

JOINT SUBMISSION OF CUMBRIA COUNTY COUNCIL AND EDEN DISTRICT COUNCIL FOR EXAMINATION DEADLINE 2 (15TH JANUARY 2023)

This document sets out the Councils' responses to National Highway's Responses to the Relevant Representations

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
RR-123-01	Case for the Project	Support for the Project The Council supports the principle of dualling the remaining single carriageway sections of the A66 between Penrith and Scotch Corner, as well as improvements to junctions along the route. A suitably designed scheme will improve connectivity within and beyond Cumbria, improve resilience, road safety and journey time reliability, and help to support future economic growth and investment.	National Highways acknowledges the support for the Project as identified in the representation.	The Councils are supportive of the Project subject to the resolution of concerns set out in paragraphs 2.13 to 2.17 of the Local Impact Report (REP1-019)
RR-123-02	Consultation and Engagement Process	The Council acknowledges that the Applicant has engaged in a statutory and non-statutory consultation process. It is however concerned that the inclusion of the Scheme within Project Speed has	As described in section 1.4 of the Case for the Project (Document Reference 2.2, APP-008) project Speed is a Government initiative not only "to bring forward proposals to deliver public investment projects more strategically	The Councils refer to the comments made in paragraph 1.10 of the Local Impact Report (REP1-019) which remain applicable. If resources are not

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>resulted in an application that has been submitted against extremely tight deadlines and there are some negative impacts of the Scheme that could have been further mitigated with time for more consultation and engagement and the provision of more detail. These matters will need addressing during the Examination.</p>	<p>and efficiently” but also “to cut down the time it takes to design, develop, and deliver the right things better and faster than before”. There are positive initiatives taken to achieve this such as “regular and early engagement with the Planning Inspectorate (‘PINs’), Local Authorities (‘LA’s) and Statutory Environmental Bodies (‘SEBs’) (with a focus on design and stakeholder issues)”. This has involved sharing emerging design and findings from assessments with the LAs and SEBs during the pre-application stage and obtaining LA and SEB specialist advice and local knowledge to inform the mitigation measures that are needed to address the negative impacts of the Project. Nevertheless, as would be expected of a DCO Project of this scale and complexity the dialogue on design and mitigation continues during (and as part of) the Examination.</p>	<p>available, it will not be possible to have meaningful engagement or to reach agreement. The Councils welcome early engagement from the Applicant but for this to be effective a sufficient level of detailed information needs to be available at the appropriate time. As the Councils are supportive of the principle of the project it is important that the Councils have sufficient information on impacts and the proposed mitigation to enable the Councils to provide meaningful input into the DCO process.</p>
RR-123-03	<p>Design, Engineering and Construction</p> <p>Traffic and Transport</p>	<p>Improving Connections to Local Communities, Maintaining North-South Connectivity and Minimising Severance</p> <p>The Project should result in clear and effective junction strategies across the A66 and greater junction safety and legibility, supporting both east and west bound journeys. There should be no loss of north-south connectivity or loss of</p>	<p>National Highways acknowledges the need to develop effective junction solutions, and will continue dialogue with CCC in terms of capacity and resilience at the proposed design at Junction M6 J40 (Skirsgill) and Kemplay Bank in terms of how the traffic forecasts have been developed for both average weekday flows and Friday flows. Within this dialogue National Highways will also provide further evidence (traffic</p>	<p>The Councils refer to the comments in paragraph 4 of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.</p> <p>Clear and effective junction connectivity strategies - The Councils welcomes the opportunity to review further</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>connectivity for communities and key destinations across the route.</p> <p>The main areas that will suffer an impact on connectivity are around Penrith (M6 Junction 40, Kemplay Bank and Skirsgill) and at a number of locations along the route where right turn movements will be removed or where the new road severs an existing route.</p> <p>Key Junction Improvements</p> <p>The Project should develop effective junction solutions that are able to support forecast traffic flows and alleviate any congestion issues (such as those experienced on a Friday at M6 J40) and at Kemplay Bank. Junctions that are critical to diversion routes should be enhanced to address capacity and resilience concerns. Junction capacity needs to be informed by a clear approach to traffic modelling and forecasts.</p> <p>De-Trunking of the Existing A66 The Project needs a clear strategy for the sections of the A66 that will be de-trunked, so that assets adopted by the Council are at an acceptable and agreed standard and appropriate commuted sums are provided to support future</p>	<p>analysis/models) regarding the assessment of the junctions on key diversion routes.