability of the junction design and road capacity (see also Traffic Flows and Modelling below)	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for and impacts upon Kemplay Bank roundabout
11 Penrith Area	Cycling and Walking access routes are proposed via the centre of the Kemplay Bank roundabout, which will lead to an increase in severance due to an increase in the number of crossing points and increased conflicts with vehicles. The PROW across KB needs to be extinguished and improvements made to other PROW.	The proposals for cycling and walking at Kemplay Bank need to be reviewed to ensure compliance with LTN1/20 and consideration given by NH to improving PROW.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand and shape the proposals for cycling and walking at Kemplay Bank roundabout
12 Penrith Area	Detrunking of roundabout into local network and liability for bridge structures. Unclear what the detrunking proposals for the KB roundabout will mean for the Council. The Council is not willing to accept maintenance liability for the roundabout, which includes new overbridges, lighting, traffic signals, etc	NH need to explain their proposals for detrunking of the roundabout and what arrangements will be put in place for future operation and maintenance. See also comments on 'Detrunking' below	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for detrunking at Kemplay Bank
13 Penrith Area	The Council is not satisfied that impacts on the local road network, on Ullswater Road, Clifford Road and Eamont Bridge have been adequately assessed.	See Traffic Flows and Modelling below See also comments regarding M6 diversions under Diversions below	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the impacts of the proposals at Ullswater Road, Clifford Road and Eamont Bridge and review the modelling approach and traffic forecasts.
14 North - South Connectivity	In areas as above and at the following locations there are concerns about the maintaining of North-South connectivity. There should be no loss of north south connectivity - which are particularly an issue at the locations below	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for and impacts upon north-south connectivity
15 North - South Connectivity	Larma Karma Kafe site - removal of right turn limits the future use of this building	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for and impacts upon north-south connectivity
16 North - South Connectivity	Brougham Castle - Temple Sowerby (Eamont Bridge Llama Karma Café & Sewage work) Removal of the all- movement junction of the A66 and B6262 is opposed as this is used as a diversion route during flood events at Eamont Bridge to enable the A6(S) to remain connected to the A66.	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for and impacts upon north-south connectivity
17 North - South Connectivity	Crackenthorpe At the western end of the Appleby bypass where the proposed realignment of the A66 will tie-in to the existing bypass, a footway/cycleway connection exists between the westbound merge slip road and the old alignment of the A66 towards Crackenthorpe Hall. This needs to be maintained and improved to LTN 1/20 standards as a segregated facility to maintain active travel linkages between Crackenthorpe and Appleby.	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for and impacts upon north-south connectivity
18 North - South Connectivity	Appleby Bypass - Brough (Warcop & Langrigg) Connectivity from Warcop towards the east will be reduced as the current right turn provision will be remove resulting in a detour. Accessing Langrigg from the A66 west will result in a detour.	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for and impacts upon north-south connectivity

Principal Issue in Question	The brief concern held by Cumbria County Council which will be reported on in full in WR / LIR	What needs to; change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination.
