

A66 Northern Trans-Pennine Project

Planning Examination 2022-2023

Deadline 1 (D1), December 18th, 2022

Written Representation (WR) of Emma Nicholson

1 Robust Assessment of Route Options

I have previously submitted two Documents to PINS relating to route selection on the Temple Sowerby to Appleby section scheme 04.05. These appear in the Examination Library attached to Eden District Council Adequacy of Consultation Document -AOC44. They are attached again for ease of reference.

The Planning Inspectorate identified a possible failure by NH to conduct robust alternative route assessments prior to selection of the northern blue route. The blue route enters the setting of the AONB and cuts through the Eden SAC. Although Eden District Council (EDC) do not specifically reference this section within its adequacy of Consultation Document, Eden District Council do raise significant concerns about the pre- application process. The comments are reproduced below and hi-lighted in red text:

As a general comment the Council has not seen the full Environmental Statement, nor draft copies of some of the more critical documents including for example the Transport Strategy in advance of the DCO submission. In reviewing compliance with section 42, and throughout the pre-application engagement process, the Council did highlight that significant information was not made available as part of the public consultation. Although the Applicant has sought to engage with the Council on the principles and strategic approaches, we would have preferred more detailed pre-application engagement in order to facilitate a fuller and more informed Section 42 response. www.eden.gov.uk 3 Wider Consultation Issues Whilst acknowledging that the Applicant has been developing its proposals throughout this period, it would have significantly helped the Councils if more information had been available earlier for the Council to be as fully informed as possible. There was an ongoing concern throughout each stage of public consultation that detail and evidence were missing from the consultations. The Council still has many issues outstanding; more detailed evidence and information could have enabled a better understanding of these issues, and potentially resolved some of them. It is clear from the Council's responses at each stage of public consultation that we had requested more detail on a consistent basis. This absence of elements of information has not just created difficulties for the Councils but, we assume, for a wide number of consultees as well. The Council has consistently sought to receive more information from the Applicant in order to be able to come to more informed judgements about the impacts of the scheme and to allow them to work more effectively on any mitigation proposals. We

are aware that several statutory consultees are also concerned about the level of information that has been made available through the consultation exercises. Only now at the point of submission will we be able to review the proposal as a whole and make a considered and informed judgement. Such an approach means the Councils have, as a result, been silent on some issues. The lack of a comprehensive set of documents has also compromised the engagement that has taken place because the complex inter-relationship between all the documents means no single document can ever be understood in isolation. As such, the Councils have not been able to complete the engagement on the pre-application work with the Applicant as envisaged in the regime set out by the Planning Act 2008. The Councils have been keen, at every stage, to progress with all the outstanding elements in a constructive way with all parties but are concerned that, with the substantial and complex work still to be done on the Statements of Common Ground, the s106 legal agreement and agreeing mitigation, **there may not be adequate opportunity for the Examining Authority to undertake its work.**

EDC summarise within this paragraph the experience of working with NH encountered by everyone impacted by this scheme. The process of route selection was similarly impacted. The evidence that NH never departed from some of the conclusions reached in 2003, when dualling was last considered, is evident by the fact the 2003 statutory consultation was considered in meeting with the Planning Inspectorate in 2019. The drive for speed led NH to pick up where they had left, and advance routes based on old assumptions. The response to every obstacle had not been to reconsider but to state mitigation will address the problem.

They have not worked openly with communities, Statutory Bodies or Landowners. Simply saying you have consulted is not the same as doing so with full information. Absent from the Route Selection Process and Statutory Consultation was information about

- Cost
- Environmental impact/mitigation
- Length of route/journey time
- Noise/air pollution
- Junction location
- Accurate plans depicting how each route would impact the village of Kirkby Thore
- Design detail

The Inspectors have commented on the scale of information which remains absent. Even now almost 5 months after the DCO was submitted key surveys and design work have not been completed.

- Arboriculture Assessment
- Traffic Management Plan
- Bridge Design

Consider then the position in Autumn 2019 when the Preferred Routes for each scheme were selected. Only the briefest outline was provided. (see attached Inadequacies in Consultation Document). EDC highlights that significant information was not made available as part of the Statutory Consultation. How then can PINS be confident that robust route selection occurred.

Information was not available to Statutory Consultees. As an example, Natural England and the Environment Agency had not full information on route options at Kirkby Thore to include span of the bridge alternative, flooding, hydrology, noise, landscape or air pollution.

The comments of EDC make it clear they did not feel able to come to informed decisions about the impact of the scheme. PINS is asked to consider the below comments when considering whether it is possible to have robust route selection given the following.

- the Council did highlight that significant information was not made available as part of the public consultation.
- we would have preferred more detailed pre-application engagement in order to facilitate a fuller and more informed Section 42 response.
- This absence of elements of information has not just created difficulties for the Councils but, we assume, for a wide number of consultees as well.
- Whilst acknowledging that the Applicant has been developing its proposals throughout this period, it would have significantly helped the Councils if more information had been available earlier for the Council to be as fully informed as possible. There was an ongoing concern throughout each stage of public consultation that detail and evidence were missing from the consultations
- The Council has consistently sought to receive more information from the Applicant in order to be able to come to more informed judgements about the impacts of the scheme and to allow them to work more effectively on any mitigation proposals.
- We are aware that several statutory consultees are also concerned about the level of information that has been made available through the consultation exercises.

1.2- Junction at Kirkby Thore

The need for Junction locations to be resolved on each route prior to Statutory Consultation was emphasised to NH in meetings with PINS. This is clear in the PINS S51 advice. The relocation of the Junction at Kirkby Thore moving it closer to approx. 50 residential properties at Sanderson Croft was inevitable. The original design had safety issues. It seems improbable that the need for a

junction redesign was not known at Statutory Consultation. Concealing this information will have impacted the responses of the village and in particular the resident of these 50 properties.

1.3. – Other routes/De Minimis

NH have given conflicting answers to whether an upgrade to the existing A66 was considered. Initially they were incredibly open in saying that this was not considered as it was not a project objective. When they realised, they should have considered this alternative they began saying it had been considered but ruled out. All requests for them to provide evidence of the Sifting Process were refused. The existence of an Online Purple Route was never known about. It appears to have been ruled out in an Online Teams Meeting. The rigour applied to Route selections is evident.

1.4- The Kirkby Throe Roman Viccus

The Original two routes consulted on in 2019 included a Southern Route. Historic England were involved. In 2021 when NH formulated new routes, they changed the Southern Route so that it moved closer to the Viccus. The Sifting Minutes do not indicate why they did this but there is no suggestion within those sifting minutes that moving the southern route slightly north would be against National Policy. NH would presumably have known the boundary of the Viccus from their ongoing interaction with Historic England. There was an alternative southern Option which avoided the Viccus by maintaining the original alignment.

Enquires have been made with Historic England who are clear that their referred route was the Northern Route because of the impact on the Viccus of the Southern Route but say it is for NH to weigh that harm against other interest and the public benefit of the scheme. They do not say it is against national Policy.

NH are asked to provide evidence of how they compared this harm against all the other disadvantages including to the Troutbeck SAC.

It is felt the decision was made prematurely to accommodate Project Speed as the proposed date for the Statutory Consultation was approaching.

2. Each scheme judged on own merits

PINS have repeatedly asked NH to explain the justification for one NSIP. The answers given by NH are inadequate. Taken on its own merits, the Temple Sowerby- Appleby scheme would not be advanced. It accounts for 27 percent of the budget meaning ultimately this short stretch is likely to end up costing half a billion pounds. It is by far the largest contributor to the carbon calculation. It also involves intrusion into the setting of an AONB, significant and permanent detriment to a village arising from noise, dust and air pollution and then cuts through a SAC and SSSI.

NH have regularly updated the BCR and land costing for each scheme throughout each stage whilst all the time denying that such a calculation exists.

The evidence that lands cost and BCR calculations were being conducted on a scheme-by-scheme basis was obtained by receipt of the Sifting Minutes obtained via a FOI request. NH's design lead MC-G now says the BCR for the Temple Sowerby – Appleby section cannot be released immediately as it is being updated and will be made available shortly.

NH are asked to provide the BCR for the Temple Sowerby – Appleby scheme.

NH are asked to confirm that the Calculation has been carried out using the most recent TAG V1.18 utilising updated Carbon figures

3. Scheme Objectives.

Accommodating Freight and Tourism were considered as two of the main objectives when the StA66 strategy was formulated in a 2014 strategic study. Those objectives have changed and the move into the NET ZERO legislative world means Government policy has developed since the formulation of those objectives. Government policy is that freight should shift to rail. The drive to NET ZERO also undermines the tourism objective. The LDNP wish to discourage tourists visiting by cars. Driving to the Lakes is the LDNP biggest contributor to its Carbon Calculation and the parks' policy is to reduce visits by car. The A66 scheme objectives are less relevant.

4. Kirkby Thore – Rat Run

NH have finally acknowledged the likelihood that siting a junction at the north of KT will create a rat run. In the event of incidents on the stretch between Temple Sowerby to Appleby it is now proposed to close the KT junction.

1. Who will be responsible for effecting the closure?
2. How will they be notified?
3. How long is it predicted it will take from the time of the incident to junction closure being affected?
4. How will local traffic enter the village in those circumstances?
5. Given the tendency for divers to divert well in advance of an incident using info on Google Maps will the junction also be closed to prevent the village being impacted by accidents beyond at other sites and if not why?

NH do not consider traffic diverting through the village to access the Petrol Station or other locations will be an issue as they predict traffic will access the petrol station using the old trunk road.

1. What evidence is there for this given Google maps is likely to be the main influencer of route choice?
2. How can they control how people access the Petrol station or divert through village?

3. Have they completed a Traffic Study on this issue?

5- River Eden/Troutbeck SAC

In responses to RR, NH state there will be no impact on the Troutbeck River Restoration Project (TRRP). They go further and say they are working with Eden River Trust to facilitate this scheme. This is a total fabrication. When NH shared the first version of the DCO line the TRRP was within the boundary and NH indicted a wish to fund the scheme presumably to assist with mitigation. This was not adding mitigation but appropriating a scheme that already existed adding nothing to biodiversity net gain. NH approached ERT without informing the Landowner. Despite apologies about the way it was handled and subsequently being told by the Landowner that ERT were clear the scheme would not proceed without landowner agreement, NH have continued to assert that the scheme is proceeding. NH have known and repeatedly been informed that is not. Correspondence from ERT to the Landowner confirms they are also sorry for the way in which the Landowner has been treated and no longer wish to progress the scheme. This has been shared with NH.

Why NH continue to assert the project is going ahead cannot be understood. It is purposefully misleading to assert the TRRP is not impacted and will contribute to Biodiversity Net Gain. In reality the loss of the TRRP should contribute to the net loss calculation as the sole reason it is not progressing is the intrusion of NH into the project and the resulting loss of agricultural land.

NH uncertainty over temporary land take/ agricultural land required for future mitigation is resulting in Farmer/landowners withdrawing from Environmental schemes as they do not now what will be taken and cannot take the risk of committing land to environmental schemes. This is impacting on the drive to Net Zero along the route and Land use and Soils are one of the biggest resources for sequestering carbon.

NH are asked to address in responses to WR where they are relocating Flood storage. The Eden valley is an agricultural area with much of the Land being Grade 2. Where is this flood mitigation going to be located?

NH are also asked to clarify its claim that the project will not produce a reduction in flood storage given the following.

1. The planned TRRP (designed to restore river health but also assist with slowing flood water) will not proceed as a direct result of the project.
2. The flood plain will be impacted, and it is recognised that replacement flood storage is needed to compensate.

6. Eden River/Troutbeck SAC – Road Run Off/Nitrous Oxide

Road run off containing contaminants and microplastic are to be managed by balancing ponds which as described as reducing the pollutants to the **required** level.

How will this increase pollution to the Eden/ Troutbeck. The required level is not the same as saying there will be no additional contamination due to the introduction of the project into the floodplain.

1. The balancing ponds will drain straight into the Troutbeck SAC on the TS-Appleby section. What maintenance schedule will be necessary to ensure there is no risk of overflow.
2. How will run off from the bridge be prevented? How can the Examiners assess this during the Lifespan off the Examination when there is no Bridge design to assess?
3. The likelihood that Nitrous Oxide concentrations will increase is described as not adverse and at limited points. What is the increase to Nitrous Oxide depositions and at which locations?
4. How does increase to Nitrous Oxide caused by the dualling of the A66 in the Eden River Catchment basin, fit with EDC suspension of Planning permission due to the nitrification of the Eden Rive ad the urgent need to address this?

7 Construction Traffic Management Plan

This plan has not been completed and will not be available until the 2nd iteration of the EMP.

1. Why was this not completed in advance and available to Local Authorities at a much earlier stage?
2. How will the findings of this study now be incorporated into Local Authorities Local Impact Re?
3. Is this one of the missing studies that cause EDC to state that **the Councils have been keen, at every stage, to progress with all the outstanding elements in a constructive way with all parties but are concerned that, with the substantial and complex work still to be done on the Statements of Common Ground, the s106 legal agreement and agreeing mitigation, there may not be adequate opportunity for the Examining Authority to undertake its work.**

8- Lake District National Park /Conflict with Traffic /Carbon reduction plan

An increase to tourism in the World Heritage Site is in direct conflict with eh LDNP plan.

1. How do NH reconcile their assessment that a key benefit of the project is improved access for tourist, with its claim that the percentage increase of trips to the park will be only 0.5% of park visitors. In those circumstance how is this a key benefit
2. How will the LDNP objection to increased tourism by car and request for a World Heritage Impact Assessment be factored into the cost benefit ratio. If previously assessed as a positive to tourism, will it now be assessed as a negative given the Parks objection and impact on World heritage Site that changing climate is having?
3. Will a Word heritage Impact Assessment be conducted?

4. When did NH invite LDNP to attend focus group. The chief Executive and transport lead advise that they were never consulted about NH claiming an increase to tourism as a key benefit of the scheme.

9. Project Speed

The project speed pilot combined with time lost due to Covid (surveys were delayed) has led to chaos and inadequate consultation. To compensate for the lack of surveys and design, the NH team have adopted a Worst-Case Scenario Approach which is applied to land take and environmental mitigation. It has left the impression that the initial proposed land take was nothing more than guess work. There has been ever changing boundaries.

The failure to frontload the survey and design work before submission of the DCO means the observation of EDC that it may not be possible to complete the examination due to the lack of important information is accurate.

The Statutory Environmental Bodies all raise concern about the lack of information and are waiting for a comprehensive detail to allow response.

Landowners are particularly impacted as Environmental mitigation is still not calculated with efforts now being made by the design team to scale back the project and get the BCR under control. NH acquisition team are trying to resolve this with hastily arranged meeting applying pressure to accept offers before June to ensure benefit from the 20% uplift but unable to place offers about what land take, they want on either permanent or temporary basis.

9. No Net Loss. Net Gain

The phrases are used interchangeably. EDC makes clear the project should achieve net gain.

Which is NH seeking to achieve? They are asked to clarify.

10- EMP – Landscape and Ecological Plan

AS no Arboriculture assessment has been prepared how will plan for Tress subject to TPO be conducted?

Why is species rich grassland the default treatment for all verges. Why are trees or scrub not being used.

Get Cumbria buzzing is being asked to provide native grass seed local to the project. Is this realistic to expect a small project to provide all the seed?

When will detailed management plan for each Habitat type be completed?

Open grassland B.1.9.1- Land will be returned to owner with appropriate open grassland mix if required. No detail about the site land will returned and what future management will be required. NH ecologists indicate it will take approx. 20 years for soil to recover.

B1.10.7 What is likelihood of trees that are translocated being successful. What evidence is there of this working from other projects and what is the failure rate

It states Woodland Trust guidance will be followed. Are Woodland Trust participating in the working group. Will charities such as Woodland Trust be funded for the advice they provide?

B.1.10 What is likelihood of achieving a closed tree canopy within 5 years. What evidence exists that this is realistic?

B1.10.11 – Herbicide is given a management plan to prevent trees being overcome by weeds. What is management plan for trees in Troutbeck SAC given other areas are to be sprayed 3 times a year?

B.1.10.23 What specification of tree guards are to be used. It is disingenuous to state planning to use biodegradable as trial by Woodland trust is ongoing to find a successful biodegradable guard,

B.1.14 how much native hedgerow will be removed by project and is the level of mitigation to replace this already known?

Drystone wall. Will this be used on Sleastonhow lane where it is a feature of the landscape as with the village of KT

Otter/badger- Will Sleastonhow require particular fencing to address badgers and Otter. The OtterHolt is in very close proximity to the viaduct piers. What mitigation is planned for the Otter Holt?

Barn Owls – What mitigation is being planned for breeding barn owls at Sleastonhow and what is evidence of success from previous schemes.

Bats- The TS- Appleby recommends 3 green bridges due to density of bat population due to hedgerow. The ecologist who attended meeting at Sleastonhow confirmed there was very little evidence to indicate that bat mitigation was successful.

9. Test For Compulsory Acquisition of Land

NH have to demonstrate, having regard to s122(3) of the PA2008, that there is a compelling case in the public interest for the land to be acquired compulsorily and the public benefit would outweigh the private loss.

The scheme design is not sufficiently advanced such that NH can demonstrate with any certainty that there is a compelling case for the acquisition of the freehold of all the land shown in the DCO. By way of example at Sleastonhow Farm, they have identified all the land under the viaduct as land to be acquired permanently when, in reality, all they require (and all they actually want) is

- a. the freehold to the land on which the bridge piers are constructed,
- b. right to access the bridge piers and any flood attenuation, and
- c. an easement for the bridge deck.

As such there is no compelling case for the acquisition of the freehold of all the land shown in the DCO. Furthermore given there is no compelling case it manifestly cannot be in the public interest to require a greater interest (at a greater cost) than is required.

The scheme design is not sufficiently advanced such that NH can demonstrate either

- a. a rationale for the temporary acquisition of land or
- b. say with any certainty that there is a compelling case for the temporary acquisition of any of the land identified as being required temporarily

In respect of land to be acquired temporarily

- i. There is no binding commitment to return land.
- ii. There is no indication as to when the land will be returned; and
- iii. There is no clarification as to the condition of the land that may be returned.

It is for National Highways to make their case for the acquisition of land and rights in land – not for those affected to demonstrate why those interests are not required. In circumstances where NH major justifications for the scheme are diminishing (no economic gain as minus 1 BCR shows the benefit will never outweigh costs) and major obstacles emerging (Had NH completed a Cumulative Carbon assessment the outcome would be Major Adverse, and the scheme would fail the NPSNN 5.18 test).

The test for Compulsory Acquisition of Land to achieve Public benefit is not met.

**Inadequacies of the
A66 consultation
process**

**Specifically,
the Temple Sowerby
to Appleby scheme**

Text in red is taken from NH own documents

Introduction

Government guidance on the principals of good consultation include:

1a) Consultations should be clear and concise using clear English and avoiding Acronyms

The consultation documents are extremely technical and in no way user friendly or accessible to members of the public. Despite numerous requests made by individuals and the Local Parish Council for the provision of a clear and understandable summary setting out the pros/cons of each route, in a way the public can understand, the information was never summarised. Only those motivated to locate information within documents such as the PIER would have been able to locate this information. Basic information such as noise levels, distance road would be located from village, costs of each option, pollution, duration of build, impact on landscape and impact of the residents of Kirkby Thore (due to blight on properties) has not been made available and are poorly understood as a result.

b) Consultations should be informative and include key information cost and other benefits attached to each option

The key information has been buried in technical documents and even statutory consultees do not understand the pros/cons of each option. National Highways (NH) declared a preferred option in May 2020 (at the height of the pandemic) and all material released by NH since they announced the preferred Northern route has made its preference clear. This has led the public to conclude the decision was made and caused the public to disengage from the process a full 18 months before the Statutory consultation opened in September 2021 and before provision of key information on Costs etc.

NH have failed to provide key information to assist comparison on cost, carbon impact, length of route, increased travel time and safety. This remains the case, even after Freedom of Information requests and requests from the local MP. NH state that no costing analysis of the route alternatives have been made. They state costs comparisons between route options is not a major consideration. NH's only consideration is whether NH remain within its allocated budget of 1.2 billion. – **Reference – Meeting with Lee Hillyard and Monica Corso-Griffiths (meeting at Llama Karma Café project hub on 30/03/2021).**

c) Consultation is only part of the process

NH are required to be open and collaborative for duration of the project. This duty is even more pressing in the project speed environment but instead they have failed to work openly with any consultee or landowner who challenges its decision making.

For example, they have purposefully excluded Friends of the Lake District. Friends of the Lake District represent Campaign to Protect Rural England (CPRE) in Cumbria. There has been a total failure to respond to regular letter sent by Dr Kate Wilshaw asking to attend meetings so that input could be given on Landscape issues.

d) Consultation should be targeted

NH have failed to understand the dispersed nature of the rural communities living along the A66. They have adopted a consultation technique unsuitable for a rural community. The practice of consulting only villages within a limited distance of the A66 itself has meant that most Parish

councils in the area have not been consulted. Only those villages which are located on the A66, such as Kirkby Thore and Warcop, have been directly consulted. NH have not held information evenings in other villages to seek views on how the road alignment or upgrade to Dual Carriage way is viewed. In failing to do so they have limited responses sought and the range of views sought. Villagers (who do not live in immediate proximity to the road) have not felt consulted. Issues such as loss of night sky, increased noise levels in the AONB, impact on tourism and landscape are issues relevant to villages further away but there is no outlet for people who wish to express these views through a formal channel such as a Parish Council.

e) Consultation should take account of the groups being consulted

Charities and all stakeholders should be consulted in a way that is likely to produce engagement. Time should be given to reflect when staffed by volunteers. Consultation should not occur during holiday periods when people are less likely to respond.

This guidance has been ignored. Engagement events for villages took place just as Covid restricted ended and during summer holidays when attendance was likely to be lowest and peoples focus was simply on the ending of covid restrictions. The Statutory Consultation for the A66 has been remarkably short when compared against other smaller projects and several Statutory Consultees (including Cumbria County Council) asked for an extension.

No assistance was given to Parish Councils to formulate a response or to help parish Councils understand very technical documents. Requests made by Kirkby Thore parish Council for a Public meeting to properly explain the implications were ignored.

It is unclear what further information has been provided to Non-Statutory Consultees post the Statutory Consultation. Parish Councils were given no advance warning of Supplementary Consultation and have not responded as a consequence.

2) Failure to provide information/consult on Project Objectives – As described in Route Development Report

A) Safety

NH assert that it is necessary to dual the entire length of the A66 to improve safety but have declined to provide any evidence to support this assertion. This includes refusing FOI request on whether the installation of average speed cameras has reduced accidents at Kirkby Thore or the provision of a comparison for accidents along single road carriageway versus dual carriageway sections of the A66.