</p> <p>Any north south routes severed by the proposed A66 alignment will be retained or realigned to ensure that connectivity across the route is maintained. A number of all-movement junctions are proposed along the route to accommodate traffic that will be prohibited from turning right. Whilst it is appreciated that this may increase journey times for certain traffic movements, it is one of the key safety benefits that a dual carriageway provides over a single carriageway road and still maintains connectivity for both local and strategic traffic.</p> <p>Chapter 8.2 of the Transport Assessment (Document Reference 3.7, APP-236) describes the assessment of M6 Junction 40 (Skirsgill) and Kemplay bank Roundabout, both with and without the Project in place.</p> <p>This assessment is based on traffic surveys, capturing volumetric and queue counts at Kemplay Bank and Junction 40 in November 2017. The results of the assessment show that without the project in place;</p> <p>62) At Kemplay Bank, maximum queues of over 800m on a daily basis are anticipated by 2044 (the assessment year) on the A66 West</p>	<p>evidence of robust traffic modelling of assessment of junctions on key diversion routes, but currently remain concerned of the capacity of the M6 J40 and Kemplay Bank and knock-on effect for Skirsgill and Penrith.</p> <p>CCC still has concerns that the modelling underplays the congestion at this location, due to the neutral period assessed and use of an average hour model. The Friday analysis is also felt to underplay the additional traffic and congestion experienced given it is based on a relationship between a November Thursday and Friday and does not include the warm-up period from 12pm when traffic peaks on a Friday. A summer Friday sees a much higher level of congestion and this needs to be assessed to ensure the operation of these junctions is appropriate.</p> <p>The junction modelling described in the Transport Assessment (Reference 3.7, APP-</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>upkeep. The transferred assets should be subject to enhancements where necessary to reflect their new role as part of the local road network. There is no agreed approach to de-trunking and the Council needs to have a full understanding of the liabilities that may arise. There are specific concerns regarding the transfer of structures as these carry particular risks.</p>	<p>approach in the AM peak period, and on both the A66 west approach and on the A686 Carleton Avenue approach in the PM peak period. On Fridays, additional queues of over 800m would be also expected on the A66 East approach.</p> <p>63) At M6 Junction 40 maximum queues of over 800m would be expected on a daily basis on the A592 Ullswater Road.</p> <p>64) With the improvements identified above, as part of the Project;</p> <p>65) At Kemplay Bank, the largest queue that is forecast to occur in 2044 on a daily basis is a maximum 200m on the A686 Carleton Avenue.</p> <p>66) At M6 Junction 40 the largest queue is on the A66 west arm and is a maximum of 347m in the evening peak hour.</p> <p>The significant improvement in the performance of the junctions shows that there should be no loss of connectivity for communities around Penrith (M6 Junction 40, Kemplay Bank and Skirsgill), and that the Project has developed effective junction solutions that are able to support congestion issues such as those experienced on a Friday at Kemplay Bank and Junction 40.</p>	<p>236), has not used queue validation and as such the maximum queues stated are uncertain.</p> <p>Appropriate junction modelling, agreed with CCC, is required for a Friday at busier periods for tourist traffic in summer months.</p> <p>This additional data and modelling are welcomed, however there are other changes to the modelling methodology that also need to be incorporated at the same time, e.g a longer length of model for a Friday, given the peak of traffic is maintained between 12pm and 6pm.</p> <p>De-Trunking –</p> <p>It is acknowledged that the Applicant has presented details for de-trunking aspects to the Councils for discussion. Discussions on detrunking will continue throughout the Examination.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>Draft De-trunking agreement proposals were issued to Cumbria County Council in September 2022, following consultation with specialists at the Council, where they were available to participate. The proposals include Road Safety Audits, interface of National Highways and Local Authority assets, transfer of assets including related commuted sums and programme milestones. National Highways engagement with Cumbria County Council to progress the De-trunking agreements will continue through the Examination period.</p> <p>Notwithstanding these conclusions National Highways have committed to undertaking further traffic surveys at Junction 40 and Kemplay Bank to further quantify the current congestion issues. This survey work has been completed in September 2022. This is the first opportunity that survey work in this location has been possible since 2019 due to the timing of the Covid Pandemic and its impact on traffic movements. Data collected during the Covid Pandemic would not be considered as a suitable basis for future forecasting due to stipulations within TAG Unit M1.2 Data Sources and Surveys.</p> <p>These surveys will be checked to verify that the microsimulation (traffic) model used to</p>	<p>It is anticipated that, irrespective of how developed the agreement is for de-trunking, there must be a legal side agreement with the Applicant on the principles for handover and asset transfer and the method for assessing and agreeing commuted sum payments as part of the DCO process. This legal side agreement must include, for example, the type and condition of the assets, the liabilities and remedial work needed, design suitability, funding of future maintenance and ownership details.</p> <p>Please refer to paragraph 5 of the Councils Local Impact Report [REP1-019).</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>support the DCO application correctly reflects the congestion issues observed. The microsimulation model and the traffic forecasting will be updated to reflect the conditions observed within the September 2022 surveys to appraise the proposed junction improvements.</p>	