19 Traffic Flows/Modelling	There is concern that the assessment of scheme impacts underestimates impacts at M6 J40, Kemplay Bank, Eamont Bridge, Ullswater Road, and Clifford Road. As proposed the project may result in unacceptable congestion impacts.	The Council requires further details to be provided on the methodology and results of the assessment of impacts at M6 J40 and Kemplay Bank. The Council believes there is a need for review of more detailed outputs for local modelling undertaken, particularly on Ullswater Road and Eamont Bridge. There is also a need for further sensitivity testing to evidence that the proposals will not have unacceptable impacts on the local road network.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the modelling in sufficient detail and provide informed comments
20 Departures	Over 100 Departures from design standards have been assessed that carry potential safety risks; 8 or which are high risk /critical safety risk. Departure principles have not been agreed. The interface between DMRB standards and local network requires further work.	Risk assessments to address safety at interfaces between the networks need to be provided and agreed. The critical/high risk departures require extensive mitigation works that could affect the red line boundary and/or require extensive safety and operational justification. Departures where a solution appears achievable require detailed design development within the RLB. Medium risk departures either require more information eg a departure location plan to assess the safety risk, or (based on the detail provided) would require robust substantiation through the departures process. It should be noted that all identified departures should ideally be designed out by the project contractor in conjunction with the Council during detailed design or robust departures from standard developed to ensure safety risks are mitigated as far as reasonably practicable.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the approach to departures and process for resolving safety concerns
21 Detrunking (road and structures)	Lack of clarity as to what assets will transfer to the Council as a result of detrunking. The Council needs to be assured that the detrunking proposals are acceptable in respect of: 1. Maintenance liabilities 2. The condition of the detrunked assets 3. The design suitability of the asset (appropriate to the proposed use) 4.. The provision of funds to maintain the asset.	There is a need for continued discussion and negotiation with NH to agree the over-riding principles for detrunking. A detrunking principles document and implementation of the process for agreeing detrunking needs to be secured through the DCO process provide the Councils with a commitment or funding to bring the de-trunked sections up to an acceptable standard before handover and adoption. The condition of the proposed de-trunked sections (including carriageway surface, lighting and associated infrastructure) needs to be independently assessed. Before accepting the asset, there will need to be a full condition survey and joint agreement on how any required repairs or improvements will be implemented and funded. Need to understand deterioration of the asset once construction work commences until the handover date. Furthermore, the extent of de-trunking needs to be discussed and agreed with the Councils prior to establishing de-trunking agreements. it is understood that NH will prepare a 'Detrunking and Asset Handover Approach' and 'Asset Adoption Plan'. The Council needs an opportunity to review these documents and agree the approach for subsequent approval. Need to confirm that the application red line boundary includes all the detrunked assets.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for detrunking and the acceptability of assets to be transferred. Detrunking documents will need to be available for agreement during the Examination or the approval process clarified to the Council's satisfaction.
22 Detrunking (road and structures)	Future Maintenance - the Council must not inherit a maintenance liability and must be funded appropriately to maintain the de-trunked assets.	Review the detrunking strategy or other relevant documents produced by NH to confirm the acceptability of maintenance provision and agree the mechanism for payment of commuted sums for maintenance	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposed mechanisms for funding of detrunked assets.
23 Public Rights of Way (PROW)	Lack of clarity on the acceptability of PROW proposals, including severance issues, route diversions, and the condition and maintenance of diverted PROWs	The Council needs to understand the impacts on PROW and confirm the acceptability of NH's proposals. Discussion will be needed to resolve any outstanding concerns	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for and impacts upon Public Rights of Way.
24 Structures	Council will not accept liability for structures on the A66 or crossing the A66	The Council requires an assurance from NH that it will retain responsibility for structures on the A66, including overbridges, underbridges, culverts, etc.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for maintaining structures along the A66.

Principal Issue in Question	The brief concern held by Cumbria County Council which will be reported on in full in WR / LIR	What needs to; change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination.
25 Structures	There is no clarity about responsibility for maintenance of road surfaces, lighting, barriers, retaining walls, etc. on structures that carry the local road network across the A66	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for maintenance of local road infrastructure that is linked to structures over and under the A66. The responsibility for road surface, lighting, barrier fencing, retaining walls, etc, needs to be clearly documented and agreed through the DCO process.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for maintaining infrastructure associated with structures along the A66.
26 Structures	Documents and records need to be provided in respect of any structures that are to be transferred to the Council	The Council will require full records to be provided in respect of any asset that is to be transferred to the highway authority. The process for supplying such detail needs to be agreed and secured through the DCO process. Records will need to include: information on the structural form, including any modifications, history of any issues arising (eg. scour or latent defects), condition surveys, waterproofing detail, tests and inspection results, degradation details, etc.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the documentary record for structures that are to be transferred to the Council.