NH have failed to respond to similar requests made by Friends of the Lake District which is an example of how they fail to engage with agencies or charities who challenge them.

In meeting with Landowners NH gave assurances they would consider upgrading the existing road, but no single carriageway alternative was put forward for consideration. It was only within the Route Development Report prepared for Statutory Consultation that the existence of a Purple single carriageway option was revealed. This option was never disclosed. It was discounted as it would not fulfil the project requirement for 70mph dual carriage way. However, the public and others were not given an opportunity to respond on this.

Reference is made to Senior Planning Sift Minutes (Attendees redacted) which took place on 21 April 2021. These minutes were obtained after significant pressure and delay via a FOI request. The Purple route is described as having safety issues due to Driver Behaviour if this were the to be the only section which was not dualled. There is no acknowledgement of the fact this section is already subject to average speed cameras which have been enormously successful. Suggestions to extend this have not been responded to. This route is discounted in a short meeting with no input or even awareness that it existed

Even the attendees acknowledge that the public are not aware of this route. In discussions about the Cost implications of the Northern Route (described as 80 million more as 800 metres longer) it is stated that **“Non – Statutory consultees support the northern route as it removes HGVs from the village, but concern was raised that the respondents didn’t necessarily appreciate the environmental impacts of the route to the north. It was suggested for this reason that the Purple Route might be well received by the Public.”** THE PUBLIC HOWEVER WERE NEVER INFORMED OF THIS ROUTE

b) Connectivity

The village of Kirkby Thore was not given full information about how the various route options will impact on connectivity with local villages and access to recreational amenities within the village including simple activities such as dog walking. No visual examples were provided pre consultation, so people were left to respond without full information.

This concern was raised by the Parish Council but ignored. Instead, NH have focused on registered footpaths and input from Statutory Consultees. The suggestion that the old A66 can become a route for walkers and cyclist does not address the loss of amenities to the village.

NH have not included any proposal about how they would improve Walking/Cycling within the Statutory Consultation. Instead, section 13 of the PIER simply recounts the PROW's which exist rather than what they would propose. People are asked to express views but are being asked to do so in a vacuum.

The Consultation on Walking/Cycling was done separately in a mini-consultation 6 months later in March 2022. Kirkby Thore Village has received no information on this and only a few motivated people will have responded. PINS is referred to separate letters sent directly to PINS on this issue by Transport Action Network and Friends of the Lake District.

It is also the case that a proposal by EDC to upgrade part of the old railway line to improve walking and cycling is dependent on the proposed land being within the DCO and this is not guaranteed. EDC have not sought to speak with the Landowners concerned as to their position on this.

The DCO line at the point of the Statutory Consultation is believed to have reduced significantly but again this has not been made public and how this may impact on the provision of Walking and Cycling is unclear.

c) Economy

Eden District Council (hereinafter referred to as EDC) assess the Gypsum mine as having a limited lifespan. This is common knowledge locally and has been confirmed by Gypsum Representatives. Gypsum is now imported from Spain to the plant at Kirkby Thore due to the dwindling supply. As the traffic generated by Gypsum is one of the major factors influencing route selection (see all publication produced by NH and Sifting Minutes) disclosure as to how long the Gypsum mine will remain viable is relevant. This has been entirely overlooked and never formed part of the consultation.

It is also the case that British Gypsum state within their transport policy an intention to shift transport from road to rail and are uniquely positioned to do so. Although British Gypsum already use the Settle-Carlisle railway to transport imported Spanish gypsum from Hull docks to Kirkby Thore the parent company have a stated intention to reduce carbon by transitioning to rail. Using the available rail network is a more proportionate response to the problem of Gypsum traffic passing through the village of Kirkby Thore, than surrounding the village with a 70mph road. It could be encouraged by changes to their planning permission granted by EDC. It would also be in keeping with the Government objective to shift freight to rail to help reach the net zero target.

d) Tourism

Despite traffic associated with tourism being cited by NH as a major factor in the need to dual the A66, it is now known that NH have not consulted with the Lake District National Park. The chief Executive of the National Park, Richard Leafe, was approached as to the Parks transport plan. He advised that the park had not been approached to prepare a statutory response and have not been involved in any of the meetings. Richard Leafe expressed surprise at the reliance placed upon tourism travelling to the National Park by NH to justify further road building, given the Parks objective of dramatically reducing car-based travel and encouraging visitors to use rail. The National Parks target to cut traffic appears to have been overlooked by NH.

e) Environmental Noise and Landscape

Former NH head of project, Matt Townsend, gave a commitment to consider the production of a 3D model providing a visual representation of the route options prior to Statutory Consultation. The intention was to allow residents of Kirkby Thore, and all interested parties, to see a proper representation of how the route options would impact the village of Kirkby Thore. This would have assisted understanding of issues such as noise impact, air pollution, landscape and proximity of road. This did not materialise.

The sound labs provided an average sample of noise over a 24-hour period. It was not an accurate assessment of peak time and quiet times. The examples given were from points where noise was likely to be less (in a cutting) and not points where it would be at its worst. This was a manipulation of information and at no point were attendees informed that more properties would be impacted by noise than is currently the case.

No explanation was given as to which properties would be adversely affected by one route over the other

f) Landscapes

NH have not engaged with CPRE/ Friends of the Lake District on Landscape issues.

Fellside villages such as Long Marton, Dufton and Milburn have not been consulted on the encroachment in the setting of the AONB due to the limited geographic area over which NH consulted.

EDC and CCC have both recommended Consultation with the Yorkshire Dales National Park and Lake District Park as the route of the A66 lies between both and the changes could fundamentally impact this landscape. It also recommends consultation with the North Pennine AONB. None of this happened before the Statutory Consultation and Landscape Surveys only commenced after the Statutory Consultation taking place between 26th February and 29th April 2022. The Survey ended 17 days before the date NH planned to submit its DCO which gives little time to consider the findings alone distribute and consult.

See Attached Annex for Schedule of Surveys.

g) Reliability

The possibility of disruption on the A66 resulting in Kirkby Thore village and surrounding roads becoming a rat run due to the siting of a junction of the head of Kirkby Thore village has not been disclosed to the Village or consulted on. This was acknowledged by Paul Carey (lead designer) during a meeting in May 2022. NH are aware this is a problem but as is often the case their response is "we are where we are."

3.The Consultation Process

Time period –Summer 2019 2019 -May 2020

(A)Formulation of Route Options

It is entirely unclear what assessment was undertaken to decide on routes at this early stage. NH have refused to disclose any information even in response to legal letters or FOI requests. There was no consultation with landowners at this stage. Visits to landowners did not take place until late 2020/Jan 2021. It seems that NH simply adopted the old routes from 2003.

The Route Option report acknowledges at 3.5.6 (page 11) **that those who engaged with and responded to the consultation demonstrated that there was overwhelming support for the need to make improvements to the A66, although it is acknowledged that this is not necessarily representative of those stakeholders who did not engage with or respond to the Consultation.**

This can be taken as NH itself recognising that from the outset it existed in an echo chamber. It had already ceased inviting /engaging with stakeholders/landowners who may oppose its view to the extent that it has no choice but to acknowledge it

(B)The Consultation Brochure - Level of engagement / Poor advertisement.

The consultation booklet on route options was only sent to residents within 250 metres of the A66.

The brochure was mailed to all residents living within 250m of the A66 between the M6 junction 40 and the A1(M) at Scotch Corner to arrive on the first day of consultation.

This is undoubtedly an inadequate approach to consultation. Very few residential properties are located within 250 meters of the A66, due to the disadvantages of living beside a major trunk road. Very few of the people who will be impacted by an infrastructure project, which could take a decade to complete, and which has been contemplated for close to 20 years, actually live within 250 metres.

At Kirkby Thore the route ultimately selected travels away from the existing A66 so people up to 1km away from the existing road would be within 250 of the new roads. Failure to account for this meant many people, including landowners who now face DCO were not consulted at this point.

It is also the case that people are motivated to respond only when they have detailed information to respond to. At this point there was no information as to the impact of the routes and what each

would involve. People were being asked to respond in a vacuum. Any responses received were poorly informed and based on limited information.

(c) Inadequate Information for Route Option Consultation- 2019

The Route Development Report advises that Environmental, Engineering, Safety, Economic and Costs analysis assessments were undertaken before the Public Consultation in 2019 **as Desktop surveys** to inform the choice of routes put forward. None of this information was within the Options Consultation Brochure or available to the Public. To allow informed decision making on choice of Route Option it is essential, (as is clear in other Option Consultation Brochures) to see detailed summaries on each route option as follows;

Estimated Cost

Cost benefit Ratio/Value for money

Increased/decreased Journey time (no of minutes)

Route Length (by distance in meters)

Landscape impact

Noise

Air/quality

Properties destroyed (by number)

Cultural Heritage

Biodiversity

Detailed map

Carbon/Climate

None of this appeared and several of these studies had not been conducted. Instead, NH lifted the route options from 2003 and reused them without considering how the attitudes of society may have developed on issues such as climate, road noise or pollution.

Only 854 responses were received for the **entire route** and only 764 of these were from the Public. The A66 project is one of the biggest infrastructure projects in the country. It is effectively 9 schemes. This level of response should have been considered low for even one section.

The lack of response should have triggered an awareness that the public were not being reached. The lack of responses is directly attributable to the fact that the Public Consultation was poorly advertised and as this point there was a total void of information to cause people to respond.

(C)First Consultation Events

The Initial two consultation events were inadequate and poorly advertised. Leafleting advertising the events were limited to 2.5 km of the road. The extension of the boundary for leaflet distribution regarding the Public events did not mean these people then received the Consultation brochure. The matter was further confused by a change of date – see below

Two planned consultation dates at the start of the programme were moved to accommodate a consultation launch event attended by the then Secretary of State for Transport, Chris Grayling. An updated project flyer with the amended dates was therefore produced and distributed to all households within 2.5km of the A66 between the M6 junction 40 and the A1(M) at Scotch Corner (See Map 3 for distribution area)

(D)Further Consultation Events – Failure to hold consultation at Kirkby Thore/Biased involvement with Kirkby Thore Steering Group

After the initial two consultation events NH held twenty-one consultation events in May 2019 including one for employees at Centre Parcs. **They did not hold a consultation event in Kirkby Thore** but instead attended at Kirkby Thore Primary school to speak with Children. No event was held for adult residents

Kirkby Thore is one of only two villages on the A66 directly impacted by the project. The failure to hold an event in the village before choosing a preferred route, whilst engaging with the Kirkby Thore Steering Group (a group established by residents who reside in homes adjoining the A66 and who have campaigned for a bypass with a clear agenda) is indicative of bias. The lack of a consultation event meant residents of Kirkby -Thore had no opportunity to ask questions or seek information before the Preferred Route announcement in May 2020

NH was therefore not challenged on their route selections and avoided questions about noise, proximity and pollution or other features associated with the various routes. It is significant that no Consultation Event took place at Warcop, which is the other village impacted.

It is also relevant that in the 3 months before the Preferred Route Announcement, the Country was in lockdown and people were homebased. NH acknowledges that they decided on route preference prior to the completion of several surveys. Residents of the village did not actually note any surveys being undertaken prior to the PRA. It is now known that the surveys were completed primarily as desktop surveys.

Low response Rate

Only 854 responses were received for the entire route and only 764 of these were from the Public. The A66 project is one of the biggest infrastructure projects in the country. The lack of response should have triggered an awareness that the public were not being reached. The lack of responses is directly attributable to the fact

3.1 Spring 2020

(a)Options Consultation Report & Preferred Route announcement documents. See annex for extracts

Misleading and Biased Descriptions

Despite purporting to give a neutral description of the two options NH preference is clear within these documents. The statement that 4 new bridges will be required (which are then listed) indicates the fixation on Option E.

Four new bridges will be required over the existing road network at:

- New Kirkby Thore junction, north of the village
- Station Road
- Main Street
- Sleastonhow Lane

It would also require a new bridge over Trout Beck just before the new road returns to the original alignment.

The necessity for 4 bridges (which is reality was 5 as the largest span bridge is the one required to cross the Troutbeck) only applies to northern options. In stating these bridges as being necessary, rather than only relevant to northern Option E, NH indicate fixed thinking and a clear indication of the lack of attention they were giving to other routes. No indication of the structures required for the southern route was mentioned. The southern Route would require one bridge

The description of route options in the Consultation brochure indicates a clear preference by Highways. The text describing each route is set out below.

Option E (northern bypass) A new dual carriageway bypass to the north of Kirkby Thore as an extension of the current Temple Sowerby Bypass. It will pass through several fields to the west and then travel away from the village to the north and east. It will mostly be built along a route which is generally lower than the surrounding land which will help preserve the visual outlook of properties in the north of the village. An additional junction will be created to allow direct access to and from the British Gypsum site and will reduce the level of heavy goods vehicles moving through the village

The negatives of Option E are not stressed such as

- Additional underpasses
- 5 bridges
- Demolition of properties
- Loss of farmland
- Longer/more expensive route
- Increased noise/air pollution to more properties
- Proximity to school
- Cost (Already understood to be 80 million more than the Southern Option F route)

Option F (Northern Route) includes following positive references

- Travels away from the village
- Built lower than the surrounding land preserving the visual outlook of properties in the north
- Additional junction will be created to allow direct access to and from British Gypsum and reduce heavy goods vehicles moving through village

Option E brings the A66 closer to the village so this description of it travelling away from the village is misleading. No clear information about how much closer to the village the road would come was provided.

The maps provided to illustrate the road in proximity to the village does not state how close to the village the road comes and leaves it to the public to calculate.

The description of the road being built lower than the surrounding land to preserve outlook is again vague and not supported by any clear information to allow the village a clear idea of future impact. It is not enough to allow proper decision making but is made to make this option sound more appealing

The inclusion of a reference to HGV's moving through the village and the alleged reduction in traffic is again designed to make this option sound more attractive. It fails to make clear (as do the maps) that both the northern and the southern option would require a designated junction to Kirkby Thore and therefore both routes would have the desired effect of removing/lessening the presence of HGVs from the village.

This is a key omission. NH long engagement with the Kirkby Thore Steering Group means NH is very aware that a key factor for the village is removal of gypsum traffic. The failure to make it clear on maps and in every subsequent description that either option would achieve the objective of minimising Gypsum Traffic fundamentally undermines the consultation process.

Option F has a more negative description as follows:

Option F (southern bypass) A new dual carriageway would be constructed towards the south of Kirkby Thore as a continuation of the Temple Sowerby Bypass. It would cross several fields and follow the path of an old railway line until it re-joins the current A66 just after the BP petrol station near Bridge End Farm. Additional underpasses would be required to provide access for local farms and pedestrians, walkers, cyclists, and equestrians. A new junction would allow access to the former A66 and the village. This option would require the demolition of several buildings.

- Additional underpasses required to provide access for farms, pedestrians, walkers, cyclists, and equestrians
- This option would require demolition of several buildings

This description fails to include that Option E will also require additional underpasses for Farm access at Sleastonhow farm. The need to provide access for walkers, cyclist etc due to the impact on Lady Ann way.

The description fails to explain that Option E also requires the demolition of buildings.

The suggestion of several buildings requiring demolition is mis-leading. The map shows Option F travelling away from houses built along the A66 and indeed it is Option E that results in property demolition

Most importantly the description of the additional junction does not make clear that Option F would have the same effect of removing traffic from the village which was a major factor influencing responses to the Consultation. An additional junction will be created to allow direct access to and from the British Gypsum site and will reduce the level of heavy goods vehicles moving through the village. To achieve balance the description of the junction for Option F should have been the same as

Option E. **An additional junction will be created to allow direct access to and from the British Gypsum site and will reduce the level of heavy goods vehicles moving through the village.**

Option F does not show a designated junction to the Village which is mis-leading as when it was highlighted that Option F must include village access it became apparent that the options being considered could include a designated junction utilising Priest lane and removing gypsum traffic.

Preferred Route Announcement – Ongoing biased information

Within the Preferred Route announcement brochure there are more factual inaccuracies which indicates bias towards NH choice of the Northern Route. Including

- **Option E has reduced environmental impacts** This is Completely inaccurate when compared to F and NH continued to assert that Option E had less impact on the SAC than Option F. However this was because they failed to understand that the SAC was also within the SSSI, They had attempted to reduce objection by steering away from the Eden but failed to understand the extent of the SAC and consequently sought to develop a route which travelled straight through an SAC by a causeway.
- **May be more expensive** It is estimated as 80 million more expensive and that is before the single span bridge is factored into cost.

NH have continued to state these benefits in correspondence to include with the Local MP despite knowing them to be entirely inaccurate and the reason why they decided to reconsider other alternatives.

(b) Failure to correct misunderstandings

NH failed to address the commonly held belief that only the Northern Option, Route E would remove British Gypsum trucks from the village. This belief was repeatedly compounded by NH material and leaflets. Extremely basic diagram of the two routes were repeatedly circulated but these failed to show Option F having a separate junction. Unlike the narrative description given to Option E (explicitly stated that it would have the benefit of removing British Gypsum truck from the village), Option F simply stated at the end of the description

A new junction would allow access to the former A66 and the village.

The failure to include a visual depiction of the new junction in the diagrams and the failure to include this as a benefit in the description was a fundamental failing. NH knew from very protracted involvement with the Village, including the Kirkby Thore Steering Group that this was a key issue for the village and appear to have exploited that concern to steer the response to favouring Option E. This was the Option Preferred by HE in 2003.

The impact on that can be seen in the summary of what are described as the most common response as to why people favoured Option E as extracted from a summary of responses given.

Most frequent reason for support Option E - would remove HGVs and other large vehicles from the village of Kirkby Thore – 186 mentions. “British Gypsum trucks diverted from a real accident hotspot at Kirkby Thore turning.” Local Resident

And again, why respondents did not support Option F

Most frequent reason for not supporting this option Negative economic impact on local businesses and jobs – 40 mentions. “The south bypass is much worse because it will send all heavy goods vehicles that are going to the British Gypsum plant right through the village of Kirkby Thore just like now.”

(c)Exploiting Fear

Kirkby Thore is a community close to the road. Residents find living by the road are impacted by the road. NH regularly report on how many HGV’s this section of the road carries. This is misleading as presumably the no is broadly like all other sections as HGV’s are travelling the entire road as the A66 is used as a link road between east and west. Only on the page relating to Kirkby Thore does the Preferred Route Announcement document reference HGV’s.

This section carries approximately 16,500 vehicles per day, 27%of which are HGV’, much higher than the national average.

The description of the number of HGVs travelling this section of the A66, placed beside a description of HGV’s accessing Kirkby Thore to reach the Gypsum plant exploits the worry about HGV within the Village.

MAY 2020- APRIL 2021

3.3 Consultation between Preferred Route Announcement in May 2020 and announcement of further routes in April 2021

(a)Virtual Engagement Event- Poor advertising/No local engagement

Despite residents responding to the Consultation raising concerns about the poor understanding of the route options within the village of Kirkby Thore, NH failed to engage with the village or local landowners over the next 12 months. This only public event was a Virtual Engagement Event. As the country was in its second lockdown and completely preoccupied with Covid this was extremely poor timing. NH give no figures for attendance at this virtual event which is unusual. The opportunity to join may have been known to Statutory stakeholders but not to landowners or members of the community

(b)Landowner Engagement

Several Landowners did not receive a visit or any attempt to engage until after the preferred route announcement in May 2020. NH decided on their preferred route in May 2020 without surveys and consultation with landowners.

The first visit to Sleastonhow Farm which NH accepts would “host” more of the new A66 than any other landowner on the entire nine projects, did not take place until January 2021. This was 8 months after the PRA in May 2020. Representatives from NH who attended, including the then Project Director, Matt Townsend, had not read the detailed response documents prepared by the Landowners. They were unaware of the extent of the Troutbeck floodplain and expressed surprise at the extent of flooding. Their design had been completed by Desktop planning and the failure to consult or visit the land through which they intended their Preferred Route to travel had caused them to overlook the significance of the Troutbeck floodplain. NH felt they had conducted a detailed assessment process and stated they understood concerns about the detrimental impact on the Troutbeck river but, they had failed to consider responses to the Consultation provided by Natural England and the owners of Sleastonhow farm which hi-lighted this exact difficulty.

The Troutbeck and its floodplain like the River Eden is an SSSI and an SAC. They appeared unaware of this and as the Landowner is actually an employee of Natural England and had extensive knowledge of Natural England’s position due to his involvement with them on the river restoration project, he had to advise on the status of the river and Natural England’s frustration at the lack of interaction with NH.

The ongoing circulation of written material describing this as the option with least environmental damage was raised given the clear intrusion into the floodplain and carbon consequences.

SEE ATTACHED MINUTES- 12/01/2021

(c) Carbon Assessment

A carbon assessment has not been carried out. It seems this was conducted after Route selection. It was not a factor in the choice of Original Preferred Route.

(d)) Lack of engagement with Statutory Stakeholders

NH have failed to provide stakeholders with the necessary survey outcomes or design information that would allow Statutory stakeholder to input into option choices. With regards to the Troutbeck SAC, NH have concealed that they opted for the northern option (Original Preferred Route - announced in May 2020) believing they would be able to route a causeway through the Floodplain of the Troutbeck.

NH did so despite guidance from Natural England that a Causeway would be objected to by both Natural England and the Environment Agency.

By overlooking the significance of the Troutbeck Floodplain NH overlooked the need to build a single span bridge which was 800metres in length. The cost implication was not properly factored into cost implications when selecting the Northern Route.

NH's failure to properly consult with Statutory agencies or the owners of Sleastonhow Farm (whom NH failed to visit until 8 months after the announcement of the Preferred Route). This meant NH remained blind to the significance of the Floodplain which is within the SAC. It was only after an on-site visit to Sleastonhow Farm in January 2021 that NH began to understand the cost/design implications. However, by this time they were under self-imposed pressure to reach the Statutory Consultation by virtue of the "Project Speed" title. NH were reluctant to properly develop alternatives and began the process (whether consciously or unconsciously) of trying to justify their original choice of route. A change would mean:

- Professional Embarrassment
- Further Delay/Cost associated with developing another route
- Antagonising Landowners who now believed themselves Unaffected (a reason relied upon when performing the sifting exercise)

The realisation that a Causeway would not be accepted by Natural England and that the Original Preferred route would require an 800metre bridge caused a last minute assesment of routes in March 2021.