RR-123-04	Walking, Cycling and Horse Riding (WCH)	<p>Active Travel</p> <p>The Project should support the delivery of an east-west corridor suitable for walking, cycling and horse riding. The design details need to be agreed and must comply with recognized standards, including LTN 1/20 and Active Travel England guidance.</p> <p>Clarity is needed regarding maintenance responsibilities.</p> <p>The design for walking and cycling</p> <p>The scheme should also address the needs of travellers to Appleby Horse Fair and incorporate meaningful improvements for horse drawn traffic.</p>	<p>An east west walking and cycling route has been provided along the length of the proposed upgraded section of the A66. This parallel route has generally been designed in accordance with LTN 1/20, however, there are sections of this where standards have had to be compromised to facilitate specific constraints and/or topography. This facility will be developed further during detailed design and through discussions/engagement with Local Authorities, stakeholders and user groups.</p> <p>There will be potential negative impacts on journeys to and from Appleby Horse Fair during construction. However, with the proposed upgrade to dual carriageway standard, we would expect lower traffic volumes on the detrunked sections west of Appleby, which will improve access for local traffic and Fair attendees. In addition, a dual carriageway will provide an increased opportunity to overtake horse-drawn vehicles thus reducing delay to other road</p>	<p>The Councils refer to the comments in paragraph 6 of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.</p> <p>Comments in (REP1-018) ISH2.PH.04 and 15 still apply.</p> <p>Active Travel - Large sections of the design are not compliant with LTN 1/20 best practice. This includes busier sections at Junction 40 and Kemplay Bank roundabout, and on the detrunked A66. There is a need for a continuous east-west route and the potential gaps in the network at Coupland and to the east of Kemplay Bank are not acceptable. The whole route must be legible, well-signed and</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>users and it is hoped that the route of the old A66 (de-trunked) could be utilised as it will have significantly lower traffic volumes and thereby be more suitable for horse drawn vehicles.</p> <p>It is also worth noting that we have amended the design since statutory consultation to address feedback and concerns from attendees of the Appleby Fair and the local authorities. The junction previously impacting the site has now been removed and there is no longer any impact upon the site of the Appleby Fair.</p> <p>Nonetheless we will continue to engage with the Local Authorities on these issues and seek agreement that our proposals represent the optimal solution and that any adverse effects of the scheme such as those identified at Appleby Fair have been appropriately mitigated. Continued engagement with LA's and BHS (among others) will continue during detailed design.</p>	<p>easy for users to navigate, serve the main destinations and be appropriate for all types of users. The substandard proposals would create an unattractive and undesirable route for pedestrians and cyclists.</p> <p>Appleby Horse Fair -</p> <p>Ideally, non-motorised traffic should be discouraged from using the A66, and the Applicant must consider how this can best be achieved, through Project design, traffic management and information systems, such as variable message signs. Measures in the CTMP must demonstrate how horse drawn traffic can safely access Appleby Horse Fair.</p> <p>As the A66 between Appleby and Kirkby Thore will be on a new alignment, the existing A66 will be de-trunked and downgraded to a local distributor road and will become an attractive alternative for equine traffic approaching or leaving Appleby</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
				<p>to the west. This is welcomed and the design standards for the de-trunked road will need to take this into account.</p> <p>De-trunking of the existing A66 carriageway to a local road will create the opportunity for further stopping places in the vicinity of the Fair, which may require an extension of the AHFTMP to prevent this from happening or provide a new opportunity for managed parking areas in the run up to and during the Fair.</p> <p>The junction arrangements at the west side of Appleby are very limited and do not provide for sufficient movement to and from the A66. This becomes critical during the holding of the Appleby Horse Fair contributing to major congestion in the town. As a minimum an eastbound access needs to be provided onto the A66 in this location to help manage traffic during the operation of the Fair. The Councils recommend a westbound exit from the A66 at</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
				the junction, so that fair-bound traffic does not need to travel through Appleby.