27 Structures	Crackenthorpe Retaining Wall is a potential major maintenance liability that will not be accepted by the Council without a full understanding of the structure and assessment of risks and liabilities. Walk Mill High bridge - liability due to high alumina cement used in construction	The structures present a major risk to the Council and it will require specialist technical advice and potentially investigation to quantify the risks and liabilities. The process for addressing the concerns and (if agreed) providing a commuted sum to offset the risks through the DCO process needs to be clarified.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand and agree the proposals for transfer of structures
28 New Structures	There is no design information relating to new structures, including bridges, culverts and retaining walls. In the absence of such details the Council is not satisfied that designs will be acceptable or achieve satisfactory integration with the local road network. The Council has not had the opportunity to comment on or agree the design of new structures that will carry the local road network, WCH routes or PROW and which it may be asked to maintain. I There is a need to ensure visual integration of structures to minimise impact.	The Council needs an opportunity to review the structures designs and reach agreement with NH. Design detail needs to be provided by NH to confirm acceptability in terms of accommodating the proposed usage, tie-in with existing structures, meeting non-trunk road functions, integrating with PROW, meeting the needs of users and ensuring safety. The impact upon remote structures needs to be assessed and any mitigation delivered through the DCO The mechanism for jointly agreeing the design detail needs to be clarified and set out and the agreed proposals secured through the DCO. New A66 structures designed in accordance with DMRB and the associated design, checking and approval processes will be acceptable to the Council if built and maintained by NH. Council needs to be consulted upon and agree the design of all structures that will carry its network in order to ensure that they are fit for purpose and acceptable. The designs must be suitable to accommodate the proposed usage and should seek to address existing problems and constraints. The process for designing, checking and approving structures should be shared with the Council and should include the opportunity for Council input (in terms of agreeing the process and being able to influence the design)	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for and impacts upon structures. This includes review of the Project Design Report.
29 New Structures	Lack of clarity on liability & maintenance responsibilities relating to structures assets transferred to local highway authority	The Council needs to examine the DCO submission to understand the proposals for transferring structures assets. This needs to include consideration of all aspects of repairs and maintenance associated with the structures, including road surface, pavements, drainage, lighting, barriers, winter maintenance, etc. Such matters need to be clarified and agreed through the DCO process.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for transferring structures assets to the Council.
30 New Structures	There may be an adverse impact on 'remote' structures (outside the red line boundary) during construction or operation. This concern is linked to potential diversions that will have impacts on structures caused by additional traffic on local roads, particularly HGVs	The impact of diversion traffic upon 'remote' structures needs to be included in the consideration of diversions - see also concern relating to Diversions and Construction Impacts.	There is a need for the Council to be adequately resourced to examine the DCO submission to understand the proposals for diversion routes during construction and in operation.

Principal Issue in Question	The brief concern held by Cumbria County Council which will be reported on in full in WR / LIR	What needs to; change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination.