(d) Alternative Route Development

It appears that up to fifteen new routes were formulated within a period which appears to have been less than 6 weeks. The development of new routes was **not** subject to any consultation with Kirkby Thore Parish Council or Landowners. It is not known whether Statutory Consultees were consulted. This indicates an unwillingness to take on board the views of others and indicates an inability to learn from mistakes. The formulation of routes happened in a vacuum and without the information required to make some of them viable.

Indeed, in respect of the Southern Route rather than simply adopt the alignment of the route consulted upon in 2020 (then known as Option F) this was changed and brought closer to the Roman Viccus. That Historic England would oppose a route which came closer to the Roman Viccus than previously must have been known to NH.

It does appear to be purposefully sabotaging the Southern (now known as the Orange route) as an option.

(d) Quick Elimination of Alternative Route- Sifting Minutes 26/04/2021 and Landowner Minutes March 2021

NH informed Landowners of their intention to formulate new routes in March 2021. Input was not sought from landowners about their views on route options in advance of formulating these new routes. They were informed after the event. Had discussion taken place this would have given an opportunity for consensus on some issues.

Representatives of NH continued to attend Meeting with Landowners having failed to have read or discussed issues raised in written responses from impacted Landowners. However, NH gave reassurances that **all routes would be taken to consultation later in the year so that the public could have their say about them.** That did not happen, and the routes were whittled down without the Public ever being aware of other options – **See Minutes of Meeting with Paul Carey and Rachel Smith – Minutes prepared by NH**

NH were already aware that the Planning Inspectorate (**Planning Inspectorate Meeting 2nd March**) had indicated any departure from the Original Preferred Route (now known as the black route) in either route or design would trigger consultation issues. The imperative to choose the Original Preferred Route or something similar was pressing. A departure would increase delay and Project Speed prevent is the imperative in every decision. It is notable that the Sifting Minutes describe the Blue Route an evolution of the Original Preferred Route. This is a manipulation of the facts. The Blue Route has its own distinct issues. The Owners of Sleastonhow farm were not consulted about the shift east which impact of houses, farm buildings and creates even greater severance of farmland

The Sifting Minute disclose that within the meeting of 26th April the Original Preferred Route was quickly discounted in Preference to the Blue Route. The decision to discount the Original Preferred Route and instead advance the Blue route was never disclosed to the Landowner impacted. NH continued to suggest that the Original Preferred Route (the Black Route) remained their Preferred Route and it was described as such in ongoing material – **See May 2021 leaflet below.**

NH have always maintained that an upgrade to the Existing A66 was being actively considered due given the unique physical challenges presented by dualling around a village, an SAC floodplain and Roman archaeology. Despite those reassurances this Sifting Meeting appears to have been the first time an upgrade to the existing road was considered. The suggestion that the priority of the meeting was to avoid challenge at DCO does suggest that the questions being faced by NH caused them to introduce a Purple route simply so they could be seen to have considered this option. They had no genuine intention to advance this option. NH key objective of Dualling meant that an online upgrade to the existing road was quickly dismissed within the Sifting meeting. These minutes indicates very minimal consideration was given even though the Purple online option is described as the option **“with least environmental damage and the one which might be received well by the Public.”** The option was never made available to the public. Its existence is only known as a result of obtaining these minutes. The objectives of business interest have prevailed over environmental, residents and the taxpayer who will foot the bill for costs which NH refuse to disclose

Attempts to understand or challenge the decision-making process has been consistently thwarted by NH who have not only declined requests to provide information voluntarily but were also

obstructive when responding to requests made by Solicitors. The attached minutes were not provided until February 2022 despite them having been available since April 2021 and despite legal and FOI requests.

The Sifting Exercise states as one of the key goals for the day to be “enabling a robust determination now and if challenged at DCO.” It seems NH’s focus that they were seen to be considering alternative routes to stave off legal challenge, rather than an open consideration of alternatives given the delay to the project this would cause.

NH provided the Sifting Matrix in May 2022 again after further FOI request. It was provided in an unreadable format with miniscule font size to the extent that the sifting criteria applied cannot be deciphered. A legible copy is awaited as the criteria they included is unclear. There is concern that they have deliberately selected criteria to justify their original decision to go north round the village of Kirkby Thore.

This exercise was completed without first providing Statutory Agencies with key information

- Whether NH agreed a Single Span Bridge for the Southern Options
- The length of the bridge for the Southern Options – described as between 110 to 350 metres

The means NH were making assumption and increases the risk of bias to the northern route which they have already selected. It is significant that Natural England comments are only given when comparing the two northern routes. They are not given in relation to how Natural England view the Northern Route in comparison to the Southern Route. The Sifting Minutes say **Natural England and the Environment England have indicated that subject to the form of the structure the route is viable and that the Blue Route offered a preferable solution when compared directly against the black route.** NH do not include Natural England’s view of the environmental comparison of a Northern Route against a Southern Route. They have consistently ignored Natural England’ concern about entering the Troutbeck Floodplain and the potential impact on the Troutbeck Restoration Project. Indeed, NH were not even aware of Troutbeck Restoration Project when they announced their preferred route. NH only became aware of its existence when they visited Sleastonhow Farm several months after selecting the Original Preferred Route. How Natural England and the Environment Agency may have viewed the performance of the northern as against the Southern Route seems to be entirely overlooked save for one comment in which it is acknowledged that the Dark Orange route means **the Crossing of the Trout Beck potentially had the least impact on the SAC due to the constriction created by the existing A66 structure**

The commitment for routes to be progressed on an equal basis was not fulfilled. It is evident from Natural England Response to Statutory Consultation that Natural England still did not have clarity on whether there would be a Single Span bridge and the length for the Southern Route by the time of Statutory Consultation as Natural England state **For the Orange route. Would this also be open span across the floodplain with no structures on the Floodplain?**

The minute of this meeting also reveals NH have purposefully concealed information on the cost implications of the various route options. At the outset NH representatives openly acknowledged that the Northern Route was more expensive but declined to give any specific information as to how the options differed. They stated that if they were within budget the cost difference of the different options was not a factor. This seems an enormously careless approach to public money. Requests for information had to be advanced by the local MP. This response states

I can confirm that a land cost estimate was undertaken for the whole project.....This did not include separate assessments for each individual route. – See attached

The minutes disclose an assesment of the Northern Route being 80 million more than the Southern Route. It is unclear whether even this assessment includes the cost of the 400-850 bridge as NH had considered they could cross the floodplain with a causeway. The minutes make repeated reference to the Costs analysis. For instance

- Re-run economic assessment of routes to confirm the impact of the shorter Dark Orange route on BCR
- Name Redacted – to price red, blue and Dark Orange Routes. AH to advise. KC to provide appropriate information

The cost estimate still hasn't been disclosed and was not available at Statutory Consultation

Includes in Annex

- **Sifting Minutes / Matrix**
- **Correspondence with Dr Neil Hudson MP**
- **Email to Bernice Sanders of 23 November requesting clarification on cost**
- **Further response to FOI request refusing to release information despite reference to the costs**

(e) Leaflet provided to Public May 2021.- See Attached

Upon being advised that a leaflet would be circulated to explain the new routes NH were asked to provide it before release so that scrutiny could be given to whether it properly described the route. The leaflet was not provided. See below extract of email on the issue to PLO

When you say that the leaflet is going to "local people" does this mean via the Community Liaison Group, putting it on the website, or sending leaflets through letterboxes? When you say it will be "high level" does that mean it is lacking detail for the average person to be able to see where the road will impact them? Given that the northern routes will impact nearly everyone in the village and local community negatively (noise, light and air pollution) when compared to the existing route or southern route it is extremely important that people can understand the differences. I repeat that you must explain how local traffic coming into and out of Kirkby Thore village will access the new road. Without this detail it is impossible for people to make meaningful judgements other than "is it nearer to my house".

What about Long Marton village? Have you even considered the impact of one of the northern routes on their community? I have had discussions with some of the Long Marton villagers and they are now very keen to see these plans and to be consulted. They want to share the information on their community Facebook page.

The leaflet was not provided in advance and then proved t be deficient in that it did not adequately describe the introduction of a new junction either in test of the visual map.

This leaflet says it is too early to say whether the additional investigations would result in changes to the Preferred route.

This is factually inaccurate and entirely misleading. NH had already decided to abandon the Preferred route and this statement is a misrepresentation. The Preferred route is mentioned several times even though the Minutes of the Sifting meeting in April 2021 indicates NH had already made the decision to progress the development of 3 routes. This was not communicated and constant reference to the Preferred route within this leaflet and Map is misleading given the decision was already made to abandon the Original Preferred Route.eg

- “Our Preferred route crosses one of the Widest parts of the Troutbeck”
- We’re confident that the Route (meaning the Original Preferred route) is at this location is technically Feasible”

Other inadequacies/evidence of bias includes

- Sleastonhow Lane is spelt incorrectly
- The leaflet was only circulated to residents within close proximity of the road notwithstanding the routes being classified as of national significance and having distinct features - Within an SSI, a SAC and the setting of a Setting of AONB
- The map includes the Preferred Route which NH had discounted
- The Orange Route did not provide a visual illustration of a separate access to Kirkby Thore which NH knew from its long involvement and early consultation was the main reason people had preferred the Northern Route. They did not take advice on the format or wording of the leaflet and did not recirculate when this **absolutely fundamental error** was raised. This is despite the need to properly communicate the merits of each route being an objective acknowledged in the Sifting Minutes which say **ensure the North v South argument is properly understood**
- It suggests NH were engaging with Landowners affected by the Route. The Landowner accepted by NH as “hosting” the largest section of the new development had no communication with NH between May 2021 when this leaflet was released and September 2021 when NH attended late on the afternoon, they announced their new Preferred route to coincide with the Statutory Consultation. The only contact in the interim was to try and arrange a visit to the noise lab. There was no contact on route development, how this would impact on the farm business and NH resolutely refused to share any information of route selection to this point. This is in direct contrast to the approach with landowners on the Orange route who are referenced stating the demolition of farm buildings would be required.
- NH did not seek input on wording which would have hi-lighted the fundamental error in the map not showing a separate junction and then failed to correct this when hi-lighted
- Key information is missing- For instance
 - The estimate the Northern Routes were 80 million more expensive.
 - The Northern Route is longer and would increase journey time
 - The Northern Route has a greater environmental and carbon impact
 - The Northern Route impacts more on the village in terms of Noise, Air pollution and light pollution
 - The Northern Route comes closer to the village and the school

(f) The Sound Lab July 2021- See attached visual

- NH Provided a limited no of slots citing Covid restrictions and Social distancing as the reason. This limited the no of attendees. The Sound Lab was not made available for an extended period to counter these restrictions.
- The Visual display suggested 3 routes Orange, Blue and Red. There was no inclusion of the Original Preferred Route. This was noted by attendees but when this issue was raised the explanation given was not that NH had already abandoned the Preferred (Black Route). Instead, attendees were told that as the northern routes were the same as they passed to the north of the village there was no difference from a sound perspective and that accounted for the fact the Original Preferred Route was not specifically referenced.
- The visual for the Orange option is chaotic and seems to include both version of the Orange Option making it seem appear excessively complicated. Only one of the new junctions associated with the southern route would be required.
- The noise was an average of projected future noise throughout a 24-hour period. This was not hi-lighted until questions were raised on how the noise had been calculated. The noise was therefore a total misrepresentation of the peak noise levels the village would experience. Attendees in other groups would not have received this information as it was not part of the presentation but came out in questioning
- There was no sound illustration for different road conditions such as in wet conditions
- There was no sound illustration for different wind conditions
- The projected noise was taken from locations that were likely to be quietest due to being within a cutting.
- The demonstration provided no examples of how noise would be in key sites such as the school or church.
- The demonstration was unable or unwilling to answer how sound would increase when compared to the current level.
- The information on noise impact was not circulated despite being available and the entire objective was focused on persuading attendees that mitigation measures could be applied if the village was lucky. The comparison was more on the difference between sound with and without sound reducing tarmac than on current as against future levels of noise
- The information on noise was available to NH at this point as less than 2 months later figures stating 256 residential receptors would experience significant adverse effects from the northern routes as compared to 20 residential receptors for the southern orange route. This information on Noise was concealed within the PIER and villages still have no idea which properties will be more impacted.
- The Sound Lab did not give a visual illustration of the properties in the village who would suffer a greater impact from noise because of each option. This information was available.
- There has been no updating information on sound impact since the decision to move the junction closer to residential properties at Sanderson croft.
- It is unclear whether the figures given for Properties which will experience a significant adverse effect does includes the new development for which Planning permission has been granted.
- The visual states the Blue and red (norther routes) it would just be **a change in the distribution of sound**. This is a blatant misrepresentation of the information NH had available to it at this time. It will be louder. This should have been stated clearly

- The Visual state the Orange (Southern Option) would change the **Level and character** of sound. Again, this is a complete misrepresentation of the information available to NH at the time
- WHAT HAPPENS NEXT – This does not mention plans for consultation. It places the onus on people who feel they may be impacted to contact NH. It does not mention plan for meeting

(g) Public Meeting re new route Options July 2021– See attached Visual Boards

- This meeting took place when covid restrictions were still in place. People who had health vulnerabilities were isolating and social distancing was being practiced. People were reluctant to attend events such as these. Indeed, the group of people most likely to attend a public event due to difficulties using technology (being the older demographic) were those least likely to go.
- People with health vulnerabilities in particular respiratory issues are also the category of those most impacted by air pollution. They will have been isolating due to covid
- The event was poorly advertised as the leaflet had been sent several weeks previously.
- The meeting took place during the summer holiday when people were less likely to attend.
- People whose priority was the removal of traffic from the Village would not have been alerted to the potential for the Orange route to remove Gypsum traffic from the village as the visual advertising provided on the leaflet did not show a separate junction.
- The need for the Orange route to show a separate junction was raised after the error on the May leaflet and not corrected
- NH representatives were unable to answer questions which arose on the Orange route such as what exactly was meant by new provision for HGV traffic
 - How much shorter was this route
 - How much cheaper was this route
 - What were noise implications for this route?
- Representative from NH were not equipped with a notepad or pen. They did not record the comments that people were making. They did not take contact details of people who made comments and had to be prompted that this was necessary. As this meeting was the only known occasion that members of the public had to see a visual representation of the Orange route the failure to record comments on how the route could be developed is indicative of NH's unwillingness to genuinely develop this route due to the increased in timescale to Project Speed this may create.
- The event was primarily staffed by PLO's who did not have technical knowledge and could not answer questions. They just continued to pump out positive information and tried to shut down concerns with how they could be mitigated. The focus was mitigation not prevention.
- Requests to produce a summary of attendee's comments has been ignored. No reason was provided. The failure has been pursued in correspondence with NH and in meetings with no success. It seems either no record was taken, or NH are unwilling to release the comments/observations.

- The Blue and Red route are described as a Bypass. The Orange route is not given this term even though it takes traffic further away from the village than the other options.
- The Preferred Route continues to appear of the map and indeed the Board stated **it is too early to say whether this work will result in changes to the Preferred Route. If our assessment work identifies improvements to the Preferred route.... We will consult on any further options as part of the statutory consultation that we are planning later this year. This will provide you with the opportunity to understand these routes better and have your say as your views are really important to us.**
- The Orange route specifically mentions the impact on Bridge End Farm. Sleastonhow Farm (mis-spelt) is severed by NH plans, but it is not mentioned.
- The Orange Route text does not include an explanation of it would now including a new junction access to Kirkby Thore, which is the feature distinguishing it from the previous southern options.
- The description for the Orange Route does not include its removal of traffic from the village.
- No explanation was given as to why the Orange Route was not designed in such a way as to utilise the designated alignment for the blue route, as an access road solely for British Gypsum, which would have removed HGV traffic entirely from the village.
- **What Happens Next** – The explanation board makes no mention of the Statutory Consultation and the fact this will commence within weeks. Instead, it states **After the consultation period, we'll analyse the responses and finalise the surveys and design work. By the end of the year, we're aiming to tell you which of these routes we'll take forward as part of our Development Consent Order.** This is to preserve the impression of consideration being given. It seems likely the dates for Statutory Consultation were already in place given the proximity to this meeting. Instead, it just references continuing to Consult.
- NH representatives overtly stated the Preferred route remained their preferred choice and were overt in explaining describing the Northern Routes as their preferred option. This approach inevitably reduces people's motivation to engage in the Consultation Process or express disagreement as they feel it is a foregone conclusion and there is no point engaging as it will not alter the decision.
- **Too early to say whether it will result in change** – Again signalling it is unlikely they will change their mind
- **What Happens Next** – Again the impression is given that the Preferred Route remains and states that **IF our assessment work identifies further improvements deliverable enhancements to the preferred Route at Kirkby Throe and Warcop we'll consult on any further options as part of our Consultation later this year.** This is simply untrue. The sifting minutes make clear that the Preferred Route had been abandoned and, become economic suicide the once NH realised their failure to listen to Natural England has caused a fundamental error as the northern route would require an 800-metre single span bridge and not a cause way. Not appreciating that the Troutbeck floodplain was also an SAC until approx. Jan 2021 when it was spelt out to the project lead (acknowledged by several team leaders as someone who had to be replaced) allowed NH to go down a blind alley simply assume that pleasing the village with an option that removed Gypsum traffic was all that was needed.
- The Statutory Consultation was not the forum to consult on further improvement. The merits of each route should have been clear before Statutory Consultation. They should have been properly explained to Government Agencies and presented in table form in a way that the public could easily understand, NH have failed to properly frontload their

assessment and much of the detail that would normally inform route choice had not been completed.

- In mentioning only environmental concerns as the reason for further consultation NH are purposefully failing to hi-light other concerns existed other than the Troutbeck SAC, which they acknowledged. Concerns such as noise, pollution, proximity to village, school
- Maps on Map Board had no scale so people could not assess proximity to village,

Below is an extract of an email sent to NH on 3rd August asking for disclosure of the notes taken at the public meeting. There has been further request but these have not been provided. This would indicate the lack of weight being attached to suggestions made by members of the public. The suggestions included the provision of a dedicated access road for Gypsum from the school to Gypsum utilising the section already allocated for the blue route to fully remove Gypsum traffic from the village.

At the drop-in session the other day we were promised a full copy of the notes that were taken at that meeting

(H) Information given to Statutory Agencies – 06th July 2021 – See minutes of Meeting with Historic England

NH are advising Historic England that they will not **select a Preferred Route until after the Statutory Consultation in October 2021**. This is completely undermined by NH confirming their choice of the Blue Route 4 week later

(I) Communication of Route Choice- 6th August 2021- See email

Having consistently said the Preferred Route remained NH preferred option and indicating to Statutory Agencies, the public and Landowners that they would consult further if assessment work identified a need to change the preferred route less than 4 weeks after the Public Meeting and without disclosure of the comments made in that Public Meeting (the only occasion the Routes were available to see) NH communicated its decision by email. This was only communicated to Landowners. The Public continued to believe the Black Option was the Preferred Route. It continues to be described as the Preferred Route in all literature, advertising and maps.

3.4- Comment on Statement of Community Consultation

- The SOCC was not updated to manage the consultation process after it became clear a re-think of route options was required at Kirkby Thore. This consultation was rushed through in the summer period with just one engagement meeting.
- There is no reference to the Temple Sowerby – Appleby section being within the setting of an AONB
- The recommended engagement with Landowners did not happen. NH have conceded this has been shambolic but respond with comments like “We are where we are”- **Lee Hillyard in meeting with Landowners impacted by route selection.**
- No public meeting took place to discuss the merits of each option which would have allowed a better understanding by the public. The request by KT Parish Council for a public meeting

was ignored. This meant the opportunity to identify how the route may support the local community, a key strategic objective was missed.

- The SOCC emphasises that Walking Cycling and Horse riding is a key objective. No surveys or proposals are in place in advance of the Statutory Consultation meaning that there can be no responses to inform the development or formulation of routes. Plans for WCH should have been formulated for each option and formed part of the comparison exercise rather than be tacked on as an afterthought.
- NH have ignored Community Consultation

3.4 Leaflet announcing Project Consultation

- Described as a Project Consultation, not statutory Consultation.
- Again, not circulated widely enough
- People seeking a hard copy had only a few days to request these before the deadline of 3rd September was met.
- The manned phonenumber was not manned

3.5 Long Marton

NH stated they were genuinely consulting on all routes to include the Red route. However, despite the red route bringing the A66 close to Long Marton the village were not leafleted about this option. Only a few houses on the western edge of the village received a letter. The Village was not offered a consultation event about the route option or Junction. The chairperson of Long Marton Parish Council resorted to attending Kirkby Thore Parish Council Meeting to relay the views of the Parish as he had been unable to achieve communication with NH representatives.

The lack of focus on the Red Route, to include a total failure to conduct any surveys on this route suggest it was thrown in as a decoy to create the impression that alternatives were being consulted on. The failure to do any surveys or consult/leaflet indicates this was never correct.

3.5- The 6-week Statutory Consultation

The statutory consultation was premature. It should have been a further consultation on route options leading to National Highways and informed the choice of a Preferred Route. This is further reinforced by the paragraph 5.4 in the Statement of Community Consultation which states:

5.4 The consultation will run for six weeks from 24 September until 6 November 2021. During the consultation period, in addition to the project generally, we will be consulting on the

following particular elements of the project:

- *Route alignment and preliminary design, including route alignment alternatives considered within specific areas*
- *Junction layouts, including junction location alternatives considered within specific areas*
- *Construction compounds and other land potentially required for construction*
- *Proposed DCO boundary (the area of land needed to carry out the project)*
- *Proposals for walking, cycling and horse riding including the diversion of routes*
- *Environmental assessments and potential environmental impacts*
- *Environmental mitigation measures and associated land requirements*
- *Arrangements to mitigate the impact on any communities, farms or businesses [our emphasis]*

As NH had not completed the necessary survey work to inform its route options by this point, having introduced new route option last minute, the information necessary to properly conduct a Statutory Consultation was missing. NH has tried to fudge the Consultation by suggesting it is inviting comment from participants, but comment can only be given with the benefit of full information. That is not the purpose of a Statutory Consultation. National Highways is meant to be consulting on all the different options contained within the project and providing full information. However, it achieves neither as the route selection is presented as a fait accompli. Therefore there is the potential for the public to be misled and fail to understand what they can comment on.

Inaccurate Descriptions- This consultation is being progressed as a statutory consultation yet is called a 'Preliminary design consultation' in almost all of the documentation titles. A Statutory Consultation should be the consultation on the final route option that will be taken forward as a Development Consent Order (DCO). Instead, there are several route. In the Temple Sowerby To Appleby Section there were understood to be Four Routes. At no point was it explained that the Preferred Route had been discarded.

The number of schemes - 9 schemes and several with multiple options makes this a hugely complex and confusing consultation.