RR-123-05	Population and Human Health	<p>Maximising Socio-Economic Benefits</p> <p>10. The Project should maximise the economic benefits resulting from the scheme, deriving social value and legacy benefits. This should include support for skills development to enable local take-up of employment opportunities from the Project, as well as support for the local supply chain to position local businesses to win work. The impacts of accommodating the construction workforce are unclear and may have an adverse impact on the visitor economy, local housing and communities through use of existing accommodation or poor siting of the accommodation.</p> <p>Opportunities should be taken to generate lasting benefits from the provision of accommodation</p>	<p>Annex B12 of the Environmental Management Plan (EMP) (Document Reference 2.7, APP-032) provides an outline Skills and Employment Strategy, which will set out measures to upskill and maximise the use of a local workforce and supply chains. Annex B10 of the EMP (Document Reference 2.7, APP-030) provides an outline Construction Worker Travel and Accommodation Plan, which will be developed in consultation with the Local Planning Authorities. It will ensure that additional demand created by non-home-based workers does not place excessive pressure on the local housing market and visitor accommodation supply.</p>	<p>The Councils refer to the comments in paragraph of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.</p> <p>The Councils maintain their position that the information provided by the Applicant in the documents that they have quoted is insufficient at this stage of the determination of the DCO application. Annex B12 of the Environmental Management Plan (EMP) [APP-032] and Annex B10 of the EMP [APP-030] are insufficiently detailed and do not contain adequate detail on what measures the Applicant will provide and how they will be delivered. The Councils must approve these documents through the EMP process rather than the 'self-approval' process the Applicant has put forward.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
RR-123-06	Climate	<p>Climate change and Carbon Offsetting</p> <p>We need to be happy with the measures taken in view of national policy and EDC declaration of a climate emergency. A project of this scale, the largest affecting the area, needs to complement and not undermine other local and national efforts towards achieving net zero.</p>	<p>Assessment of the potential effects of the Project on the Climate and any required mitigation is set out in Environmental Statement (ES) Chapter 7 (Document Reference 3.2, APP-050).</p> <p>Whilst the greenhouse gas (GHG) assessment has identified an increase in GHG emissions, in the context of the overall UK GHG emissions the magnitude of the increase will not have a material impact on the Government meeting its carbon reduction targets.</p> <p>National Highways notes that a climate emergency was declared by the UK Parliament in the House of Commons on 01 May 2019, and that EDC have also declared the same status. Highways England considers climate change to be a very important issue, and as such has conducted a thorough assessment of the impact of the Scheme on climate change. The declarations made by the UK Parliament and EDCl do not give cause to alter the conclusions of the ES assessment and the Scheme will make an extremely limited contribution to the UK's carbon targets National Highways also notes paragraph 5.17 of the National Policy Statement for National Networks (NPSNN) which states that it is "very unlikely that a road project will in isolation affect the ability of</p>	<p>The Councils refer to the comments in paragraph 10 (including paragraphs 10.22 to 10.25) of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>Government to meet its carbon reduction plans". In the context of the Scheme, we agree with that statement and that this Scheme is assessed and demonstrated to be such a policy compliant case</p> <p>As detailed design progresses opportunities will be sought through construction and design development to reduce the carbon requirement of the Project. Measures to reduce carbon are included within the Environmental Management Plan (Document Reference 2.7, APP-019), see D-CL-01 and MW-CL-01.</p> <p>National Highways notes that a climate emergency was declared by the UK Parliament in the House of Commons and by Cumbria County Council. National Highways considers climate change to be a very important issue, and as such has conducted a thorough assessment of the impact of the Project on climate change. The declarations made by the UK Parliament do not give cause to alter the conclusions of the Environmental Statement assessment and the Project will make an extremely limited contribution to the UK's carbon reduction targets.</p> <p>National Highways also notes paragraph 5.17 of the NPSNN which states that it is "very unlikely that a road project will in isolation affect the ability of Government to meet its carbon reduction plans".</p>	

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>In the context of the Project, the greenhouse gas assessment has demonstrated that the Project will not materially affect the ability of Government to meet its carbon reduction targets.</p>	