31 Diversions and construction impacts	<p>Diversions routes are not suitable without mitigation and fall outside the DCO boundary.</p> <p>The Council's assessment of diversion routes indicates that all will require mitigation and six are unsuitable without significant mitigation.</p> <p>Particular concerns remain in respect of the A685 at Kirkby Stephen, as well as other local roads, where various physical constraints will give rise to congestion and delay during construction.</p> <p>HGV - lack of clarity on diversions and impacts during construction</p> <p>M6 diversion routes do not appear to have been considered (The A6 at Kemplay Bank is a diversion route when the M6 is closed). There are also concerns about the diversion routes around and through Penrith where there is already a significant traffic issue. Serious congestion occurs at Kemplay Bank during M6 closures</p>	<p>Council needs to understand what future diversion use NH may have for the detrunked routes, eg.: Tactical diversions and future use of network. NH must develop a clear strategy for traffic management and the establishment of viable alternative/diversion routes to support the construction of the upgraded A66, taking into account the condition and suitability of local roads, susceptibility to rat-running the the particular constraints that may apply to HGV use. There are clear challenges with the suitability of the rural road network to accommodate the types and volumes of vehicles to be diverted.</p> <p>NH should improve the existing strategic diversion routes, specifically the A6 and the A685 and undertake further feasibility work to determine how these routes can be enhanced to cope with the increased volume of traffic.</p> <p>This issue requires consideration by NH in discussion with the Council and mitigation measures need to be agreed through the DCO process.</p> <p>The Council believes there is a need for further sensitivity testing to provide comfort that the proposals will not have unacceptable impacts on the local road network.</p>	<p>There is a need for the Council to be adequately resourced to examine the DCO submission to understand the proposals for diversion routes during construction and in operation.</p>
32 HGVs	<p>HGV (Parking and Services) - lack of provision and an absence of analysis of the impacts and requirements arising from a forecast increase in HGV traffic.</p> <p>Potential nuisance and safety risks arising from HGV parking.</p>	<p>Consideration of the adverse impacts arising from substantial increase in HGV traffic is required. NH need to provide clarity on provision of parking and services to accommodate increased usage by HGVs and parking and services demands.</p> <p>Freight Study needs to be developed in conjunction with Council and stakeholders to establish the need for parking and services provision and the recommendations considered for delivery through the DCO.</p>	<p>There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for and impacts upon HGV parking and services provision</p>
33 Drainage and the Water Environment	<p>The proposals contain a large number of drainage assets (basins, pipes, access tracks, etc) which have an adverse impact on the environment, land take, sustainability, maintenance and cost.</p> <p>There a lack of drainage detail in some locations leading to concern about how drainage will be satisfactorily achieved.</p>	<p>Discussion is required with NH to clarify the drainage strategy, including clarification of how the designs have optimised and the operation and maintenance of drainage assets to be transferred to the Council.</p> <p>The process for agreeing the transfer of drainage assets needs to be clarified and formalised within the DCO process.</p> <p>Clarity required on the how the potentially harmful effects of highway run-off (from the A66 and detrunked sections) have been addressed.</p>	<p>There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for drainage.</p>
34 Drainage and the Water Environment	<p>Lack of clarity on drainage strategy and design detail for assets that will become the Council's responsibility.</p>	<p>NH needs to provide sufficient drainage design detail to enable the Council to confirm its understanding and agreement on assets to be taken over by the Council, and whether it includes any management of A66 surface water drainage?</p>	<p>There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for drainage.</p>
35 Drainage and the Water Environment	<p>Concern about proposed storage ponds, including location, outfalls, functionality, clarity on the future maintenance responsibilities, dual 'his and hers' systems,</p>	<p>Discussion needed with NH to address concerns around storage ponds in order to reach agreement on design principles and future maintenance.</p>	<p>There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for drainage.</p>
36 Drainage and the Water Environment	<p>Concern about flood risk, such as the location of treatment ponds within Flood Zones 2 & 3 (eg. Carleton Hall), flood compensation being proposed in existing flood zones, lack of detail for flood compensation, proposed discharges in flooding locations. Opportunities should be taken to provide benefits in terms of flood risk reduction and natural flood management.</p>	<p>The Council requires details of all proposals which impact upon flood risk and need discussion with NH to resolve any concerns. NH need to ensure the inclusion of Natural Flood Management and other mitigation measures to align with EA/LLFA works.. It is essential that natural flood management is considered and engagement with the Cumbria Innovation and Flood Resilience Project team takes place, particularly in relation to the Warcop area, Lowgill Beck and Broom Rigg. Discussion is required on the flood modelling to ensure that NH and the Council can reach agreement on the approach, which should then inform the drainage designs.</p>	<p>There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for drainage.</p>

Principal Issue in Question	The brief concern held by Cumbria County Council which will be reported on in full in WR / LIR	What needs to; change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination.