Time Given- 6 weeks is an inadequate period to respond to a Statutory Consultation of this magnitude. Much smaller schemes are given longer. Additional time had to be requested. Project Speed dictated this timescale and the quality of responses from Statutory agencies has been impacted by the lack of time. Parish Councillors in Kirkby Thore resigned due to the pressure felt and being overwhelmed by the mass of material

Changing names and colours-The names and colours given to the various options are different to the previous names given to previously consulted on routes, adding extra

layers to the confusion. On the Kirkby Thore section there were A, F and K in 2003, Routes E and F in 2019/2020 but then change to Black, Blue, Red and Orange in 2021. The documentation frequently refers to the wrong colour.

Technical Language/Inaccessible to Layperson- Even the Non-Technical Summary (NTS) for the scheme, which should be a simplified version of the PEIR for an ordinary layperson to be able to understand and easily grasp the environmental impacts of a scheme, extends to 89 pages. The NTS is full of highly technical assessments using specialist language. Long and complex tables using technical jargon have been copied over from the PEIR, giving detailed technical information about all fifteen

options. There does not appear to have been much attempt made to simplify and condense

the environmental impact assessment so that the impacts are obvious and clear to the

layperson. No simplified summary was prepared in advance that would allow people to understand and make informed comparisons.

Lack of important information in the PEIR. Failure to complete surveys

Field studies and surveys normally undertaken to inform route selection were not undertaken until after the Preferred Route announcement in May 2019. NH simply latched on to the 2003 decision and stuck with that decision feeling the truck issue would convince enough people in the village. They had been seduced by their interaction with the Kirkby Thore Steering Group into believing this was the prevailing view. Instead, the village never contemplates that the route could come north given the cost implications of doing so. Attached for a sample list of some surveys not commenced until April 2021. There are several more including landscape and geomorphology which did not begin until February 2022.

This is unacceptable and confirms that the Statutory Consultation and route selection was premature.

It prevents proper response when totally inadequate information is available

Local Confusion – Residents in the area – See parish council minutes

There was confusion on how long the Consultation would run as it was only with an extension that it was extended to 6 weeks. Local residents were told the blue route was the preferred route in advance of this being announced. What they did not make clear was that they were consulting on the other options. Lots of people who object to the Blue Route were never aware that they had the option to respond.

Map Booklet Provision.

A detailed map in large scale was only included in respect of the blue route. As this was the only realistic map provided in the material, this was pieced together by the Parish council and placed in the post office window to provide a visual representation. This reinforced the perception that this route was a foregone conclusion and many people later have explained that they had never understood other routes were being consulted on. **No equivalent map provision was made for the other routes.**

Question and Answer – Revert to online- After a Public meeting in Warcop the question-and-answer session reverted to online as NH representatives had faced uncomfortable scrutiny. Kirkby Thore was not offered a public meeting

Availability of Feedback Form- For those who did not want to submit a response online Feedback Forms were made available at various locations. A visit to two of the locations revealed that there were no forms. When calls were made asking for more forms to be delivered the phone was no manned. Messages were left but not answered. On 4th November a day before the Consultation ended a representative of NH rang a workplace and asked for the following message to be relayed.

Anna called re the A66

Feedback forms /; brochures are in the church, and she has also sent out 2 more boxes which were hand delivered on Monday.

To relay this message Anna has called the workplace of the person leaving who left the message. It is not clear how or why she did so as a mobile number was left and the person practices under a different surname.

Poor Advertising- The pattern of circulating leaflets only to those NH considered directly impacted meant lots of communities impacted did not learn of Statutory Consultation and many Parish Councils have failed to respond even though parishioners utilise the A66 every day.

Environmental Mitigation- NH have ignored advice from PINS to ensure it properly understood what land was required to ensure no biodiversity net loss before drawing DCO line or choosing route option. Instead its policy of adopting a worst case scenario strategy and using this as an excuse not to complete the necessary surveys means not only have NH opted for a Preferred Route before knowing the environmental consequences of each option, (thereby prioritising business interests over climate and habitat concerns) but they have caused real distress. As they have not known what amount of land they would require as mitigation they have opted for the higher figure and left landowners paralysed not knowing how much land would be taken or the boundary. They have been deliberately evasive and refused to provide detailed plans. Their tactics have included

- Failure to provide any maps or withdrawing them
- Asking landowners not to talk to other landowners
- Only talking to landowners who would willing sell
- Being entirely unable to justify how they have reached a decision about the extent of land in the DCO boundary simply stating it is needed for mitigation.
- Avoiding questions by suggested meeting with their ecologist, but then failing to arrange meetings with said ecologist.
- Suggesting the lure of future Land Management Schemes but then withdrawing these when they felt less land was required
- No entering into any negotiation as they did not have a clear handle on what they wanted.
- Failing to give the District Valuer the information he needed to discuss voluntary purchase as the absence of survey work meant they did not have detail needed to begin negotiations, a situation which is ongoing, and adds to assertion that the Statutory Consultation should have been a further route option consultation and both the Statutory Consultation and DCO submission are premature.

Non- Statutory Environmental Bodies – Eden Rivers Trust

NH miscalculation of how much land they would need to mitigate has led them into a headline rush to approach charities and non-statutory bodies with offers to fund existing schemes in the hope this will count as mitigation. This is simply kidnapping something that already existed. In the case of a planned River Restoration Project designed to reduce flooding NH initially (due to its premature decision-making) determined this project would be within the DCO line and offered to fund this project as a form of mitigation. The DCO line is now understood to have contracted (but who really knows) and NH no longer plan to include this land. However, the failure to include the landowner in this discussion and the underhand tactics in approaching Eden Rivers Trust without consulting the landowner who had devised the project (simply seeking to kidnap it and present it as a new addition) has soured the relationship with Edens River Trust.

NH cannot say that the Blue Route has no impact on this route as they have done in their sifting minutes. The underhand and chaotic approach means they no longer want his land and the working relationship with Eden Rivers Trust is extremely damaged. This is relevant to the assessment of Flood Risk

Ever Changing/Incorrect DCO line.

The DCO line is now very different to that at DCO. There has been an ever-changing situation. Even the chair of the Parish Council has been impacted. On the morning the Statutory Consultation was released various people lined up to do press interviews discovered they were unexpectedly within the DCO line. There had been no maps provided in advance. People withdrew to try and resolve their own situation. Many discovered it was an error.

People who though they were within the DCO line in September have not been informed about how the situation has changed.

Failure to consult on Landscape.

The Eden valley is between two national parks, A World heritage site and an AONB. Yet NH have persistently and actively avoided Friends of the Lake District to the extent that a separate meeting had to be organised with EDC and CCC asking if they could facilitate/encourage a meeting. This should have happened as part of the route selection process and is unfathomable in this area where landscape is the major draw and economic contributor to tourism.

Tourism

Despite citing tourism as a major reason for the increase in traffic and need to dual NH have not consulted with the Lake District National Park. Richard Leafe has expressed his surprise that the Park is being used to justify the 3rd biggest carbon emitting infrastructure project in the country when the Park are doing the opposite and developing car free polices and encouraging car free options. In short they so not want to be used as an excuse and would prefer to work to car reduction in line with the Climate Change Committee recent report on how traffic must reduce. The over reliance of electrification is simply not enough

Failure to be honest on increasing cost- Reported at 1.2 billion in transport press

The cost for the entire route is repeatedly described as 1 billion. This continued throughout the Stat Con. Media outlets and press coverage describe it a the 1 billion route. This has not been

corrected by NH who allowed this to be touted as the figure throughout the Statutory Consultation even though industry press such as The New Civil Engineer reported the Office for Road and Rail estimating the cost having increased by 28% to 1.28 billion in July 2021

Junction at Kirkby Thore- Safety

NH were advised by the Planning Inspectorate about the importance of having size and location of key features such as Junctions resolved before progressing to Statutory Consultation presumably to ensure respondents had full information when expressing a preference. The Highway standard compliance was described as requiring departures for the Blue route. Rather than reflect this difficulty at Stat Con when the siting closer to residential properties may have impacted of the preferred option, NH have (without consultation with residents or the Parish Council) relocated the Junction.

This is consistent with it drip feeding bad news about its route choice after consultation.

Fatigue/ Piecemeal response

Drip feeding bad news after Stat Con means people do not have full information to properly engage in a Consultation process and cannot properly make informed choice. Supplementary consultation on issues after the Statutory Consultation are not as effective. Respondents should have full information at the point route preferences are expressed as otherwise they begin to suffer from Consultation fatigue. This means an accurate representation of views cannot be achieved as responses are received piecemeal.

Bridge Length for Route Option

The response of Natural England highlights that even at Statutory Consultation they do not have full information about the predicted bridge span relevant to each option. The Orange route is still unclear with bridge span being described as between 110-350M. Natural England question whether the Orange route would have an open span crossing across the floodplain. This evidence that this route was not sufficiently developed even though it is acknowledged as less damaging.

Flood Risk Management

Flood Assessments have not been completed. NH do not recognise that the consequence of their poor consultation has been to damage the relationship with Eden Rivers Trust such that the floodplain restoration project which they seek to fund as Environmental Mitigation may not proceed. The impact of this Project being withdrawn has not been assessed on future flood management.

Bats- Green Bridges

Bat surveys were incomplete at the Point of Statutory Consultation. NH ecologist has openly recognised that they are largely ineffective but the only mitigation alternative. Route selection and consultation proceeded without this information

Landscape – Assessment post Stat Con

NH have consistently been told to consult with both National Parks (Yorkshire and Lake District) as well as the North Pennine AONB. Kirkby Thore is within the setting of the AONB. This is not recognised in any literature. NH have purposefully avoided Friends of the Lake District to the extent that they have consulted with EDC and CCC about their exclusion and the failure to

include Landscape in Route selection. That is particularly concerning at Kirkby Throe as the proposed route leave the established corridor and cuts into open farmland

Historic England

Statutory Agencies are being given selective information. Historic England include one reason for preferring the Blue Route as being its ability to remove HGV traffic from Main Street. The Orange route achieves the same objective due to the new junction but Historic England did not understand this

Video – Only prepared for Blue Route

The Fly-through video was deficient

- It could have been real life drone footage rather than a sanitised mock up looking like a golf-course
- No scale was given to allow an assessment of proximity to village/school/church/properties
- No reference made to being in the setting of an AONB
- The Visual excludes the Troutbeck Floodplain which is an SAC. This must be purposeful given the proximity
- No visual representation was prepared for the other two routes. If this was a consultation on route selection why were they absent
- Doesn't show properties earmarked for demolition

3.6 Statutory Consultation Response Booklet

The Booklet did not list the route option as has happened in other consultations where different options were being consulted on. Given the ongoing impression that the Black route was the Preferred Route people responding would not even have been aware that this had changed.

The question was closed. – Do you agree with our preferred alignment for this scheme?

AS the Statutory Consultation Documents contained maps with the Black route still described as the Preferred Route, people would have assumed they were agreeing to the black route or potentially not even been aware what alignment they were being asked to agree to.

Additional Comments – The topics on which people are invited to make additional comments were largely unassessed or undisclosed. There was no detail available on

- Build time
- Cost Walking cycling Horse riding (no proposals/maps at Stat Con
- Compounds
- Landownership. The DCO line was not in easily accessible and not maps provided to landowners ere withdrawn

Provision of Contact details- People were asked to provide contact details so they could be kept updated on progress of project. It does not appear that people have been updated. People who have registered for updates on the website have not been updated. This include being given chance to respond on supplementary consultations which occurred after the Stat Con

3.7 Covid

The impact of Covid on the efficacy of the Consultation Process should not be underestimated. Government Agencies were homebased. Voluntary agencies were not functioning. People were isolating and pre-occupied. Project Speed is already attempting to bulldoze through decisions without disclosure of normal levels of information. Covid gave it the cover to do so.

4. Junction Consultation- 28/January – 27th February 2022

NH knew the junction designed at point of Statutory Consultation was inadequate from a safety perspective. The literature indicates responses at Stat Con suggested the junction should be relocated. It is inconceivable that the residents of Sandersson Croft in Kirkby Thore actively asked for the junction to be moved closer to their homes. Instead, it is understood that NH had a meeting with a number of residents and as the move suited the need to improve safety have made the change. This is consistent with an approach of presenting the best-case scenario and sneaking in bad news later. The need for Junction to be resolved at Stat Con was hi-lighted by eh Planning Inspectorate at an early stage of engagement. This is a manipulation of the consultation process.

5. Walking Cycling and Horse-riding Consultation/Landform and Compound Consultation

Correspondence was sent to landowners only. Kirkby Thore Parish Council were not consulted on this issue. People who had entered responses to the Statutory Consultation were not contacted even though the primary reason for given for requesting that respondents give Contact details was so NH could keep people updated.

Local walking and cycling groups were not consulted.

In an internationally famous tourist destination within the setting of an AONB and between two national parks the failure to have plans on WCH available for consultation within the Statutory Consultation is astonishing

This was a key requirement of the Statement of Community Consultation and is absent

The existence of this Consultation was not publicised and even those landowners who received letters were unable to access/locate the online consultation.

The siting of compounds in and around the village of Kirkby Thore should have formed part of the information which was available to the public and Statutory bodies at the point they responded on route selection. The siting of compounds in an SAC/ The extent of soil removal given its capacity to act as a carbon sink are key issues which should have been available at route selection stage. This is a further manipulation, and an example of how bad news is being drip fed

6. Offer of Enhanced Compensation

NH issued a letter on 28th march to landowners offering a 20% premium if landowners accepted NH offer within 12 months of that letter. The letter was issued without any offer being made to landowners. Emails went unanswered. The sender was on Sabbatical. The position as to whether the clock has started on that 12months is unclear. – see below correspondence

Natalie and Monica

I wrote to Tom Peckitt on 30 March (see below) in response to his letter to my client dated 28 March regarding the 'Acquisition Completion Premium'. He did not respond so I chased again today

I note, by chance on LinkedIn, that [REDACTED]. Given this, his post advises, has been months in the planning it does seem extraordinary to invite my clients to write to a person who was winding down to a sabbatical and evidently wasn't sufficiently interested to properly deal with my response

My clients were given a 12-month deadline to sign up – a month has already been wasted. Is anybody going to respond on this?

Regards

Henry Church
Senior Director
CBRE | Valuation & Advisory Services | Compulsory Purchase
[REDACTED]

From: [REDACTED]
Sent: 22 April 2022 16:01
To: A66 NTP <A66NTP@nationalhighways.co.uk>
[REDACTED]
Subject: RE: FAO Tom Peckitt, Senior Project Manager

Dear Mr Peckitt

I refer to my email dated 30 March and note that I haven't heard from you

Your 28 March letter indicated a 12-month window to agree terms to receive the premium – a month later we still don't have a definitive plan of land take and areas or an offer to consider. Have you instructed a valuer to act on your behalf?

I await hearing from you

Henry Church
Senior Director
CBRE | Valuation & Advisory Services | Compulsory Purchase
[REDACTED]

From: [REDACTED]
Sent: 30 March 2022 16:00
To: A66 NTP <A66NTP@nationalhighways.co.uk>
Cc: [REDACTED]
Subject: FAO Tom Peckitt, Senior Project Manager

Dear Mr Peckitt

I refer to your letter to my client, XXXX Nicholson, dated 28 March 2022

Notwithstanding and without prejudice to my client's fundamental objection to the scheme alignment my client wishes to engage with your valuer over the potential sale of the required land interests

In order to progress these discussions my client will need to understand

1. The extent of the land permanently required;
2. The extent of the land required on a temporary basis;
3. Details of rights to be granted to my client (including rights of access, services etc);
4. The extent of accommodation works proposed

I note the time limit – the scheme's prompt attention on these matters (which, in light of the imminent submission of the DCO, should be readily available) would be appreciated

5 Common Problems

(a) Unanswered Emails

NH have outsourced their PLO work to CJ associates, their design work to Arup and their build to Amey. All these subcontractors had separate email addresses and there were constant problems with them picking up emails and responding. Below is one example of attempts to communicate being blocked.

From: Rachel Smith

[REDACTED]

Sent: 19March202112:06

To: REDACTED

Cc: [REDACTED]
[REDACTED]

Finally we have got to the bottom of the email issue. It appears the HE inbox had identified your email as spam and isolated it. Your email has now been added to the contacts and email are coming through fine. Nevertheless please feel free to contact Aamir and I directly.

(b) Constantly changing PLO's-

Kirkby Thore have had at least 5.

(c) Treatment of 9 schemes as one DCO Application

The volume of material is overwhelming. These are distinct landscapes and each have very different challenges and traffic issues. What may be acceptable to manage traffic flow from the M6 at Kemply bank is not necessarily proportionate in a section with a SAC, SSI, a village, and roman archaeology. This is a blatant attempt to override a scheme which may be refused as a standalone by asserting overall benefit. Kirkby Thore does not make the road quickly, shorter and the current route does not

create economic advantage. The CBR is unclear. The environmental consequences are enormous. This section carries the highest carbon load of all sections proposed.

This the only section of the road that already has average speed cameras safety could be resolved with an upgrade to the existing road and the addition of a dedicated link road. None of these issues have been consulted on properly.

The review of Carkin Moor to Scotch Corner (the last section to be completed) was extremely underwhelming in terms of decreased journey time, economic improvement. This information is absent for the NH good news story.

We reserve the Right to add to the Consultation inadequacies observed.

This Document should be read in conjunction with the response to Statutory Consultation filed on 5th November and sent to NH, PINS, EDC and CCC by Emma Nicholson. This also raises concerns about the biased assessment and lack of detail informing the selection of the Preferred Route.

Your ref: NH9590

Dr Neil Hudson MP

By email to [REDACTED]

Bernice Sanders
Senior Project Manager
National Highways
2 City Walk
Leeds
LS11

28 September 2021

Dear Dr Neil Hudson MP

A66 Northern Trans-Pennine Project, Temple Sowerby to Appleby upgrade

During the Option Identification stage we considered six route options for the Kirkby Thore section of the Temple Sowerby to Appleby scheme.

During the Options Selection stage, and following detailed analysis, we discounted four of those options due to a number of reasons including longer journey times, increased local severance and negative impacts on Scheduled Ancient Monuments. We took the two remaining options to Public Consultation in Summer 2019, following which we made changes to one of the options to improve connectivity, safety and economic and sustainability benefits. We selected this option as the preferred route as it provides the opportunity to reduce traffic passing through the village of Kirkby Thore. Although this route represented a longer journey time and may be more expensive than the alternative presented, it had reduced environmental impacts, required fewer buildings to be demolished, was not anticipated to impact on the wildlife corridor on the disused railway line and also had lower negative impact on biodiversity and the Trout Beck floodplain. We published this option in the Preferred Route Announcement in May 2020.

During the recent Preliminary Design stage, we further developed the preferred route option and identified a need for more detailed consideration of the impacts on the Trout Beck Special Area of Conservation following feedback from Natural England and Environment Agency. This resulted in three routes being developed, the Blue and Red routes to the north of Kirkby Thore and the Orange route (referred to as 'yellow' in Mr Nicholson's correspondence) to the south. We took forward the three routes to stakeholder engagement events in July this year.

We compared these routes against a range of criteria including engineering, environment, traffic and economics, stakeholder and conformity with the National Networks National Policy Statement (NNNPS).

We primarily discounted the Red route on the basis of the impact on the landscape when compared to the Blue route. Whilst analysis of flooding and geomorphology data demonstrated that the Orange and Blue route were both technically feasible, the potential harm and limited means of mitigation caused to the designated heritage site of Kirkby Thore Roman Fort and Associated Vicus Scheduled Ancient Monument meant that the Orange route has therefore been discounted as it is unlikely to be in accordance with national policy. Details of the route development and selection process will be made available during Statutory Consultation events and online for members of the public to view.

We met with Mr and Mrs Nicholson at their home on Friday 24th September to provide an update prior to the Statutory Consultation. We listened to their concerns, which I understand are also the subject of a recent Freedom of Information Act request submitted by Mr Nicholson and include environmental and ecological mitigation, and the cost, carbon and journey time comparisons between the Blue and the Orange routes. We made a commitment to review this information and feed back to Mr and Mrs Nicholson. We have encouraged Mr Nicholson to formally lodge his comments through the Statutory Consultation process, where they will be formally reviewed and considered in the final preparation of the Development Consent Order application.

Yours sincerely



Bernice Sanders
Senior Project Manager
Email: A66NTP@highwaysengland.co.uk



Your ref: NH9590

Dr Neil Hudson MP

By email to [REDACTED]

Bernice Sanders
Senior Project Manager
National Highways
2 City Walk
Leeds
LS11

28 September 2021

Dear Dr Neil Hudson MP

A66 Northern Trans-Pennine Project, Temple Sowerby to Appleby upgrade

During the Option Identification stage we considered six route options for the Kirkby Thore section of the Temple Sowerby to Appleby scheme.

During the Options Selection stage, and following detailed analysis, we discounted four of those options due to a number of reasons including longer journey times, increased local severance and negative impacts on Scheduled Ancient Monuments. We took the two remaining options to Public Consultation in Summer 2019, following which we made changes to one of the options to improve connectivity, safety and economic and sustainability benefits. We selected this option as the preferred route as it provides the opportunity to reduce traffic passing through the village of Kirkby Thore. Although this route represented a longer journey time and may be more expensive than the alternative presented, it had reduced environmental impacts, required fewer buildings to be demolished, was not anticipated to impact on the wildlife corridor on the disused railway line and also had lower negative impact on biodiversity and the Trout Beck floodplain. We published this option in the Preferred Route Announcement in May 2020.

During the recent Preliminary Design stage, we further developed the preferred route option and identified a need for more detailed consideration of the impacts on the Trout Beck Special Area of Conservation following feedback from Natural England and Environment Agency. This resulted in three routes being developed, the Blue and Red routes to the north of Kirkby Thore and the Orange route (referred to as 'yellow' in Mr Nicholson's correspondence) to the south. We took forward the three routes to stakeholder engagement events in July this year.

We compared these routes against a range of criteria including engineering, environment, traffic and economics, stakeholder and conformity with the National Networks National Policy Statement (NNPS).

We primarily discounted the Red route on the basis of the impact on the landscape when compared to the Blue route. Whilst analysis of flooding and geomorphology data demonstrated that the Orange and Blue route were both technically feasible, the potential harm and limited means of mitigation caused to the designated heritage site of Kirkby Thore Roman Fort and Associated Vicus Scheduled Ancient Monument meant that the Orange route has therefore been discounted as it is unlikely to be in accordance with national policy. Details of the route development and selection process will be made available during Statutory Consultation events and online for members of the public to view.