RR-123-07	Environment and EMP And Flooding and Drainage	<p>Environmental Mitigation</p> <p>The scheme should provide environmental mitigation to minimize harm and boost benefits.</p> <p>There should be opportunities for carbon offsetting across the scheme.</p> <p>The Council has concerns about the drainage proposals for the Project and the potential impact on the water environment. There are matters that need resolving in terms of drainage design principles and details, which have impacts on the extent of land needed for drainage systems, particularly with regard to flood risk and future maintenance liabilities</p>	<p>The likely significant effects of the Project on the environment have been assessed and reported in the Environmental Statement (Document Reference 3.1 and 3.2, APP-043 to APP-059). As part of this, required mitigation has been identified. The delivery of this mitigation is secured through the Environmental Management Plan (EMP) (Document Reference 2.7, APP-019) and Project Design Principles (PDP) (Document Reference 5.11, APP-302), compliance with which is secured by the DCO. The Illustrative Environmental Mitigation Plans (Document Reference 2.8, APP-041) set out the indicative proposals for environmental mitigation across the Project.</p> <p>There are currently no proposals for carbon offsetting in the Project, however as detailed design progresses opportunities will be sought through construction and design development to reduce the carbon requirement of the Project. Measures to reduce carbon are included within the EMP, see D-CL-01 and MW-CL-01.</p>	<p>The Councils refer to the comments in paragraph 10 of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.</p> <p>The mitigation detail for drainage within the ES and EMP is lacking. The Applicant states here that it will become available at the detailed design stage. The Councils have raised concerns that future iterations of the EMP may not be subject to the approval of the Councils. There is limited information regarding any proposed enhancements and the Councils expect to see greater information provided during Examination. With information currently available it is difficult for the Councils to advise the ExA whether the mitigation measures are acceptable or not.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>Impacts of drainage on watercourses is set out in Chapters 6 (Document Reference 3.2, APP-049) and 14 (Document Reference 3.2, APP-057) of the Environmental Statement.</p> <p>The drainage principles and flood risk considerations for the project are set out in the Environmental Statement Appendix 14.2 Flood Risk Assessment and Outline Drainage Strategy (Document Reference 3.4, APP-221). Further details will be developed during the detailed design stage, including detailed maintenance liabilities. Land take for drainage systems has been minimised as far as practical within the constraints of the current DMRB design standards, these will be subject to refinement at the detailed design stage. National Highways will continue to engage with the Council throughout this stage.</p>	<p>Please refer to paragraphs 10.53 to 10.58 of the Local Impact Report [REP1-019].</p> <p>The Councils maintain their position that the information provided by the Applicant in the documents that they have quoted is insufficient at this stage of the determination of the DCO application for the Project. Annex B12 of the Environmental Management Plan (EMP) [APP-032] and Annex B10 of the EMP [APP-030] are insufficiently detailed and do not contain adequate detail on what measures the Applicant will provide and how they will be delivered.</p> <p>The Councils feel strongly that they must be part of the approval process for the EMP rather than a consultee in the Applicant's proposed 'self-approval' process.</p>
RR-123-08	Biodiversity and BNG	Biodiversity net gain is also an issue of importance.	Biodiversity net gain is not currently a requirement for Nationally Significant	The Councils refer to the comments in paragraph10

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>Infrastructure Projects; however, National Highways are committed to maximising biodiversity delivery achieved by the Project.</p> <p>It is acknowledged that mitigation measures are required as part of the Project. The mitigation measures proposed are set out in the Environmental Management Plan (Document Reference 2.7, APP-019) and the Project Design Principles (Document Reference 5.11, APP-302), both of which will be examined as part of the DCO submission and will become certified documents.</p> <p>These two documents and their annexes will secure the mitigation required. Any future design developments, over the course of the DCO that may occur through the Examination process, will be required to take account of the mitigation outlined in these documents.</p> <p>Impacts and proposed mitigation are detailed further within ES Chapter 6 Biodiversity (Document Reference 3.2, APP-049) and underpinned by detailed assessments within separate appendices to ES Chapter 6.</p> <p>The environmental mitigation design has been developed to ensure that mitigation is provided for impacts on protected species, and that replacement habitats are provided for those lost. In order to demonstrate effective mitigation for habitat loss the</p>	<p>(including paragraphs 10.18 to 10.21) of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.</p> <p>The Councils welcome the commitment of the Applicant to update their assessment in line with the BNG 3.1 metric</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>Project has applied the principle of No Net Loss. To measure this outcome the application of 0% Biodiversity Net Gain (BNG) as set out within Natural England's BNG Metric 2.0 was applied (Metric 2.0 being the available metric at the time of mitigation determination). This approach was discussed and agreed with the Strategic Environmental Bodies, including Natural England, as part of the Evidence Base process, documented in ECi14 of the Evidence Base table in Appendix 1.1 of the Environmental Statement (Document Reference 3.4, APP-146).</p> <p>Once the mitigation for protected species, landscape and visual effects and habitat loss was developed and incorporated into the Project, the BNG 2.0 Metric was applied to the overall ecological and landscape mitigation requirements.</p> <p>Following the publication of BNG 3.1 the team are in the process of recalculating the BNG Metric output.</p>	