37 Drainage and the Water Environment	Concern over how existing drainage systems will cope with increased run-off caused by the project	Council requires details of drainage proposals for its review and comment. There is a need for the Council to understand the impacts of run-off on existing drainage systems and to confirm whether there is sufficient capacity. Discussion needed with NH to reach agreement on the proposed discharge to existing drainage infrastructure.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for drainage.
38 Drainage and the Water Environment	Lack of clarity on how drainage will be provided for overbridges and underpasses, particularly in areas of known surface water concern (eg. Priest Lane underpass)	Council requires details of drainage proposals for its review and comment. There is a need for discussion with NH to reach agreement on the drainage infrastructure associated with bridges and underpasses that will be the responsibility of the Council.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for drainage.
39 Drainage and the Water Environment	Lack of clarity on how run-off will be treated (eg. Whinell Park Cottages underpass)	Clarity required on the how the potentially harmful effects of highway run-off (from the A66 and detrunked sections) have been addressed. The Council requires the opportunity to review and comment on the proposals and agree the acceptability of the design where it will have future responsibility.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for drainage.
40 Drainage and the Water Environment	Concern about new infrastructure being provided in locations where swales or existing drainage ponds can provide the necessary treatment	Council requires details of drainage proposals for its review and comment. There is a need for discussion with NH to ensure that the use of swales and drainage ponds is explored in preference to the creation of new drainage infrastructure	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for drainage.
41 Drainage and the Water Environment	Opportunities to enhance drainage designs to provide better treatment and improved biodiversity. Concern about water quality impacts and the need to protect aquatic ecology.	Council requires details of drainage proposals for its review and comment. There is a need for discussion with NH to ensure that designs achieve optimal treatment benefits and protect and improve biodiversity.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for drainage.
42 Walking, Cycling and Horse-riding (WCH)	The Standards and Suitability of designs for walking, cycling and horse-riding are unclear.	The design specification for the provision of WCH needs to be agreed with NH and approved through the DCO process. The designs should comply with DfT/Active Travel England standards.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for WCH in sufficient detail to comment and engage on the issue.
43 Walking, Cycling and Horse-riding (WCH)	Maintenance - future responsibilities for WCH routes is unclear and could jeopardise longevity of the provision.	the Council seeks reassurance that the WCH provision will have continuity, permanence and ongoing maintenance and will expect this to be secured through the DCO approval process.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for WCH in sufficient detail to comment and engage on the issue.
44 Walking, Cycling and Horse-riding (WCH)	It is not clear whether the design of the E-W cycle route includes provision for horse-riding	The design specification for the provision of WCH needs to be agreed with NH and approved through the DCO process.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for WCH in sufficient detail to comment and engage on the issue.
45 Walking, Cycling and Horse-riding (WCH)	Grade separation of all A66 crossing points is required to ensure the safety of WCH users.	The design specification for the provision of WCH needs to be agreed with NH and approved through the DCO process. The approved detailed design should ensure that all WCH routes which cross the A66 are grade separated to ensure the safety of users	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for WCH in sufficient detail to comment and engage on the issue.
46 PROW	The provision for diversions and replacements for severed PROW is unclear in a number of locations. Clarity is needed on the specification for PROW provision.	A review of the detailed proposals for PROW is required to ensure that diversions and replacement routes are appropriate and acceptable to the Council. There needs to be discussion with NH to agree any design changes and the specification for PROW provision. and these will need approval through the DCP process.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for and impacts upon PROW
47 Appleby Horse Fair	It is unclear how access and Traffic Management for Fair traffic will be facilitated. The scheme should not negatively impact on Appleby Fair and should encourage further improvements on the local network to discourage the use of the A66 by the travelling community.	The Appleby Fair Traffic Management Plan will require updating in consultation with NH as a consequence of scheme changes. The CTMP will need to develop proposals to address provision for Horse Fair traffic. Connections to existing routes used by travellers and designated stopping places will need to be maintained across the proposed dual carriageway to enable their continued use.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for and impacts upon Appleby Horse Fair.