We met with Mr and Mrs Nicholson at their home on Friday 24th September to provide an update prior to the Statutory Consultation. We listened to their concerns, which I understand are also the subject of a recent Freedom of Information Act request submitted by Mr Nicholson and include environmental and ecological mitigation, and the cost, carbon and journey time comparisons between the Blue and the Orange routes. We made a commitment to review this information and feed back to Mr and Mrs Nicholson. We have encouraged Mr Nicholson to formally lodge his comments through the Statutory Consultation process, where they will be formally reviewed and considered in the final preparation of the Development Consent Order application.

Yours sincerely



Bernice Sanders
Senior Project Manager
Email: A66NTP@highwaysengland.co.uk

Neil Hudson MP

By email



A66 Northern Trans-Pennine project
National Highways
Fifth Floor
3 Piccadilly Place
Manchester
M1 3BN

5 November 2021

Dear Dr Hudson,

Highways England Response – Constituent Query - Nicholson - Kirkby Thore Options

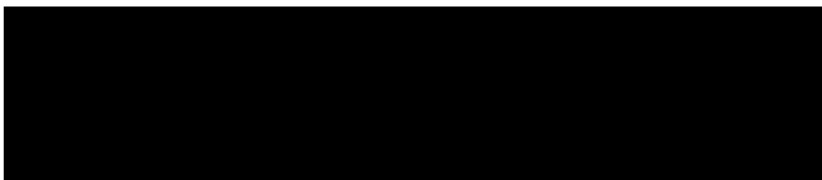
Thank you for forwarding on the email from Emma Nicholson in relation to the route preference at Kirkby Thore. We are liaising with both Mr and Mrs Nicholson separately on these points and others which they have raised both directly and through their legal representatives.

I can assure you that we are taking their concerns into consideration as part of the ongoing consultation process. The feedback Mrs Nicholson has provided will be captured as part of our consultation responses and will be included in our consultation report.

We would like to reassure you and your constituents that the topics which are raised, namely carbon and environment, heritage assets, noise concerns and land acquisition concerns are and will be carefully considered as the design takes shape and in light of feedback consultation process.

Please do let us know if there is anything further you would like from us at this stage.

Yours sincerely





Lee Hillyard
Project Director
A66 Northern Trans-Pennine Project
Email: A66NTP@highwaysengland.co.uk

Public Interest Test

Request for costs for A66 Kirkby Thore options Information	
Exception: Confidentiality of commercial or industrial information (Environment Information Regulation 12 (5)(e))	
<i>Factors supporting disclosure</i>	<i>Factors supporting non-disclosure</i>
<ul style="list-style-type: none"> • To protect the public purse, transparency and openness to scrutiny is an important public interest. • The work of the government being closely examined to encourage the most efficient and effective workings in very much a public interest. 	<p>The information is commercial in nature.</p> <ul style="list-style-type: none"> • The information requested is classified as commercial as NH is purchasing commercial services from suppliers. • Further breakdown would provide the supplier's competitors with information about product costs, which is commercially sensitive, in particular at the stage where we are getting into contract with delivery partners. <p>Confidentiality is provided by law</p> <ul style="list-style-type: none"> • The information is obtained by a third party. • It is not trivial and not in the public domain. • The information shared in circumstances creating an obligation of confidence, as the supplier provided product costs for their services to NH. • The confidentiality is protected under commercial law. <p>The confidentiality is protecting a legitimate economic interest</p> <ul style="list-style-type: none"> • The disclosure would cause harm; the commercial information is still current, and the framework is still valid. • There are legitimate economic interests; disclosing further the cost breakdown would enable the supplier's competitors to gain access to commercially valuable information, jeopardising its commercial bargaining position in existing and future negotiations, causing reputational damage, or disclosures which would otherwise result in a loss of revenue or income. • Confidentiality maintains level competition among suppliers, fairness of the tender process, and value for money for NH; disclosure would affect the price and quality of products and services NH receives. <p>The confidentiality will be adversely affected by disclosure</p> <ul style="list-style-type: none"> • Disclosure of confidential nature of that information into the public domain would inevitably harm the confidential nature of

	that information by making it publicly available and would also harm the legitimate economic interests that have already been identified.
FOI Exemption/EIR Exception	
<p>Under the exceptions of the Environmental Information Regulation 12 5(e) we have established that: the information is not on emissions; the information is commercial in nature; it is confidential under the common law of contract; the confidentiality is protecting a legitimate economic interest; the confidentiality will be adversely affected by disclosure; and the public interest in maintaining the exception outweighs the public interest in disclosing the information.</p>	
<p>Conclusion: there are compelling arguments which support withholding the information which outweigh those supporting release.</p> <p>PIT Members: Monica Corso-Griffiths (Head of Design and DCO), [REDACTED] (Commercial Lead), [REDACTED] (Head of Procurement and Construction), [REDACTED] (Assistant Project Manager)</p> <p>Date of PIT: Wednesday 15th June 2022</p>	

A66 Senior Planning Sift Workshop 26/04/21

Title:	Senior Planning Sift Workshop	Revision / Version:	
Status:			
Date:	26 th April 2021	Reason for Issue:	Information
Location:	Microsoft Teams Meeting	Time of Meeting:	
Drafted By:			
Attendees:	In person –  Via teams – 		
Apologies:			
Material:	PowerPoint presentation		

Item	Description (Headings reference slideshow slide title)	Comments
	Introduction by PC <ul style="list-style-type: none"> • Goal for the day: <ul style="list-style-type: none"> ○ Based on a robust approach to sifting using the tools and process described below reduce the number of alternatives from a principle 8 no. to a maximum of 3. ○ This should be evidence based and enable a robust determination now and if challenged at DCO ○ If the evidenced based approach permits identify a preferred route in order provide greater flexibility in the schedule to Stat Con and DCO • All participants at the meeting agreed with the goals. 	
	The Assessment Matrix and Structure <ul style="list-style-type: none"> • PC introduced the matrix that would be utilised to assess the alternatives routes. A sample matrix was presented that demonstrated the process that would be followed. <ul style="list-style-type: none"> ○ The assessment is made up from two principle tables <ul style="list-style-type: none"> ▪ The first was based on the work undertaken at PCF Stage 2, utilising criteria linked to the project objectives. Addition criteria were added relating to: <ul style="list-style-type: none"> • Geomorphology • Design and Buildability • Carbon ▪ The second table presented the relevant criteria from the NPS documentation ○ Both tables accepted by the members of the meeting to be appropriate and proportionate. Please note the further discussion below in regard to the amendments that were made to the tables during the discussion and debate. ○ Please see the link below to the agreed matrix. 	

Item	Description (Headings reference slideshow slide title)	Comments
	<ul style="list-style-type: none"> • Light Green – Principally follows the line of the Dark Green route to the point where it crosses the existing A66 then seeks to route south of a scheduled monument whilst also improving the horizontal geometry. The structure crossing the Trout Beck and its associated floodplain is approximately 250m. 	
	<ul style="list-style-type: none"> • Red – Principally follows the line of the Blue Route to approximately Sleastonhow Lane where it diverges slightly north to enable a crossing of the Trout Beck and its associated floodplain as far upstream as possible. This has the result of tying into the old Roman Road (near Crackenthorpe) much further east. The structure crossing the Trout Beck and its associated floodplain is approximately 220m. 	
	<ul style="list-style-type: none"> • Dark Orange – The route principally follows the line of the existing A66 and crosses the Trout Beck immediately south of the existing road bridge. The route passes through the River Eden floodplain and designated area of Scheduled Monument south of Kirby Thore. The structure crossing the Trout Beck and its associated floodplain (potentially the River Eden floodplain) is dependent on the detailed flood modelling but will range from 110 to 350m in length. For the purposes of assessment it is assumed that Bridge End Farm will need to be acquired in its entirety 	
	<ul style="list-style-type: none"> • Light Orange – The route was developed as an evolution of the Dark Orange alignment to avoid the designated area of Scheduled Monument with a recognition that this moved the alignment closer to the River Eden. The structure crossing the Trout Beck and its associated floodplain (potentially the River Eden floodplain) is dependent on the detailed flood modelling but will range from 110 to 350m in length. For the purposes of assessment it is assumed that Bridge End Farm will need to be acquired in its entirety. 	
	<ul style="list-style-type: none"> • Purple – developed as the closest representation of an online solution the Purple route seeks to maximise the use of the existing A66. In order to achieve this the route is designed to 40mph – all other alternatives are designed to 70mph. This route acquires up to 8 residential/business properties and reduces the length of the route in the designated area of the Scheduled Monument. The impact on Bridge End Farm is reduced when compared to the Orange routes - for the purposes of assessment it is assumed that Bridge End Farm will not need to be acquired in its entirety for the Purple Route. 	
	<ul style="list-style-type: none"> • As part of the presentation of the routes a detailed discussion developed that discussed each of the alternatives as they were presented. These points are summarised below, allocated to the individual routes where possible; where a point applies to multiple routes it is deliberately repeated: 	
	<p>Black</p> <ul style="list-style-type: none"> • Length of crossing reconfirmed as 850m for assessment purposes • Feedback from Natural England and Environmental Agency have suggested that this route is less preferable than the Blue Route (in an unmitigated state) • Avoids scheduled monuments • Supports the removal of traffic (particularly HGV) from the village via a new junction to the north. • The route requires the acquisition of two properties • Potentially conflicts with the Eden Rivers Trust Trout Beck re-naturalisation project 	

Item	Description (Headings reference slideshow slide title)	Comments
	<p>Purple</p> <ul style="list-style-type: none"> • Trout Beck is constrained in this location by the existing A66 structure leading to the potential that impacts on the SAC could be minimized. • Length and elevation of the structure dependent on flood modelling but also limited by the use of the old bridge. Potential issues with freeboard and climate change. • Anecdotal evidence suggests that flooding south of the A66 is less than the flood maps shown on EA website • Whilst furthest (of the online routes) the Purple route may impact on the River Eden and its associated floodplain • Bridge End farmhouse may not be required and acquisition likely to be limited to road facing derelict barn and cottage. Access to the site (with scheme) difficult from A66. Total cost of acquiring farming operation assumed to [REDACTED] • Route requires the acquisition of 6 to 8 residential properties adjacent to the A66. • Whilst the properties are not within the Scheduled Monument the route still passes through an area designated as Scheduled Monument • Implementation of a length of 40mph was challenged as to how this aligned to the project objectives. The meeting agreed that a length of 40mph would not be consistent with other sections and may lead to safety issues associated with driver behavior. • Designing to 40mph was however recognised as offering greater potential to maximise the use of the existing network and reduce the footprint of the road • It was agreed that WCH provision could be created but that there would be no local road network with the Purple route, giving rise to concerns about route resilience and reliability which contradicts the project objectives and the wider strategic investment strategies. Equally it was noted that farm traffic would have no choice but to utilise the A66. This is not the case for all other routes • Removal of traffic (particularly HGV) from the village is achieved via the side road and junction strategy. A link to the north of the village is required due to the closure of the local road network limiting access. Concerns were raised as the proximity of routes to the school on the north east side of the village • The purple route was noted as being one of the better performing routes in environmental terms (note the scoring assessment in the matrix does not necessarily support this observation). • Due to the complexities of the online route it was suggested that the construction programme may be up to 12 months longer than the offline routes and require a significant number of additional phases to build the scheme 	

Item	Description (Headings reference slideshow slide title)	Comments
	<p>Light Orange</p> <ul style="list-style-type: none"> • Trout Beck is constrained in this location by the existing A66 structure leading to the potential that impacts on the SAC could be minimized • Length and elevation of the structure dependent on flood modelling • The impacts on the River Eden and its associated floodplain are likely to be more significant with Light Orange (based on proximity) • Bridge End farmhouse may not be acquired; significant impact on farming operations with loss of majority of milking sheds. Access to the site (with scheme) is difficult from A66. Total cost of acquiring farming operation assumed to [REDACTED] • Removal of traffic (particularly HGV) from the village is subject to the side road and junction strategy. Any side road link to the north of the village will challenge the scope of the project. • Avoids the designated Scheduled Monument but recent non-intrusive surveys have identified that there is significant likelihood that the archaeology extends beyond the mapped area • East of Kirkby Thore the route stays south of the filling station but acquires the old station yard, enabling a length of the existing A66 to be retained for local access and WCH albeit a number of structures would be required to achieve this • Due to the complexities of the online route it was suggested that the construction programme may be up to 9 months longer than the offline routes 	

Item	Description (Headings reference slideshow slide title)	Comments
	<p>Next Steps</p> <ul style="list-style-type: none"> • Red, Blue and Dark Orange routes to be progressed on an equal basis to ensure that all routes can be taken to Stat Con if required. Note • Confirm how the Long Martin junction operates and its need. KC • Assess resources required to enable red route to 'catch up'. KC with CB to review • Interim reviews to be scheduled to assess progression of design development. PC to capture in programme • Develop programme now that number of alternatives has been confirmed. PC • Please review the scoring associated with the Black Route as there was some ambiguity during the day as to the length of the structure to be assessed. Please see notes above for clarity. All to action • All surveys to progress as planned as routes are at extremities of options presented. Note • Update matrix to capture comments in the narrative cells that reflect the assessments made during the workshop. All attendees at workshop • Provide an update on Friday 7th meeting with Cumbria CC and present Red, Blue and Dark Orange. Format and content to be confirmed. CB to lead. • AT the 4th May PDC present update on sift and confirm options to be taken forward at Stat Con. PC to work with CB to provide slide deck • On 12th May at SSG, present Red, Blue and Dark Orange as the Kirby Thore options to be taken forward. PDC slide deck to be used as basis. AJ to lead • w/c 10th May (after local elections) need to talk with the affected landowners. RS • Drawings to be developed to support landowner meetings. KC • Need a description of these routes to get them into communications to the general public. KC and PC to provide to RS • 27th May – Next SEB meeting - present Red, Blue and Dark Orange, could we cover Historic England at SEBs. PC to liaise with KW • Meet with British Gypsum to discuss the implications of the Red Route. RS to arrange with support from PC/CB • [REDACTED] to price Red, Blue and Dark Orange routes. AH to advise. KC to provide appropriate information • Review the archaeological impact of Scheduled Monument on Dark Orange route. KW to engage with David Lakin over archaeological strategy • Check that Ardent's land referencing work includes land ownership on the Red route. RS • SRM to work up programme for Red, Blue and Dark Orange to show how construction programme might vary. CP • How does this impact the OBC? Implications and requirements of OBC and updates required to be confirmed. MT and AH to advise • Should Red and Blue route be taken to Stat Con consideration of the ask of respondents is needed to ensure that north vs south argument is understood. RS to consider • Consider how the Dark Orange Route might provide connectivity to the north of Kirby Thore on safety grounds recognising the opportunity that exists to improve the local road network. KC • Re-run economic assessment of routes to confirm the impact of the shorter Dark Orange route on BCR. MS • [REDACTED] 	

Item	Description (Headings reference slideshow slide title)	Comments
	<ul style="list-style-type: none"> ▪ As a result of the discussion a number of changes were made to the matrix they were: <ul style="list-style-type: none"> ○ Row 11, Item 7 – Impact on recreational facilities was removed on the based on that there were no significant recreational facilities other that WCH and these were covered elsewhere in the matrix (Row 19, Item 15) ○ Row 14, Item 10 – the topic was changed to only assess the impact on the Safety of Road Users as WCH are considered on Row 19, Item 15 ○ Row 18, Item 14 – the topic was changed to assess Operation and Maintenance only as network resilience is covered elsewhere (Row 16, Item 12) ○ Row 36, Topic 5.11 – As there are no AQMA’s in the area this topic is not applicable ○ Row 38, Topic 5.13 – it was agreed this was a duplication of Topic 5.12 and so it was made non-applicable ○ Row 39, Topic 5.27 – it was agreed that this was a statement rather than an assessment topic so it was made non-applicable ○ Row 41, Topic 5.29 – it was agreed that this was duplicating Topic 5.28 so it was agreed to be made non-applicable ○ Row 45 to 47, Topic 4.23 to 4.25 – it was agreed that these were duplicating Topic 4.22 so it was agreed that these should be made non-applicable ○ Row 48, Topic 5.27 – this is a straight duplication of a topic already included and so agreed to be made non-applicable ○ Row 55 and 56, Topic 5.145 and 5.149 – it was confirmed that the assessment of Topic 5.144 covered this aspect and so it was agreed that these should be made non-applicable ○ Row 57 to 60, Topic 5.151 and 5.152 – it was confirmed in the meeting that the scheme had no impact on the North Pennines AONB so it was agreed that these should be made non-applicable ○ Row 61 and 62, Topic 5.170 – it was confirmed in the meeting that the scheme had no impact on Green Belt land so it was agreed that these should be made non-applicable ○ Row 67 – it was agreed that there were no other topics that should be considered and so this row was left intentionally blank 	
	<ul style="list-style-type: none"> ▪ Following a discussion in the meeting the following routes were discounted for these primary reasons: 	
	<ul style="list-style-type: none"> • Purple – whilst the route performed well in a number of areas and offered a theoretical means to reduce environmental impacts the concerns associated with the lack of a local road to connect communities as well as provide network resilience meant that the route performed poorly overall. Other factors included the significant increase in construction duration and disruption as well as the impact on local properties and business. The route was ranked 8th both in terms of the overall score and when the confidence in the route was appraised. 	
	<ul style="list-style-type: none"> • Dark Green & Light Green – both these routes theoretically provided a means to cross Trout Beck in zone 2 floodplain however this was downplayed in the meeting as a significant factor. The constraints imposed by the gypsum workings to the north and the scheduled monument to the south meant that there was no means to viably mitigate both constraints without a significant compromise in the road geometry. Whilst the Dark Green was seen as being slightly preferable to the Light Green the meeting concluded that neither route could be promoted given the other routes under consideration. The Light Green ranked 7th and Dark Green 6th in terms of the overall score and when the confidence in the route was appraised 	

ID	Activity	5.87	5.89	5.10	5.11	5.12	5.13	5.14	5.15
8	Assembly	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
9	Manufacture and final risk	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10	Manufacture and final risk	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
11	Manufacture and final risk	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12	Manufacture and final risk	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
13	Manufacture and final risk	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
14	Manufacture and final risk	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
15	Manufacture and final risk	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
16	Manufacture and final risk	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

A66 Northern Trans-Pennine Project

SCHEDULE OF SURVEYS REQUIRED BY HIGHWAYS ENGLAND

Property: ■

Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL) – HMLR CU255362

Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL) – HMLR CU268006

Alternate Land Description - Land surrounding "Trout Beck"

Provisional dates of survey as outlined in the 'comments' section of the schedule below are subject to change. Definitive dates of survey will be disclosed by the A66 Northern Trans-Pennine Integrated Project Team in good time and prior to mobilisation, where feasible to do so.

<u>Survey Type</u>	<u>Start</u>	<u>End</u>	<u>Areas of Land</u>	<u>Comments</u>
Geochemical Surveys	26 th February 2022	April 29 th 2022	HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)	Use of hand-held x-ray fluorescence (XRF) equipment to assist in determining to assist in detecting and defining areas of past archaeological activity and significance.
			HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)	Activity required to facilitate compliance with our Environmental Impact Assessment (EIA) obligations. Surveys may include a contemporary walk-over assessment ahead of the surveys taking place.

<p>Agricultural Land Classification (ALC) – Soil Sampling</p>	<p>26th February 2022</p>	<p>April 29th 2022</p>	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	<p>Use of a hand-held auger/borer and/or insulated spade to undertake incremental soil sampling assessments as per DEFRA/Natural England guidelines.</p> <p>Activity required to facilitate compliance with our EIA obligations.</p> <p>Surveys may include a contemporary walk-over assessment ahead of the surveys taking place.</p>
<p>Landscape – Visual Assessments</p>	<p>26th February 2022</p>	<p>April 29th 2022</p>	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	<p>The A66 NTP Integrated Project Team are seeking to conduct a series of landscape surveys to capture the baseline view of the proposed scheme from various pre-determined vantage points.</p> <p>Survey markers/pole are placed into the ground and are captured by the camera/equipment used, a digital model of the proposed scheme is then matched-up with the camera view.</p> <p>The visual assessment involves establishing a camera and total station setting out markers alongside obvious features within the 'view', and performing the visual assessment. All equipment is removed from site once the assessment is complete (~1 hour).</p> <p>Activity required to facilitate compliance with our EIA obligations.</p>

Temple Sowerby to Appleby – Kirkby Thore

There are two upgrade options which will divert the A66 away from Kirkby Thore either to the north or the south of the village.

Options E and F



Option E (northern bypass)

A new dual carriageway bypass to the north of Kirkby Thore as an extension of the current Temple Sowerby Bypass. It will pass through several fields to the west and then travel away from the village to the north and east. It will mostly be built along a route which is generally lower than the surrounding land which will help preserve the visual outlook of properties in the north of the village.

An additional junction will be created to allow direct access to and from the British Gypsum site and will reduce the level of heavy goods vehicles moving through the village.

Four new bridges will be required over the existing road network at:

- New Kirkby Thore junction, north of the village
- Station Road
- Main Street
- Sleastonhow Lane

It would also require a new bridge over Trout Beck just before the new road returns to the original alignment.

Option F (southern bypass)

A new dual carriageway would be constructed towards the south of Kirkby Thore as a continuation of the Temple Sowerby Bypass. It would cross several fields and follow the path of an old railway line until it re-joins the current A66 just after the BP petrol station near Bridge End Farm.

Additional underpasses would be required to provide access for local farms and pedestrians, walkers, cyclists and equestrians. A new junction would allow access to the former A66 and the village.

This option would require the demolition of several buildings.



Temple Sowerby to Appleby – Kirkby Thore

There is a single carriageway for a little over 2-miles on this section which skirts the village of Kirkby Thore. The carriageway varies in width and local roads are connected by several junctions and private access points along this accident-prone section.

There is also an access route through Kirkby Thore village for HGVs visiting the British Gypsium site to the north.

This area suffers from high accident levels and speed limits have already been reduced from 60 mph to 40 mph.

This section carries approximately 16,500 vehicles per day, 27% of which are HGV's, much higher than the national average.

What did we propose?

We proposed two options for this section which would divert the A66 away from Kirkby Thore either to the north or the south of the village.

Option E (northern bypass)

A new dual carriageway bypass to the north of Kirkby Thore which would pass through several fields to the west and then travel away from the village to the north and east.

It would mostly be built along a route which is lower than the surrounding land which will help preserve the visual outlook of properties in the north of the village.

An additional junction will be created to allow direct access to and from the British Gypsium site and will reduce the level of HGVs moving through the village.