RR-123-09	Impacts to Land	<p>Other Matters</p> <p>From a property and land perspective, the Council has significant concerns about the land National Highways is planning to acquire on a permanent basis at Skirsgill and Kemplay Bank due to the serious detrimental effect this will</p>	<p>National Highways has sought to achieve a balance between minimising land take and securing sufficient land to deliver the project, including required mitigation measures. The permanent land required to construct and operate the project is considered to be the minimum land required to construct the Project and has been determined through</p>	<p>CCC refers to its comments in paragraph 2.10.2 of its joint Written Representations (REP1-019.1) with EDC which remain applicable.</p> <p>The Applicant has not entered into any further meaningful</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>have on the Council's ability to provide essential services.</p> <p>[For clarity the Council referred to here is Cumbria County Council]</p>	<p>multidisciplinary design and assessment, including engineering and environmental considerations. For further details please refer to the Project Development Overview Report (Document Reference 4.1, APP-244), Environmental Statement (Document Reference 3.1-3.2, APP-043 to APP-059) and Consultation Report (Document Reference 4.4, APP-252).</p> <p>The proposed layout at Skirsgill and Kemplay Bank (including compound and storage areas) will be developed and refined during the detailed design stage. We will continue to work with the Council through the DCO process and into detailed design to minimise detrimental effects where feasible.</p>	<p>dialogue nor provided CCC with any further information on its proposals.</p>
RR-123-10	Funding and Delivery	<p>Until the submission of the application for the Project the Council was adequately resourced through the PPA to respond to the consultations and engagement with National Highways. Since then, there has been minimal support and the Council has lacked the resources to carry out a review of the application documents. It is not clear therefore, if the Project as submitted has addressed the Council's concerns which were raised in consultation responses. The Council has been left with no alternative but to raise these issues in this representation and set</p>	<p>Cumbria County Council's position in relation to resourcing and reviewing the application documents is understood by National Highways. National Highways has agreed funding within the Planning Performance Agreement to support Cumbria County Council through the Examination period. National Highways is aware of the forthcoming changes in local government and that the changes are scheduled to be implemented before the end of the examination in May 2023. National Highways is currently undertaking a review of the draft DCO to identify the amendments that are required to be made to reflect the change in local government.</p>	<p>The Councils refer to the comments in paragraph 1.10 of the Local Impact Report (REP1-019) which remain applicable. If resources are not made available, it will not be possible to have meaningful engagement or to reach agreement on outstanding issues.</p> <p>Ongoing EMP Process</p> <p>As the Applicant is proposing that detailed development of the project will continue through the EMP process beyond the</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>them out in more detail within the accompanying Principal Areas of Disagreement Summary Statement ("PADSS"). There is a need to resolve this resourcing issue to enable the Council to engage effectively with National Highways, engage in the application process and contribute to the detailed design of the Project to support its delivery under Project Speed.</p> <p>On 1 April 2023 local government in Cumbria will change. The current six district councils, along with county council, will be replaced by two new 'unitary' councils. For the area of the County in which the Project is located, the new Westmorland and Furness Council will be created. It will inherit the roles and functions of, and replace, Cumbria County Council and Eden District Council. From this date Westmorland and Furness Council will be responsible for providing all the services currently delivered in those areas by the three district and borough councils and Cumbria County Council. A Joint Engagement Statement is submitted alongside this representation and sets out how the existing and replacement authorities will engage in</p>	<p>The Joint Engagement Statement is a very helpful explanation of the transitional and future arrangements of the local authorities in terms of future engagement on the Project. National Highways looks forward to continuing to work with Cumbria County Council and Eden County Council, in addition to working with Westmoreland and Furness Council in its 'Shadow Authority' role and, from 1 April 2023, in its formal capacity. Cumbria County Council's position in relation to resourcing and reviewing the application documents is understood by National Highways.</p> <p>A project funding allocation has been approved by National Highways to provide continuation of (and setup of new) PPAs with all Local Authorities through the DCO Examination period. This will enable Local Authorities to better understand the application documents and support further engagement and collaboration on issues listed within the Principal Areas of Disagreement Summary Statement and Statement of Common Ground.</p>	<p>application, and as this process will include the continued engagement of the Councils. Funding for the Councils involvement the ongoing process will be necessary if it is to be deliverable in the form proposed by the Applicant.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		the Pre-examination and Examination stages of the Application process.		