Principal Issue in Question	The brief concern held by Cumbria County Council which will be reported on in full in WR / LIR	What needs to; change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination.
48 Appleby Horse Fair	Safety concerns relating to non-motorised vehicles using the A66 dual carriageway. The difference in travelling speed between motorised traffic and horse-drawn vehicles will cause an increased hazard to all road users.	The Council expect NH to confirm how non-motorised traffic will be discouraged from using the A66, in particular how horse drawn traffic can effectively access Appleby Horse Fair via alternative routes. Route risk assessment to ensure the local network can accommodate safe passage of horse drawn vehicles there is continuity of alternative provision on the local network	There is a need for the Council to be adequately resourced to examine the DCO submission to understand the proposals for discouraging non motorised traffic on the A66.
49 Appleby Horse Fair	Absence of suitable stopping places for non motorised vehicles for travellers to the Fair	There is a need to discuss the provision of stopping places for Horse Fair traffic on local and detrunked roads that will be used in preference to the A66 The Councils expect NH to provide either direct funding to provide stopping places on the detrunked sections or ensure the work is undertaken by its contractors prior to being detrunked.	There is a need for the Council to be adequately resourced to examine the DCO submission to understand the proposals for stopping places relating to horse drawn traffic.
50 Socio - economic	Skills & Supply Chain - absence of assessment of impacts and need for a strategy to ensure that the project delivers benefits to the local area	Skills and Employment Strategy to facilitate and contribute to support training and upskilling to ensure that the Project contractors can make the best use of the local workforce and provide suitable support and training for those will need to re-skill. Support for local schools and colleges to increase and extend the range of courses available to ensure young people have the right skills and qualifications to secure apprenticeships and employment opportunities generated directly and indirectly by the project needs to be provided. The Council has requested a Business Support Strategy and discussion is required with NH and its contractors to ensure that local businesses are supported and encouraged to engage in training and tendereing opportunities.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the potential socio economic impacts and the oppprtunitites to secure local economic benefit from the project.
51 Socio - economic	Worker Accommodation Strategy. The impacts of accommodating the construction workforce are unclear and may have an adverse impact on the visitor economy, local housing and communities through use of existing accommodation or poor siting of the accommodation.	The Council has submitted an accommodation strategy principles document to NH to ensure that the workforce accommodation is suitable and can result in legacy benefits, but have yet to receive a response. The matter will need to be addressed through the Construction Management Statements as part of the DCO process	There is a need for the Council to be adequately resourced to examine the DCO submission to understand the proposals for worker accommodation and the potential impacts upon the local area.
52 EIA topics/mitigation relevant to local highway network	Materials and Waste. It is unclear how waste is being minimised and if the waste hierarchy is being followed. Also unclear if borrow pits will be needed. There are opportunities for carbon offsetting across the scheme which have not been fully explored. Biodiversity net gain is also an issue of importance and it is not clear that local opportunities are being fully explored.	The Council needs to understand the proposals in relation to waste and materials, carbon offsetting and biodiversity net gain to ensure that these matters have been addressed. Discussions will be required with NH to ensure that the proposal address any concerns.	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals for materials and waste and mitigation of impacts
53 Communication and Collaboration	Lack of information and understanding of the proposals to inform elected members	The Council is not properly informed due to a lack of resources to review the proposals	There is a need for the Council to be adequately resourced to examine the DCO submission and engage in the DCO application process to understand the proposals and impacts so that it can properly brief and inform members
54 Land and Property	Opposition to land acquisition, which would have a serious impact on the Council's ability to provide essential services.	There is a need for discussion and agreement with NH regarding land take that will have a serious impact on Council services.	There is a need for NH to engage with the Council to discuss the proposals for land acquisition.