Option F (southern bypass)

A new dual carriageway would be constructed towards the south of Kirkby Thore as a continuation of the Temple Sowerby Bypass. It would cross several fields and follow the path of an old railway line until it re-joins the current A66 just after the BP petrol station near Bridge End Farm.

Additional underpasses would be required to provide access for local farms and pedestrians, walkers, cyclists and horse riders. A new junction would allow access to the former A66 and the village.

This option would require the demolition of several buildings.

The preferred route: option E



The preferred option

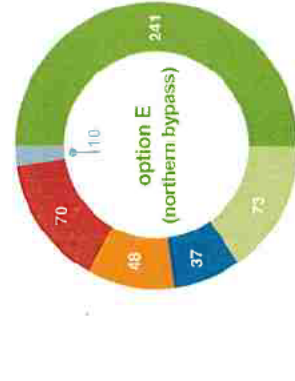
For this section of the A66, we have selected option E, the northern bypass.

We've selected this option as it provides the opportunity to reduce traffic, including HGVs, from the village of Kirkby Thore.

This option also reduces the amount of buildings we need to demolish to improve this section of the A66. It will also not impact on the wildlife corridor on the disused railway line. The southern option also had a greater negative impact on biodiversity and the flood plain.

Option E was also the most popular with respondents at consultation with 66% (314) of respondents voting in favour of this option.

While this route represents a longer journey time of the two options and may be more expensive, it has reduced environmental impacts while still delivering the required improvements.



Minutes of Meeting

A66 NTP

Meeting with Tim and Emma Nicholson

Purpose of Meeting	Update landowners on progress of the scheme to date and agree consent for access to land for surveys
Location:	Steastonhow Farm
Time/Date:	12 noon 21 January 2021
Attendees:	For Highways England – Matt Townsend (Senior Project Manager) Rachel Smith (Stakeholder Lead) Kevin Crooks (Design Lead) Ben Harding (Drainage Lead) Amir Shaikh (Public Liaison Officer) Landowners - Tim Nicholson and Emma Nicholson Land Agent - Alan Bowe, H&H Land

Apologies:

Circulation:

Item	Minutes	Actions
1.0	Introductions and discussion in farm yard	
1.1	<p>KC provided an overview of the scheme and clarified the changes made to the alignment.</p> <p>TN mentions that during his work on the river realignment he understands that Natural England [NE]/Environment Agency [EA] /Eden River Trust [ERT] would not want a causeway restricting the river in its floodplain. He suggested that Highways England had been asked to address this some time ago. Based on that he pointed out that the drawings are different from those shared with Natural England and the information on levels was missing. He requested a copy of that plan.</p> <p>KC said the scheme shared with NE was not developed at this point and was more of a 'line on a map' than a developed option.</p> <p>MT confirmed that this draft sketch can be shared but should be caveated as 'under development' and will be subject to change following survey findings.</p>	<p>KC</p> <p>MT and KC</p>

	<p>TN points out that this option is worse as it is using their best land..</p> <p>EN/TN highlighted that they have only received standard letters. They consider that they had not been consulted in advance of the route being announced and that they are landowners who are most affected by the project. They also consider that their response during the consultation period had not been considered.</p> <p>EN and TN considered that the meeting was not focused on specific details and was an attempt to discuss a Plan that Highways England are finding challenging. TM/EN reiterated the difficulties with the route and that they did not seem to have been factored into decisions about the route. These include:</p> <ul style="list-style-type: none"> • decision-making process • issues of cost including the need for structures • factors considered and their weighting that lead to the Preferred Route Announcement • carbon impacts (in light of the Heathrow decision) <p>MT expressed a wish to be fully transparent and that the decision had been made in line with Highways England's current guidance.</p> <p>TN and EN expressed their belief that it had been influenced excessively by business interest of British Gypsum. This was denied.</p> <p>No explanation as to the decision-making process was given but a commitment to see what could be shared given EN's observation that this would have to be shared in circumstances of a Judicial review.</p> <p>RS and AS to revert on communication and feedback during consultation phase.</p> <p>AS to be the single point of contact and share his details with AB, TN and EN. TN asked to be copied in on all correspondence in relation to their land with AB. TN added he was happy to be contacted directly.</p>	<p>RS/AS</p> <p>AS</p>
1.2	EN and TN asked if a like-for-like comparison was made to compare the two route options.	

	<p>They pointed out that the cost and impact of the preferred route is relatively significant.</p> <p>MT clarified that a statutory process has been followed during options selection with a route-wide desktop assessment in keeping with the standard process across other Major Infrastructure Projects. He stated that this process was adopted and that detailed environmental surveys and impact assessments were carried out for the preferred route only as costs would be prohibitive for the public purse.</p> <p>EN points out if the carbon impact of the route has been taken in to consideration given the Heathrow decision. MT clarifies that a route-wide consideration has taken place at an earlier stage. EN did not feel her question was answered.</p> <p>TN requested to see this assessment.</p>	MT
2.0	Onsite tour - farm access road	
2.1	<p>TN confirmed he was happy to allow access for surveys if permission is requested for each. He informed the group that he has not been contacted to ask for permission to date.</p> <p>TN advised that there are 300 lapwings on his site and he has some survey data he is happy to share which will help the environment team.</p>	TN/AS
2.2	<p>EN pointed out that the preferred route would cause visual and light impact to their property. She told the group that the development would bisect Grade 2, South-facing farm land.</p> <p>MT has committed to the design team reviewing the plans to see what mitigation might be possible.</p>	MT/KC
2.3	<p>TN points out that they do not want the ancient routeway to the Roman fort to be moved at all as this would be taking up more of their land. It will not be sympathetic to the landscape and cause more disturbance to the 300+ wading birds (lapwings) that winter here and dozen or more plus redshank and snipe that nest here. This issue needs addressing as the proposed route will be too much light and noise disturbance for the birds.</p> <p>TN and EN do not want to have laybys on their land as they can create issues with litter</p>	KC

	<p>with some entering the river. KC pointed out that the location of laybys is determined by the guidance. MT committed to review and see if a departure can be made in this case.</p> <p>TN and EN asks about the detail that would be given to village to accurately represent the fact Kirkby Thore which they regard would be blighted by the proposed route with high speed traffic, noise, light and pollution in close proximity to the village school and nursery. They also regard that residents in the village are not aware of the proximity despite the consultation. Rather than a model in a village hall she suggested a realistic (demonstration) of noise, vibration and light.</p> <p>MT advised this would discriminate against other sections if not done for all areas but acknowledged that there was not another village impacted like Kirkby Thore.</p> <p>EN regards that Highways England are trying to impose the lowest standard on a village that was most impacted. She again questioned how a proper comparison of the route alternatives could be made when they had stopped making any comparison at such an early stage. She emphasised her view that they continue to make proper comparison and disclose the costing comparison given one route was so much longer and more complex.</p> <p>EN asked whether the cost of a bridge had been factored into the cost analysis. She believes that the meeting had commenced with no disclosure of the fact that a bridge seemed likely rather than the causeway which she regards as the presumption of Highways England when the route was chosen.</p> <p>EN asked KC directly whether having seen the route from the ground how he foresaw building a bridge over what was a massive expanse of flood plain. KC was not on the project at stage 2 when the Preferred Route was fixed. He acknowledged that for a relatively narrow river course it had a very large floodplain. EN considers that KC seemed to question whether this was really all floodplain and really needed such a wide bridge.</p>	<p>MT/KC/RS/AS</p>
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	<p>MT points out that a 3D model will be presented as part of the process which will provide a drive-through views and different perspectives.</p> <p>EN suggested that the extent of the highway be pegged out on the field so that local people can understand the impact.</p> <p>MT/RS said that this would not be an option as it would have to be offered to all communities and therefore would mean the whole route would have to be pegged out.</p> <p>RS added that the visualisation also offers both vertical and horizontal impacts and users could navigate around this visualisation to see impacts from different perspectives.</p>	
3.0	Walk to flood plain	
	<p>The team reviewed the site and noted the following:</p> <p>TN points out that water level gets to 8 ft high in the flood plain.</p> <p>The existing plans for public right of way and cycle way need to be revisited. TN suggesting turning existing Railways line into cycleway</p> <p>TN points regular farm vehicles need to come this way. They cannot get modern combines up from the village easily and slurry is carted to here from Appleby direction and silage taken away towards Appleby. Also, it is 2 miles further to come via the village (4 miles both ways). They also need access to their land on the other side of the proposed road and the other side of the river</p>	<p>KC</p> <p>KC</p> <p>KC</p>

Rachel suggested that a single point of contact would be employed to help manage the process. This person would report into Emma and Tim each day to explain what is happening on their land on that day and would be the contact for any questions. This would help to minimise the impact that the surveys would have on Emma and Tim's time.

Tim and Emma agreed that this would be preferable and requested that this person be somebody with basic knowledge of countryside code.

Rachel committed to drafting guidelines for Amey/Arup staff and any contractors and sending them to Emma for review.

He argued that this would improve safety as a 40 mph limit through the village has made the road safer already and that it was preferable to 70 mph around the village on the northern by pass.

He also made the point that widening could be undertaken in that location as there are only a few properties to the south of the road.

Paul reiterated that any online options would be close to the flood plain of the River Eden and would have an impact of other properties and potentially features such as the scheduled monument. Paul also advised that the geometry of the existing road would need to be assessed.

Tim said that there was not issue with flooding in that area other than due to the hard standing of Bridge End Farm and one property which is a former mill.

Paul committed to reviewing a 'do minimum' approach, against the strategic objectives, with Highways England and the design team which would consider the points raised by Tim

Access for surveys

Tim said that he would not allow access for surveys unless he has been paid for his time and the invoice which he has paid to Alan Bowe as land agent.

Rachel queried that access was now dependent on payment rather than a commitment to pay as had been previously stated.

Tim responded that there was nearby case where a landowner had been waiting for payment since the Temple Sowerby bypass so he would be insisting on payment clearing into their account before any access could be arranged.

Rachel outlined that this Temple Sowerby case was in the hands of lawyers rather than being held up by HE but committed to processing payment as soon as possible after the invoice was received. She outlined that there would be a process to getting them set up for payment with HE but they she would investigate this and revert.

Emma asked if the last letter requesting access had been viewed by the legal team and suggest if so it should have come from that team to give legal recourse to them as recipient. The contacts given for HE and the PLO team were not considered appropriate for such a legal letter in her opinion.

Rachel outlined that the letter was the final request for voluntary access and that it would trigger the start of the legal process.

Emma and Tim outlined that this process would impact not only on them but also on their tenant (of which there are six). They also pointed out that one of the tenants is new because the previous tenant left after 25 years due to the perceived impacts of the new A66 plans.

Tim confirmed that access would be allowed if payment were made.

Emma caveated this statement by saying that they would also want to have a full breakdown of all the surveys required, how many people would be attending for each and agreement on where they would be parking vehicles and accessing land.

Minutes for meeting with Tim and Emma Nicholson

Introductions were made to Paul Carey for Tim and Emma

Rachel outlined that there are alternative routes being considered in this location to minimise the impact on the River Eden SAC.

Rachel requested that the plans are not taken away or any details of them shared as other landowners have not yet been briefed on the potential alternative routes.

Paul talked through the alternative routes and the impacts and benefits of each. He emphasised that the preferred route is still buildable and there is a design solution to the spanning of Trout Beck but that the project team are committed to reviewing other options to see if there is an alternative route which has less impact (although it will, invariably in this area, have impacts on other locations and features).

Tim and Emma asked about the timescales for better understanding these new routes and when a decision would be made on which was being taken forward.

Paul explained that these would be subject to further design development and that the surveys required would be fundamental to understanding which of these routes had what impacts on the area.

Rachel explained that all routes would be taken to consultation later in the year in order for local people to have their say about them.

Tim asked if the team have considered not doing the dualling of the A66 at all given the number of cars on the roads and the carbon impact of such a project. Emma also enquired as to whether doing nothing had been considered when setting the objective of the scheme.

Paul outlined that the brief of the project from DfT is to complete the dualling of the A66 all the way from Scotch Corner to Penrith to address safety issues.

Of the alternative routes outlined Tim suggested there is only really the orange routes which are viable as the northern by pass is, in his opinion, a disgrace and encircling the village would stymy growth. He suggested that local people are unaware of the consequences of the route and the impact it would have on local homes.

Emma added that she also felt the impact on the school would be considerable.

Tim made the following design points:

- Do not dual the entire route
- Create a road from a junction to the west of KT for traffic to access the village from the north; also relieving the HGV traffic from British Gypsum and other businesses from the village
- Stop up the road at the Bridge Bistro to force local traffic to use the new western link road to a safe junction
- Install a 40 mph limit through the remaining single carriage way
- Add speed cameras at both ends of this section

A66 Northern Trans-Pennine project update



Update on design development

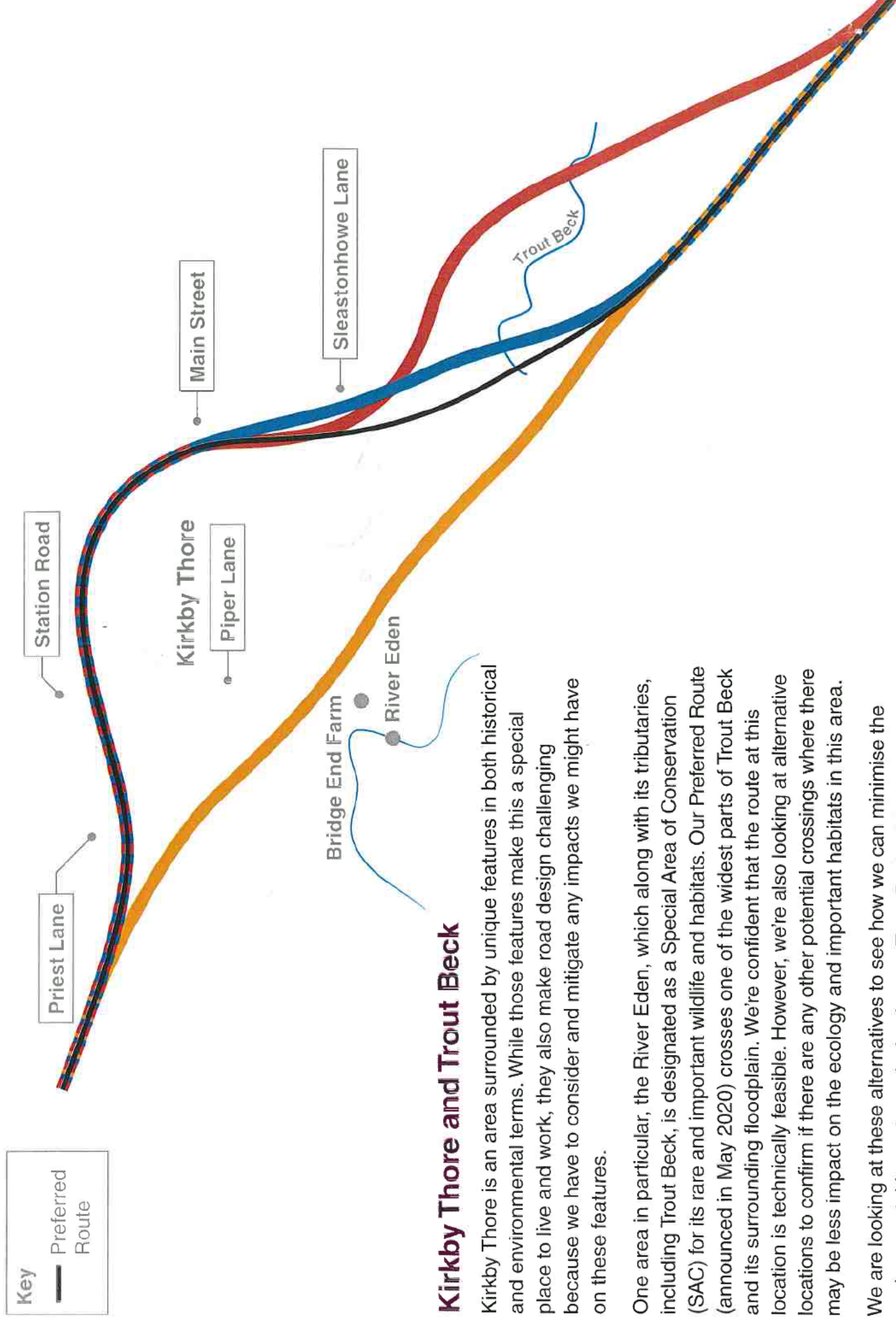
Since we made our preferred route announcement in May 2020, we've been carrying out various studies and surveys. This is to help us better understand areas such as the environment, ecology, heritage and drainage along the route, including how we will deliver the construction of the project.

We consider the environment and local ecology in every aspect of our major improvement projects, from design through to completion and ongoing maintenance. As work has progressed on our design for the A66, we've identified two

locations – Kirkby Thore and Warcop – where there is an opportunity to revise the proposed route to further reduce the environmental and ecological impact.

We need to investigate these opportunities further so it is too early to say whether this work will result in changes to the preferred route.

If our assessment work identifies deliverable enhancements to the preferred route at Kirkby Thore and Warcop, we will consult on any further option or options as part of the statutory consultation that we are planning later this year.

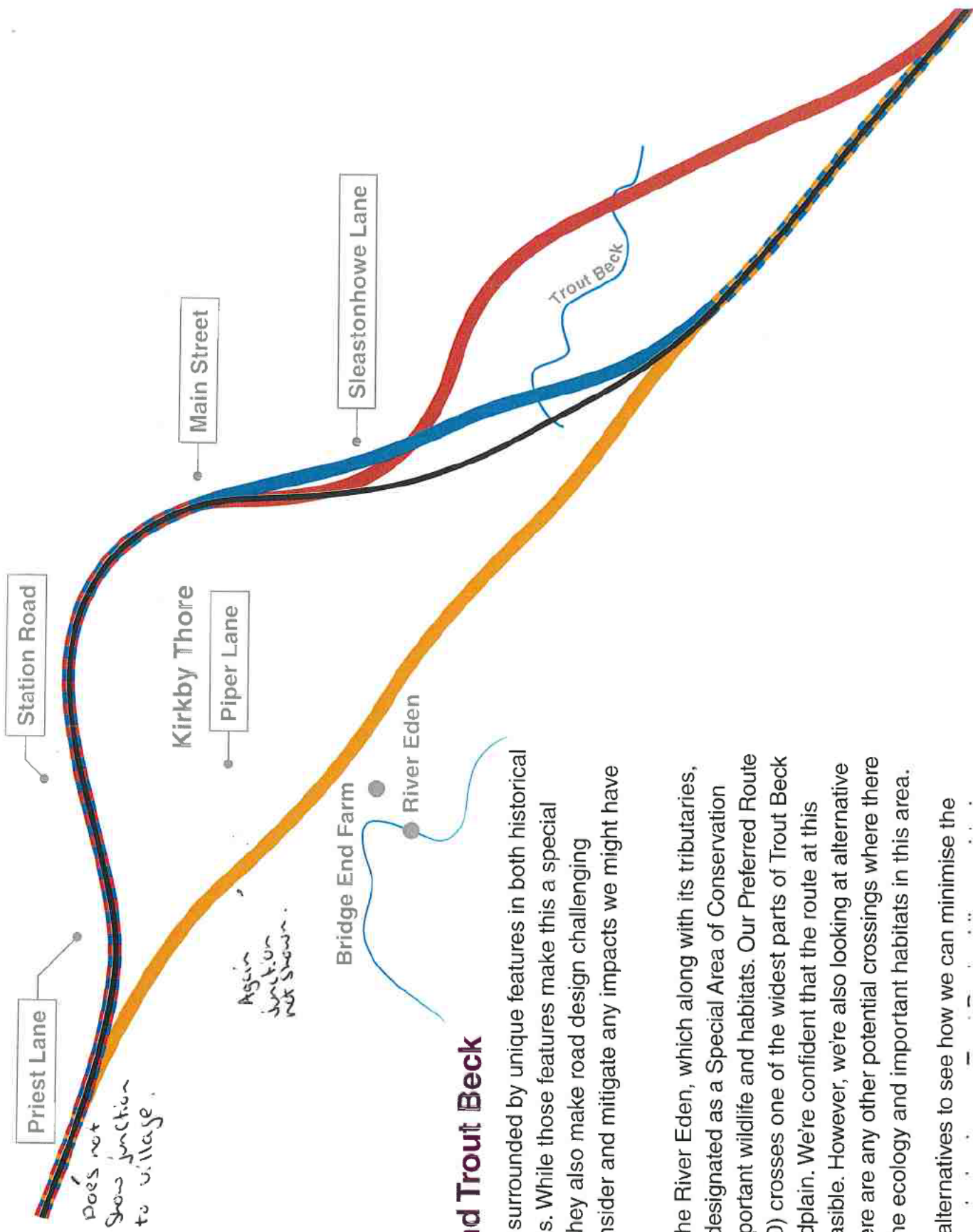


Kirkby Thore and Trout Beck

Kirkby Thore is an area surrounded by unique features in both historical and environmental terms. While those features make this a special place to live and work, they also make road design challenging because we have to consider and mitigate any impacts we might have on these features.

One area in particular, the River Eden, which along with its tributaries, including Trout Beck, is designated as a Special Area of Conservation (SAC) for its rare and important wildlife and habitats. Our Preferred Route (announced in May 2020) crosses one of the widest parts of Trout Beck and its surrounding floodplain. We're confident that the route at this location is technically feasible. However, we're also looking at alternative locations to confirm if there are any other potential crossings where there may be less impact on the ecology and important habitats in this area.

We are looking at these alternatives to see how we can minimise the



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We are looking at these alternatives to see how we can minimise the

Red Route

The Red Route would also include a new bypass north of Kirkby Thore between the village and the gypsum work, a new bypass to the north of Crackenthorpe and a number of new junctions and improvements.

Following the line of the Preferred Route, the Red Route would travel in a north-easterly direction from the end of the Temple Sowerby Bypass. It would then cross over Priest Lane and under Station Road, before turning south after passing north of Kirkby Thore village.

The route would pass under Main Street (where we'd build a new junction) and under Sleastonhowe Lane before turning eastwards. The road would then run parallel to the existing A66, to cross over Keld Syke followed by Trout Beck and its associated floodplain. This would be approximately 500m further east than the Preferred Route.

After crossing Trout Beck, the Red Route would head south east to re-join the line of the Preferred Route (near Crackenthorpe) as it follows the line of the Roman Road towards Appleby. We'd connect this option to the existing A66 near Long Marton and Crackenthorpe.

The red route impacts on farms and associated land and requires the demolition of a residential property.

This option also means local traffic would be able to use the 'old' A66 between Appleby and Temple Sowerby as part of the local road network.