RR-123-11	Design, Engineering and Construction Traffic and Transport	<p>Network Resilience</p> <p>To increase the resilience of the route once operational, the scheme should incorporate the use of more and smarter technology, for example variable message signs. Consideration should be given to enhancing the existing strategic diversion routes, specifically the A6 and A685. The impact of the Project on permanent diversion routes needs to be considered and mitigated during the planning and construction phases.</p>	<p>There is a like-for-like replacement of Variable Messaging Signs across the project to maintain standards of driver information.</p> <p>Operational enhancements to strategic diversion routes do not form part of the scope of the project, however, Cumbria County Council will be invited to engage on the development of management plans for operational technology during detailed design stage, to identify optimisations to how strategic diversion routes are managed on the A66.</p> <p>National Highways will also continue to engage Cumbria County Council as part of a separate freight service enhancement study along the A66 corridor, which includes an assessment of HGV driver information on the A685. National Highways is carrying out a review of options to improve network resilience along A685 i.e. between A66 Brough and M6 J38.</p>	<p>The Councils refer to comments in paragraph 7 (including 7.10 to 7.12) of the Local ImpactReport[REP1-019] which remain applicable. No new information has been shared with the Councils.</p> <p>The Councils do not agree with the statement ‘that operational enhancements should not form part of the scope of the project’ and feel this is a missed opportunity to improve safety. Given the significant upgrade in capacity as a result of the A66 scheme, when it is necessary to close the road due to incidents or maintenance, the level of traffic to be diverted will be much higher than at present. As such, the Councils believe that this should be a requirement and welcome the opportunity to work with the Applicant on the mitigation opportunities. The Councils believe the existing A66 lacks monitoring and messaging systems to warn drivers of adverse weather conditions, accidents, closures and other incidents. A like-for-like policy is an opportunity</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
				<p>missed that will address this weakness.</p> <p>The Councils have concerns about the impacts of operational diversions upon the local network and communities with traffic levels set to double by 2051 on the new A66 [APP-237 Table 5.34). The Councils are concerned that any mitigation is deemed to be outside the scope of the Project.</p> <p>Please refer to paragraph 7 of the Local Impact Report submitted at [REP1-019] for the Councils most up to date position on these issues.</p> <p>The Councils refer to comments in paragraph 8 (including paragraphs 8.1 to 8.9) of the Local Impact Report (REP1-019) and ISH2.TT.17 (REP1-018) which remain applicable. No new information has been shared with the Councils.</p>
RR-123-12	Design, Engineering and Construction Traffic and Transport	Improved Facilities for HGVs Consideration of the adverse impacts arising from substantial increase in HGV traffic is required. The Project should act as a catalyst to the provision of high quality and dedicated HGV parking and service provision across the A66	We have met with the Council to discuss CCC's concerns regarding the demand for HGV facilities. Chapters 7 and 8 of the Transport Assessment (Document Reference 3.7, APP-236) consider the impact of the Project on traffic conditions. Paragraph 7.2.3 states that	The Councils refer to comments in paragraph 8 (including paragraphs 8.1 to 8.9) of the Local Impact Report (REP1-019) and ISH2.TT.17 (REP1-018) which remain applicable. No new

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>corridor. To support the logistics sector NH need to provide clarity on provision of parking and services to accommodate increased usage by HGVs and parking and services demands.</p>	<p>the average additional growth in traffic on the A66 due to the project in 2044 is 30%. Tables 7-5 and 7-6 show the split of traffic between Cars and HGVs with and without the Project. This shows that the growth in HGV traffic due to the project is on average 6%. The smaller growth in HGV traffic is due to the assumptions within the Traffic Model (and in line with the DfT's TAG guidance) that car traffic is more likely to change its destination (within the variable demand model) and its route (due to being more influenced by travel time, rather than travel distance) than HGV traffic. Therefore, traffic growth caused by the project is greater for cars than HGVs.