Orange Route

The Orange Route mostly follows the route of the existing A66 along the southern edge of Kirkby Thore, before bypassing Crackenthorpe to the north. This option would also include a number of new junctions and improvements.

From the end of the Temple Sowerby Bypass the option initially runs to the north of the existing A66 before crossing to the south, close to Piper Lane. It would then run parallel to the A66, to the

rear of a row of houses, before crossing Trout Beck at Bridge End. At this location the river is confined by the existing A66 bridge and other buildings around Kirkby Thore. Kirkby Thore will be accessible via a junction to the west, the location of which is currently under assessment.

East of Trout Beck, the route would pass through Bridge End Farm, requiring the demolition of some farm buildings, and behind the petrol filling station, running parallel to the existing A66.

The Orange Route would then follow the line of the Preferred Route as it turns in a south-easterly direction to follow the line of the Roman Road towards Appleby. We'd connect this bypass back into the existing A66 at the eastern end of the scheme.

As this route mostly follows the existing A66, we'd need to build a number of new connections and local roads to allow local traffic to use the current A66 between Appleby and Temple Sowerby.

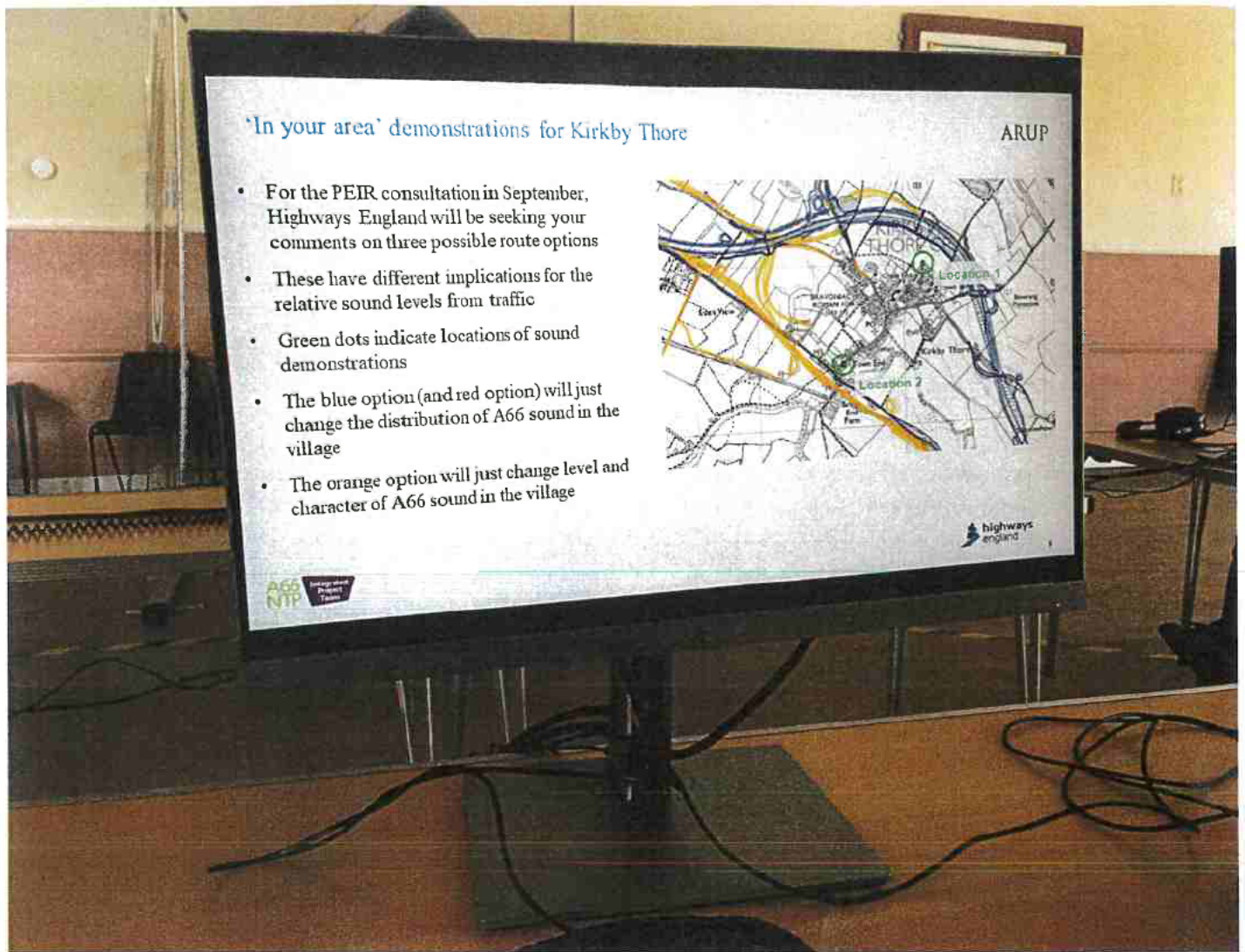
What happens next?

We're engaging with landowners affected by these alternative routes. If you think you may be impacted and we have not been in touch, please do contact us on the details provided in this leaflet.

If our assessment work identifies deliverable enhancements to the Preferred Route at Kirkby Thore and Warcop, we will consult on any further option or options as part of the statutory consultation that we are planning later this year. This will provide you with the opportunity to understand these routes better and have your say about them, as your views are really important to us.

If you have any specific questions in the meantime you can contact us by email on A66NTP@highwaysengland.co.uk, call us on **0333 090 1192** or follow us **@A66NTP**.

For more information of the A66 Northern Trans-Pennine project please visit our website: www.highwaysengland.co.uk/A66-NTP



Sound Lab Visual.

Why are there alternative routes?



Since our Preferred Route Announcement in May 2020, we've carried out a number of environmental and ecological studies to develop the routes and to explore how we might further minimise the overall impact of the project.

As work has progressed on our design for the A66, we've identified two locations – Kirkby Thore and Warcop – where there is an opportunity to revise the proposed route to further reduce the environmental and ecological impact.

We consider the environment and local ecology in every aspect of our major improvement projects, from design through to completion and ongoing maintenance.

We need to investigate these opportunities further so it is too early to say whether this work will result in changes to the preferred route. If our assessment work identifies improvements to the preferred route at Kirkby Thore and Warcop, we will consult on any further option or options as part of the statutory consultation that we are planning later this year. This will provide you with the opportunity to understand these routes better and have your say about them, as your views are really important to us.



Temple Sowerby to Appleby

The River Eden, along with its streams, including Trout Beck, is designated as a Special Area of Conservation (SAC) for its rare and important wildlife and habitats. Our Preferred Route crosses one of the widest parts of Trout Beck and its surrounding floodplain.

While we're confident that the route at this location is technically feasible, we have looked at alternative locations to investigate if there are any other potential crossings where there may be less impact on the ecology and important habitats in this area.

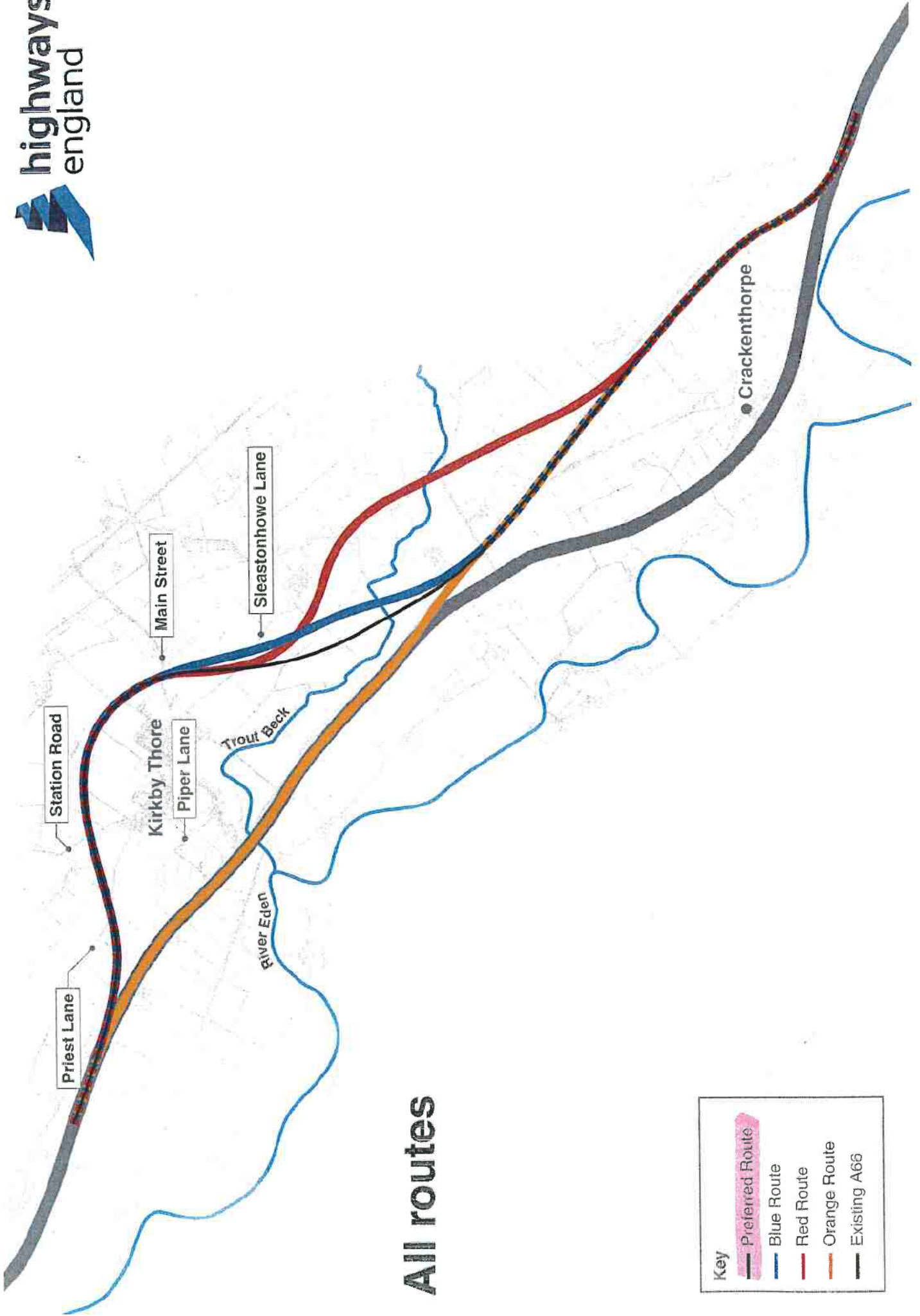
We are looking at these alternatives routes to see how we can minimise the environmental impact our design has on Trout Beck. We'll consider other features such as the mine workings around British

Gypsum and the scheduled monuments and archaeology which are scattered along this former Roman Road.






The maps on display are a graphical representation of our technical drawings. There is still further work for us to complete including additional design and more environmental surveys and studies before these can be fully understood.

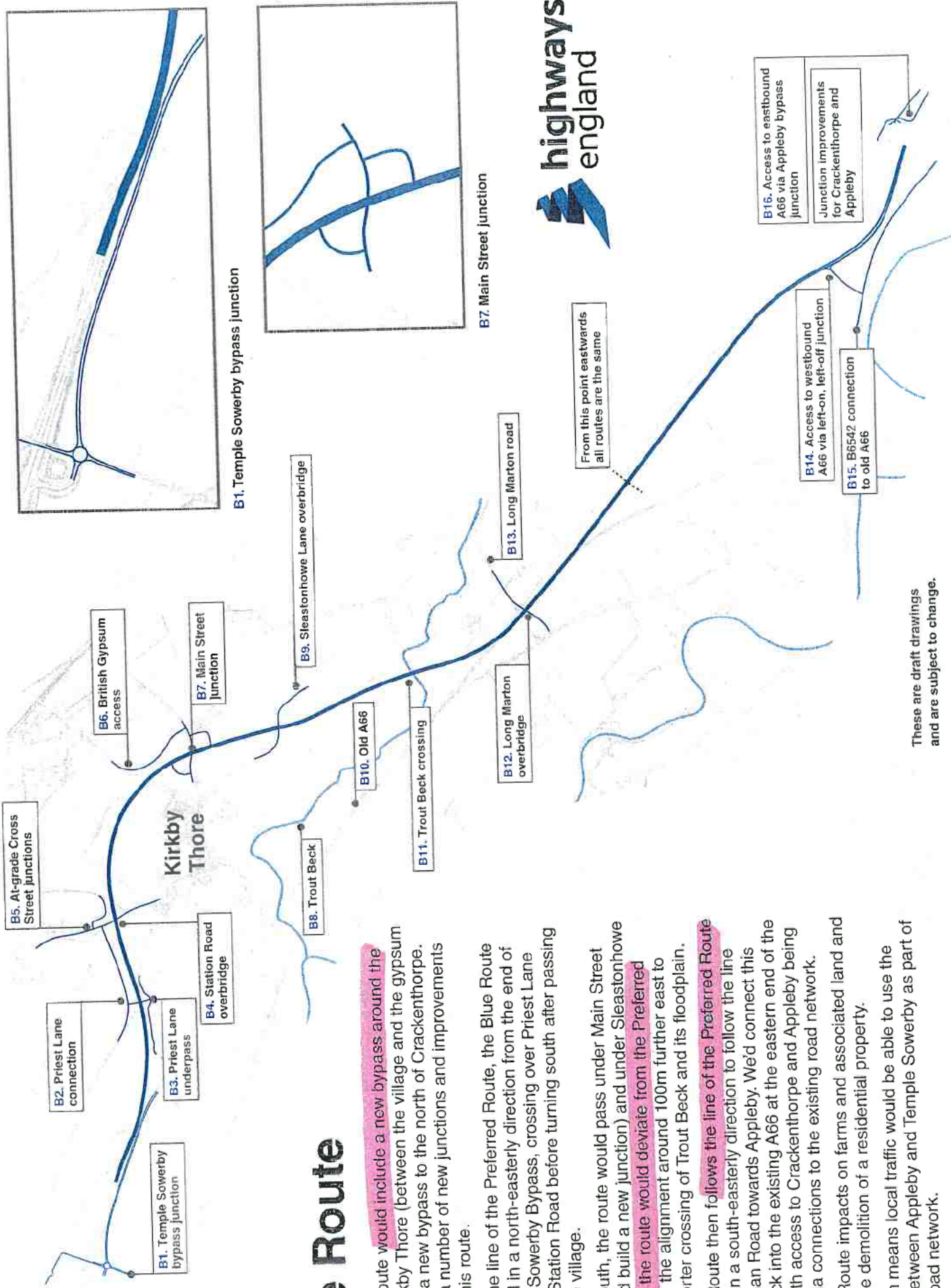
We are engaging with all the landowners who could be affected by these alternative routes and will continue to do so as we move towards the consultation later in the year.





All routes

Key	
	Preferred Route
	Blue Route
	Red Route
	Orange Route
	Existing A66



These are draft drawings and are subject to change.

Blue Route

The Blue Route would include a new bypass around the north of Kirkby Thore (between the village and the gypsum works) and a new bypass to the north of Crackenthorpe. We'd build a number of new junctions and improvements as part of this route.

Following the line of the Preferred Route, the Blue Route would travel in a north-easterly direction from the end of the Temple Sowerby Bypass, crossing over Priest Lane and under Station Road before turning south after passing north of the village.

Heading south, the route would pass under Main Street (where we'd build a new junction) and under Sleastonhowe Lane. Here the route would deviate from the Preferred Route, with the alignment around 100m further east to allow a shorter crossing of Trout Beck and its floodplain.

The Blue Route then follows the line of the Preferred Route as it turns in a south-easterly direction to follow the line of the Roman Road towards Appleby. We'd connect this bypass back into the existing A66 at the eastern end of the scheme with access to Crackenthorpe and Appleby being provided via connections to the existing road network.

The Blue Route impacts on farms and associated land and requires the demolition of a residential property.

This option means local traffic would be able to use the 'old' A66 between Appleby and Temple Sowerby as part of the local road network.





O1. Priest Lane link



O4. At-grade Cross Street junctions

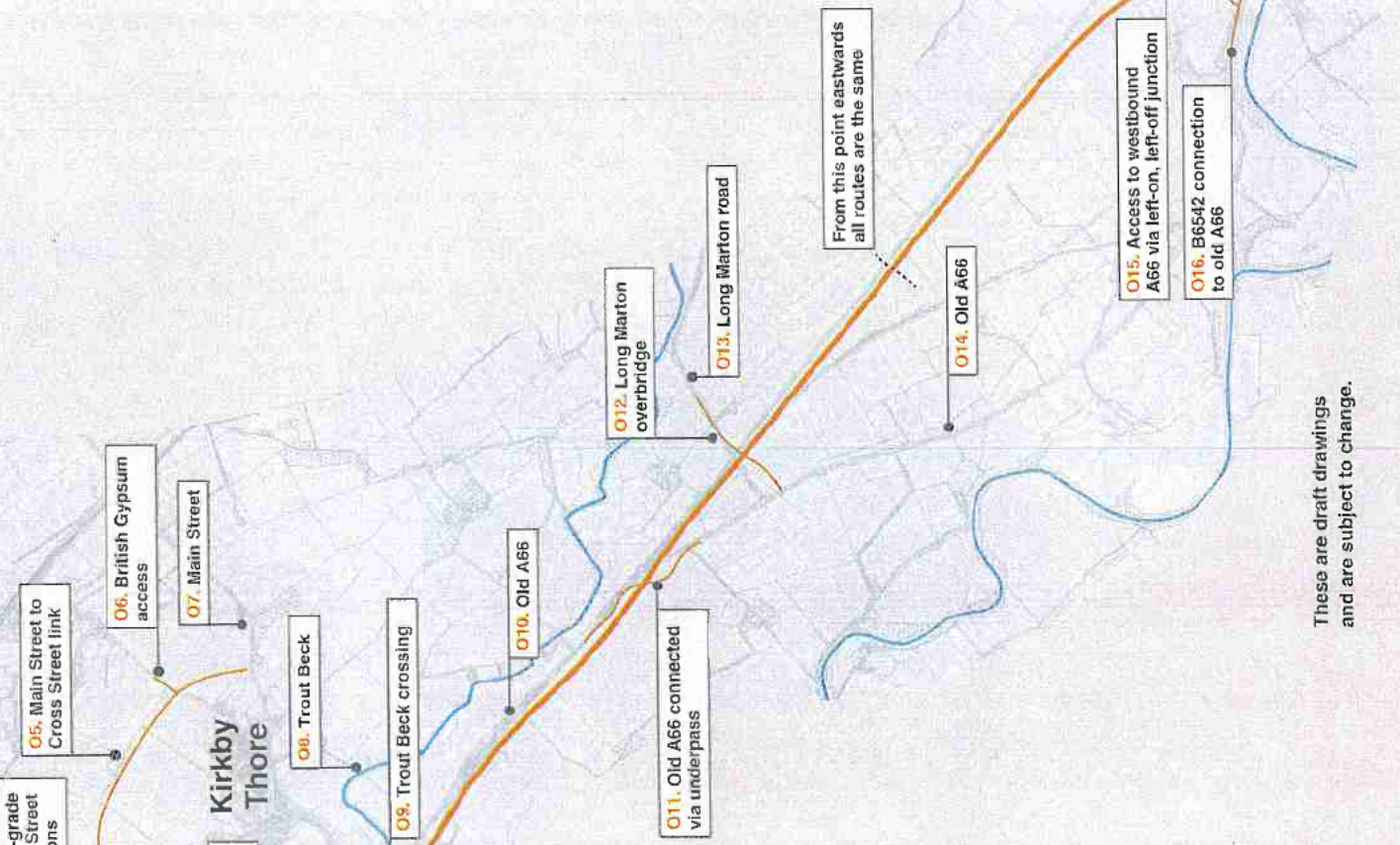


O11. Old A66 connected via underpass



O17. Access to eastbound A66 via Appleby bypass junction

Junction improvements for Crackenthorpe and Appleby



From this point eastwards all routes are the same

These are draft drawings and are subject to change.

Orange Route

The Orange Route mostly follows the route of the existing A66 along the southern edge of Kirkby Thore, before bypassing Crackenthorpe to the north. This option would also include a number of new junctions and improvements.

From the end of the Temple Sowerby Bypass the option initially runs to the north of the existing A66 before crossing to the south, close to Piper Lane. It would then run parallel to the A66, to the rear of a row of houses, before crossing Trout Beck at Bridge End. At this location the river is confined by the existing A66 bridge and other buildings around Kirkby Thore. Kirkby Thore will be accessible via the existing junction at Temple Sowerby and the old A66 which would be connected to the local road network.

East of Trout Beck, the route would pass through Bridge End Farm, requiring the demolition of some farm buildings, and behind the petrol filling station, running parallel to the existing A66.

The Orange Route would then follow the line of the Preferred Route as it turns in a south-easterly direction to follow the line of the Roman Road towards Appleby. We'd connect this bypass back into the existing A66 at the eastern end of the scheme with access to Crackenthorpe and Appleby being provided via connections to the existing road network.

As this route mostly follows the existing A66, we'd need to build a number of new connections and local roads to allow local traffic to use the current A66 between Appleby and Temple Sowerby.

Red Route

The Red Route would also include a new bypass north of Kirkby Thore between the village and the gypsum works, a new bypass to the north of Crackenthorpe and a number of new junctions and improvements.

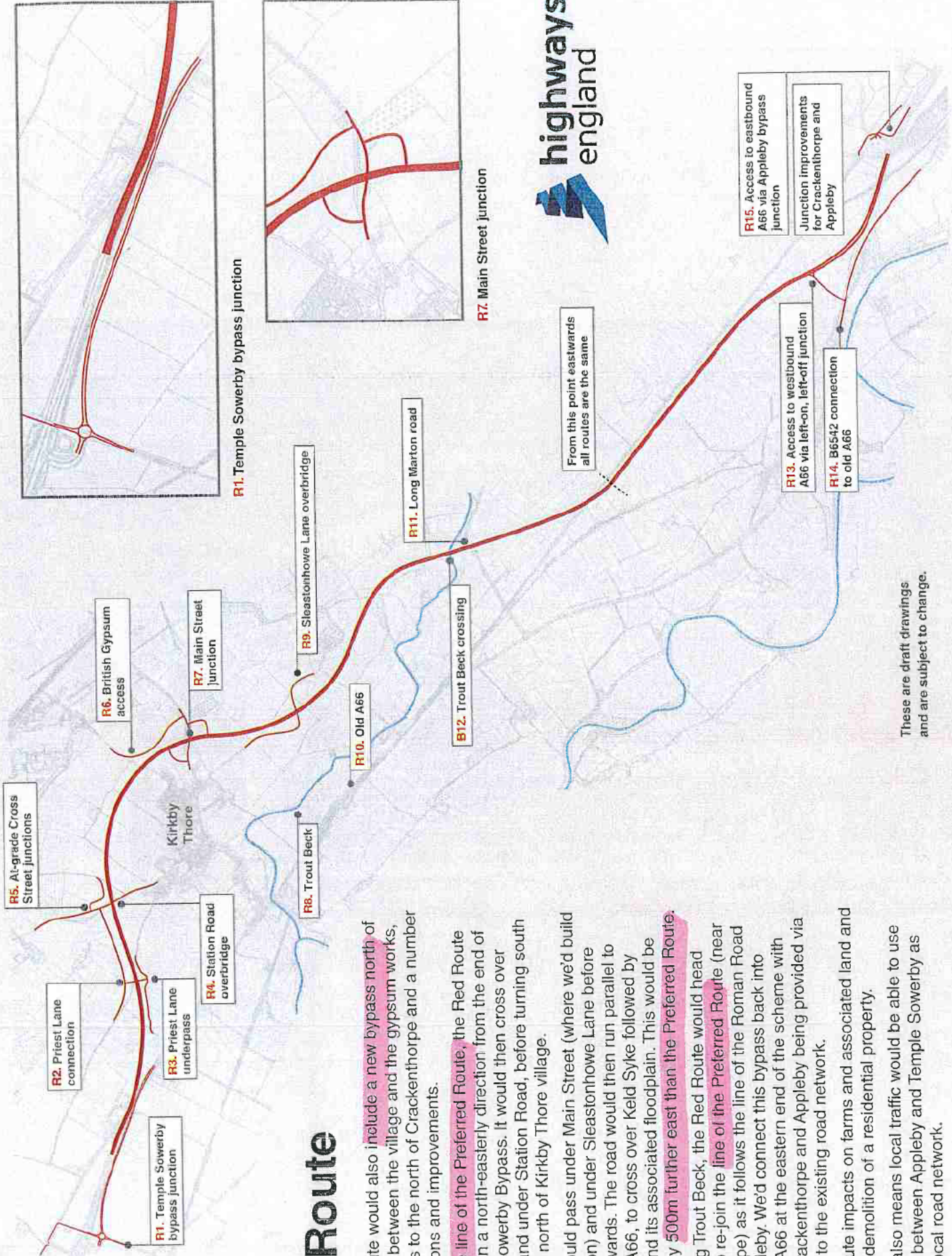
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The route would pass under Main Street (where we'd build a new junction) and under Sleastonhowe Lane before turning eastwards. The road would then run parallel to the existing A66, to cross over Keld Syke followed by Trout Beck and its associated floodplain. This would be approximately 500m further east than the Preferred Route.

After crossing Trout Beck, the Red Route would head south east to re-join the line of the Preferred Route (near Crackenthorpe) as it follows the line of the Roman Road towards Appleby. We'd connect this bypass back into the existing A66 at the eastern end of the scheme with access to Crackenthorpe and Appleby being provided via connections to the existing road network.

The Red Route impacts on farms and associated land and requires the demolition of a residential property.

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What happens next?

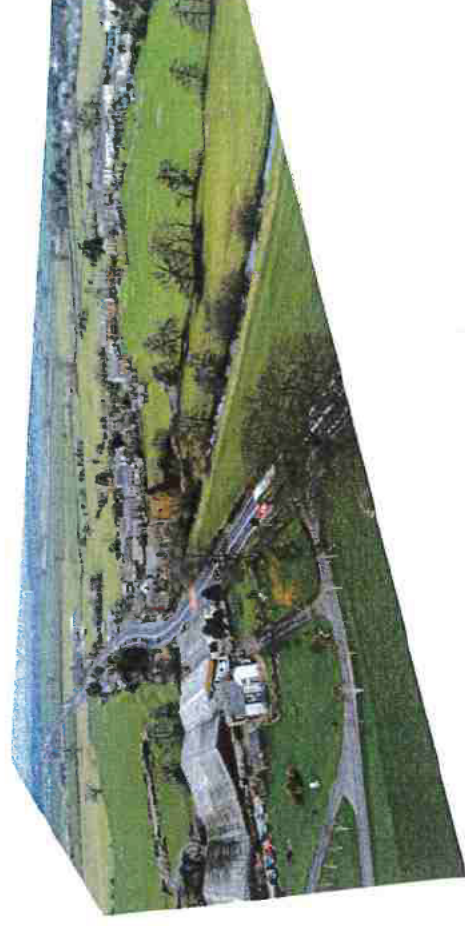
If our assessment work identifies further improvements deliverable enhancements to the Preferred Route at Kirkby Thore and Warcop, we'll consult on any further options as part of our consultation later this year. Your views are really important to us and this will provide you with the opportunity to understand these routes better and have your say about them.

After the consultation period, we'll analyse the responses and finalise our surveys and design work. By the end of the year, we're aiming to tell you which of these routes we'll take forward as part of our Development Consent Order. This is the planning approvals process for major work like the A66 Northern Trans-Pennine project



The A66 Project is planned to start work on site in 2024. If you have any specific questions, you can contact us by email on A66NTP@highwaysengland.co.uk or call us on **0333 090 1192**.

For more information on the A66 Northern Trans-Pennine project please visit our website: www.highwaysengland.co.uk/A66-NTP and follow us on Twitter @A66NTP



Minutes of Meeting

A66 NTP

A66 Kirby Thore Options Heritage Discussion

Purpose of Meeting: A66 Discussion on Kirby Thore Heritage Options
Location: MS Teams
Time/Date: 06-07-21 at 15:00-16:00
Attendees: [REDACTED] – A66 Heritage Topic Lead at Amey/Arup
 [REDACTED] – A66 Heritage Topic Deputy at Amey/Arup
 [REDACTED] – A66 Environmental Stakeholder Deputy at Amey/Arup
 [REDACTED] – Inspector of Ancient Monuments for the North West at Historic England
 [REDACTED] – Historic Environment Officer at Cumbria County Council
 [REDACTED] – Principal Archaeologist at Durham County Council
 [REDACTED] – Conservation Officer at Eden District Council
 [REDACTED] – A66 Environmental Lead at Amey/Arup

Apologies: [REDACTED] – Principal Cultural Heritage Advisor at Highways England
 [REDACTED] – Regional Lead at WSP on behalf of Eden District Council

Circulation: All

Item	Minutes	Actions
1.0	Introductions	
1.1	[REDACTED] noted apologies for [REDACTED] (Highways England) and [REDACTED] (WSP on behalf of CCC and EDC). Minutes will be issued to all parties.	
2.0	Current Options	
2.1	[REDACTED] confirmed the meeting was to discuss the options at Kirby Thore and seek agreement to the approach to ensuring a robust evidence base for the ES.	
2.2	[REDACTED] presented three alternative options (Red, Blue and Orange). Orange is closer to current A66 alignment than Red and Blue. It was noted that there are some sections of the options which have not yet been surveyed due to landowner access constraints.	
2.3	[REDACTED] highlighted that trenching is proposed where all of the options align (west and north of Kirby Thore and at the southern end of the scheme) as this is the common area within each boundary. [REDACTED] added that these are proposed to be completed this summer and the remaining areas to be completed once an option has been selected.	
2.4	[REDACTED] noted that focusing on common areas prevents abortive work until an option is selected and that in addition to trenching a second phase of geophysical survey will be undertaken to cover all options.	

Item	Minutes	Actions
	A preferred route is unlikely to be chosen until after statutory consultation in October 2021.	
3.0	Questions	
3.1	█ asked if outstanding landowner access has now been agreed. █ noted that the team is working closely with the landowner to facilitate access. Land access takes around three weeks from nomination of the selected land parcel.	
3.2	█ is in the process of agreeing contracts with sub-consultants to complete surveys. At this time surveys will only be possible on pasture areas due to arable land being under crop.	
3.3	█ both raised that they wished the surveys team to first meet with █ (Historic England) to agree methods. █ agreed that a meeting would be useful.	█ to arrange meeting when survey teams appointed
3.4	█ asked for the percentage of un-surveyed area. Although not confirmed, █ noted that geophysical surveys will be completed for the ES and █ noted trenching for the selected route is unlikely to start until November / December time (weather-dependent).	
3.5	█ recommended that targeted trial trenching be conducted based on anomalies in the geo-phys data to de-risk █ further clarified that the full suite of trenching is required, but to inform option selection a smaller number could be completed. █ confirmed this was the preferred approach subject to agreement with all parties. █ confirmed Historic England support for a targeted approach.	
3.6	█ noted that recent surveys around Kirby Thore resulted in unexpected finds and that survival beneath the current carriageway was much better than expected.	
3.7	█ reiterated that Historic England would want to agree first on the surveys team approach to geo-phys.	
3.8	█ asked if there are any other non-intrusive techniques that could be used by the survey team. █ raised that geo-chemical surveys proved useful on HS2. █ will investigate.	█ to investigate geo-chemical surveys applicability
3.9	Remote sensing report needs to be refreshed following opening of Aerial Photography libraries and delivery of project-specific drone survey.	█ to review remote sensing report
3.10	█ requested trench arrangements be issued. █ confirmed they would be issued following minor amendments.	█ to issue trenching arrangements.
4.0	AOB	
4.1	█ noted that outline programme for procurement of trenching will also be shared. █ to circulate minutes.	█ to circulate minutes and trenching procurement timeline.

Regards,
Tim and Emma

Tim Nicholson

Partner RK&GF Nicholson
Director Cactus Tree Guards LTD

On 26 Aug 2021, at 17:43, 

Dear Tim

Further to our recent discussion about the alternative routes in the Kirkby Thore area, I wanted to get in touch and update you on the latest developments in the design process.

As you know, we have been undertaking a wide range of surveys and investigations and that process is still ongoing to an extent. We are currently finalising the draft evidence from the assessments carried out. However, while this information is still in a draft format it is sufficient for us to decide on a preference between the routes proposed in our recent engagement work (including the event you attended at the Memorial Hall).

In order to ready ourselves for the statutory consultation next month we will be taking forward this preference to the public consultation starting on 24 September 2021. Our preference is for the blue route which is a development of the preferred route announced in May 2020.

It is the intention that both Eden District Council and Cumbria County Council will also be looking to review this selection process to reaffirm this preference as part of their independent due diligence.

We would welcome the opportunity to meet with you to discuss options and next steps. If you would like to have this meeting please could you advise of your availability w/c 6.9.21.

Kind regards,

Rachel

A66 Northern Trans-Pennine project consultation A date for your diary

We'll be launching our consultation on our proposals for the **A66 Northern Trans-Pennine project** on **Friday 24 September 2021**.

Consultation starts
9am on 24 September.

This will be your opportunity to learn more about our plans for dualling the A66 and to view our proposals in more detail.

Find out more:

All our consultation materials, including our consultation brochure, will be available online via our dedicated A66 Northern Trans-Pennine project website once consultation launches on 24 September 2021. In addition, we will be hosting a series of drop-in sessions. The table overleaf outlines when and where you can come along to speak to a member of the team.

If you can't make the events or don't have access to the internet you can call us on **0333 090 1192** to request a hard copy of our materials. **Please call by Friday 3 September** to make sure you receive them in time.

In addition, we will:

- Provide **hard copies** for viewing in public buildings along the A66 such as local libraries. Please refer to our website and press advertising for more information.
- Host an online **virtual consultation room**.
- Run **webinars** and a **telephone surgery**, enabling you to discuss your questions with a member of the team.

Please check our website for the latest information: highwaysengland.co.uk/a66-NTP

Email or call us for more information:

Email: A66NTP@highwaysengland.co.uk

Phone: **0333 090 1192*** (Phone lines are open between Monday to Friday between 9am-5pm, or leave us a message and we'll call you back).

Follow us on **Twitter** to stay up-to-date with the latest news and project updates: **@A66NTP**

*Standard call rate applies.

A66 Northern Trans-Pennine Project

SCHEDULE OF SURVEYS REQUIRED BY HIGHWAYS ENGLAND

Property:

Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL) – HMLR CU255362

Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL) - HMLR CU268006

Alternate Land Description - Land surrounding "Trout Beck"

Survey Type	Start	End	Areas of Land	Comments
River Modelling	April 19 th 2021	April 30 th 2021 (initial survey). Further surveys might be required throughout 2021	HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)	Potential for numerous visits to conduct flood modelling, geomorphology surveys and drainage. Extent of work and timeframes may change once initial survey has been undertaken. Geomorphology channel survey (April) Geomorphology walkover survey (April)
Modular River Physical Survey (MoRPH) (river condition for BNG) and fluvial geomorphology walkover surveys	April 2021	June 2021	HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)	These will support the hydrological habitat modelling which will underpin the Habitat Regulation Assessment.

Phase 1 Habitat survey	April 2021	June 2021	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	UK Habitats (including for Biodiversity Net Gain) and National Vegetation Classification.
Specific macrophyte vegetation	May 2021	August 2021	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	Surveys in May and potentially August in line with Special Area of Conservation (SAC) condition monitoring / River Invertebrate Prediction and Classification System (Rivpacs) assessment.
Environmental DNA (eDNA) survey for various aquatic and riparian receptors	April 2021	June 2021	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	<p>Environmental DNA (eDNA) survey for various aquatic and riparian receptors</p> <ul style="list-style-type: none"> • eDNA for great crested Newts (Mid March – End of June), • eDNA White clawed crayfish (March-May), and • Fish (March-April)

White-clawed crayfish surveys	July 2021	August 2021	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	
Invertebrates	April 2021	April 2022	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	Periodical assessments of both habitats and specific invertebrates, across notable species life cycles
Amphibians	April 2021	June 2021	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	Assessments of riparian features for amphibian habitat suitability, and observations of specific amphibian species.

Freshwater Assessments	April 2021	June 2021	HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)	Assessments of riparian features for amphibian habitat suitability, and observations of specific amphibian species.
Aquatic macroinvertebrates	April 2021	November 2021	HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)	
Fish and lamprey surveys. Standard SAC condition monitoring electric-fishing for:	June 2021	September 2021	HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)	Standard SAC condition monitoring electric-fishing for: <ul style="list-style-type: none"> • Salmonids (June-July 2021), • Bullhead (August-September 2021) and • Lamprey (juvenile)(August-September 2021)
Terrestrial invertebrate surveys for river shingles and sandbanks.	April 2021	June 2021	HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)	
Mammals (Bait Marking – Badgers)	April 2021	June 2021	HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL) HMLR CU268006	21 consecutive days (incl. weekends)

				Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)	
Mammals (Otter & Water Vole)	May 2021	July 2021		<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	<p>May - Walk-over scoping, and placement of camera traps</p> <p>June - Walk-over scoping and replacement of batteries/memory cards in Camera traps</p> <p>July - Walk-over scoping and removal of camera traps</p>
Breeding Birds	April 2021	April 2022		<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	<p>Various pre-determined transects walked from sunrise until completion, logging bird sightings and assessing bird behaviour.</p>
Topographic Surveys	April 2021	June 2021		<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006</p>	<p>Assessments on private land likely limited to topographic infill (on-foot surveys using static control equipment), and/or UAV drones.</p>

			Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)	
Geophysical Surveys	May 2021	June 2021	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	To inform the need for further assessment.
Drainage surveys	April 2021	July 2021	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	To establish location of drainage features and identify confirm routes of existing drainage runs.
Photography	April 2021	June 2021	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006</p>	There will be likely requirement for viewpoint photography from publicly accessible locations.

			<p>Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	
<p>Other non-intrusive environmental, drainage, land, landscape and traffic surveys in relation to the A66 NTP Project.</p>	<p>April 2021</p>	<p>June 2022</p>	<p>HMLR - CU255362 Land at Sleastonhow Farm, Kirkby Thore, Penrith (CA10 1XL)</p> <p>HMLR CU268006 Land adjoining Sleastonhow, Kirkby Thore, Penrith (CA10 1XL)</p>	

2021/131.1 Applications

None

2021/131.2 Decisions

None

It was noted that the status of planning application 21/0571 LAND OPPOSITE METHODIST CHAPEL KIRKBY THORE PENRITH CA10 1UH: Reserved Matters application for access, appearance, landscaping, layout and scale, attached to approval 18/0396 had been changed to withdrawn however the parish had not been notified.

2021/132 Outside Body Reports

LB reported that Kirkby Thore Memorial Hall Committee had met but she was unable to attend on this occasion.

2021/133 Highways Matters

2021/133.1 A66 Dualling Consultation

It was confirmed that the consultation would run from 24 September through to 23 October 2021. Councillors discussed the best way to support the local community in this consultation process. Feedback was taken from the residents present at the meeting.

Resident at the meeting reported that Highways had communicated that the blue route was to be the preferred route. It was not clear if this would be the only route that is consulted upon. The clerk was asked to request some clarity from Highways.

Action: LN

It was agreed that the Parish Council would take comments from residents about the plan through public participation at the October meeting of the Council. Proposed date of 12th of October 2021. Councillors agreed to hold an event to assist residents in completing the forms. It was felt that the parish could have most impact on the plans by more residents responding to the consultation.

Resolved: Clerk to contact Highways

Action: LN

2021/133.2 A66 Walkway Hedge

The hedge had now been trimmed back

Resolved: to receive the information

2021/133.3 A66 Bus Stop Bin

No action has been taken. Clerk to chase with Eden District Council

Resolved: clerk to contact EDC

Action: LN

2021/134 Footpath Matters

It was reported that FP336014 British Gypsum to Hale Grange was impassable due to culverting works on a stretch of the adjoining stream.

Resolved: to receive the information

2021/135 Village Amenities

2021/135.1 Parish Seats

The draft specification for the required materials was approved. Three quotations for the work to be sought.

Resolved: to receive the information

Comparison of community and environmental factors 5

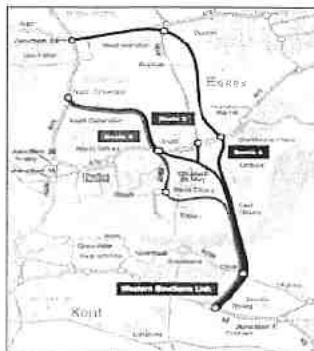
Feature	North of river			South of river	
	Route 2	Route 3	Route 4	Western Southern Link	Eastern Southern Link
Air quality	Limited impact on air quality immediately adjacent to the routes but improved air quality at Dartford.			Limited impact on air quality immediately adjacent to the routes but improved air quality at Dartford.	
Noise	All routes reduce noise disturbance for properties close to the existing Dartford Crossing. Route 2 has the greatest impact in terms of noise disturbance as the route is closer to more densely populated areas. Noise disturbance is less than Route 2 but greater than Route 4. Route 4 has the least impact in terms of noise disturbance as the route is further away from urban centres.			Reduced noise disturbance for properties close to the existing Dartford Crossing. There is little to differentiate between the Eastern and Western Southern Links in terms of noise.	
Biodiversity	Routes 2 and 3 have lower impacts on ecological sites than Route 4.		Greatest impact on ecological sites.	Affects Claytane Wood ancient woodland and Shorne and Ashenbank Woods SSSI** Less overall effect of the two options.	Affects areas of ancient woodland and local wildlife sites east of Shorne and Great Crabbles Wood SSSI**.
Landscape	Routes 2 and 3 run through greenbelt in Thurrock.		Route 4 runs through greenbelt in Thurrock and Brentwood.	Lesser area required within the Kent Downs AONB***.	Greater area required within the Kent Downs AONB***.
Cultural heritage	Requires land within West Tilbury conservation area and scheduled monuments. Potential impact on listed buildings.	Requires land within a scheduled monument. Potential impact on listed buildings. Avoids conservation areas. Has the least impact of Routes 2, 3 and 4.	Runs through Thornton Park, a Registered Park and Garden and conservation area. Potential impact on listed buildings.	Potentially impacts the setting of listed buildings. Route is close to but not in the conservation area of Thong.	Potentially impacts the setting of listed buildings. Route is close to but not in the conservation area of Shorne.
Properties*	9 residential 3 agricultural	14 residential 22 traveller plots 3 agricultural	14 residential 9 commercial 3 agricultural	4 residential 3 commercial	10 residential 2 commercial

* Properties along the routes; ** Sites of Special Scientific Interest; *** AONB = Area of Outstanding Natural Beauty

6. No comparison done for Location A on cost, benefits or journey times

Comparison of costs, benefits and reductions in journey time

6



Features	Western Southern Link with		
	Route 2	Route 3	Route 4
Estimated cost (nominal)	£4.1 - £5.8 billion	£4.1 - £5.7 billion	£4.4 - £6.2 billion
Adjusted benefit cost ratio*	3.1-2.2	3.1-2.2	2.9-2.1
Value for money*	High	High	High
Reduction in journey time between junctions 3 and 28 on M25 using the Dartford Crossing	3 mins southbound, 4.5 mins northbound	3 mins southbound, 4.5 mins northbound	3 mins southbound, 5 mins northbound
Reduction in journey time between M2 junction 4 and M25 junction 28 using new crossing at G	9 mins	10 mins	9 mins
Route length	13.8 miles	13.3 miles	15.9 miles



Features	Eastern Southern Link with		
	Route 2	Route 3	Route 4
Estimated cost (nominal)	£4.3 - £6.0 billion	£4.3 - £5.9 billion	£4.6 - £6.4 billion
Adjusted benefit cost ratio*	3.3-2.4	3.4-2.5	3.1-2.2
Value for money*	High	High	High
Reduction in journey time between junctions 3 and 28 on M25 using the Dartford Crossing	3 mins southbound, 4.5 mins northbound	3 mins southbound, 4.5 mins northbound	3 mins southbound, 5 mins northbound
Reduction in journey time between M2 junction 4 and M25 junction 28 using new crossing at G	11 mins	12 mins	11 mins
Route length	14.7 miles	14.2 miles	16.8 miles

* Department for Transport and Government guidelines

Temple Sowerby to Appleby – Kirkby Thore

More information on this section can be found in the consultation brochure.

Q3(a) Do you agree with our preferred alignment for this scheme?

Yes No No preference

Q3(b) Please provide any information that supports your answer above.

Q3(c) Please share any additional comments you may have on the Temple Sowerby to Appleby – Kirkby Thore proposal. Below is a list of key topics you may like to consider when sharing your comments. Please use these topics as headings throughout your response.

- | | |
|--|---|
| ■ Construction | ■ Land ownership |
| ■ Costs and funding | ■ Traffic, transport and junctions |
| ■ Engineering design | ■ Walking, cycling and horse-riding |
| ■ Environment (including comments on the PEIR) | ■ Other (such as any additional important local knowledge relevant to the scheme) |