</p> <p>We can confirm that laybys have been proposed in in accordance with Design Manual for Roads and Bridges (DRMB) standards.</p> <p>CCC will be consulted as part of a separate nation-wide freight study running in parallel with the DCO Examination. The aim of the study is to identify locations where new freight services and parking might be feasible on eth Strategic Road Network. There is currently a £20m lorry parking improvement fund that is available to improve existing facilities up until March 2025.</p>	<p>information has been shared with the Councils</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>Impacts arising from HGVs have been considered further in the air quality and noise assessments which form part of the Environmental Statement. During the construction phase, potential air quality effects arise from emissions from HDVs (Heavy Duty Vehicles) using the road network. These impacts are discussed further in section 5.10 of Chapter 5 Air Quality of the Environmental Statement (Document Reference 3.2, APP-048). Best practice mitigation measures are discussed in section 5.9.</p> <p>The predicted noise impacts of the Project reflect changes in traffic speed, flow and percentage of HGVs. Additional traffic would be generated on the existing nearby road network by the construction works and therefore road traffic noise levels may increase during construction. Further details are provided in section 12.10 of Chapter 12 Noise and Vibration, with proposed mitigation measures set out in section 12.9 (Document Reference 3.2, APP-055).</p> <p>Possible construction traffic diversion routes are shown in Figure 12.9 of the Environmental Statement and will be the subject of further discussion with local authorities and relevant stakeholders</p>	

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>(Document Reference 3.3, APP-120). The selection of these routes will be conducted in line with the Environmental Management Plan (Document Reference 2.7, APP-019) and Construction Traffic Management Plan (Document Reference 2.7, APP-033).</p> <p>Further details on the management of construction impacts arising from HGV traffic are provided in Annex B4 Air Quality and Dust Management (Document Reference 2.7, APP-024), Annex B5 Noise and Vibration Management (Document Reference 2.7, APP-025) and the Construction Traffic Management Plan (Document Reference 2.7, APP-033).</p>	
RR-123-13	Design, Engineering and Construction	<p>Construction impacts (including Diversion Routes)</p> <p>There should be a clear construction traffic management plan and the establishment of suitable diversion routes to support the construction of the new upgraded sections of the A66. Potential diversion routes are not suitable without mitigation and fall outside the DCO boundary.</p>	<p>The Environmental Management Plan (EMP) (Document Reference 2.7, APP-019) incorporates construction phase management, setting out how construction stage mitigation measures would be implemented to manage risks and certain requirements for contractors. Annex B10 (Document Reference 2.7, APP-030) includes the construction worker travel and accommodation plan and Annex B13 (Document Reference 2.7, APP-033) includes the construction traffic management plan. The EMP will be further developed by the Principal Contractors into a second iteration</p>	<p>The Councils acknowledge that the Applicant must re-submit the EMP [APP-019] to the Secretary of State for approval. The Councils have raised concerns that future iterations of the EMP may not be subject to the approval of the Councils.</p> <p>The Councils have reviewed the generic template for the Construction Traffic Management Plan [APP-033]. Although this is a certified document, there are no specific</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>prior to the construction phase of the Project, should the DCO be made, and implemented at construction stage. This will have to be developed in compliance with the EMP, which will be a certified document secured under the DCO.</p> <p>We will look to mitigate disruption to landowners and their businesses during construction through the development of thorough local traffic management and access plans.</p>	<p>details of the temporary diversion issues on the different sections of the Project in Cumbria or how the environmental assessment has accounted for the impacts.</p> <p>It is not anticipated that this level of detail will be determined by the Applicant before the end of Examination. The Councils continue to be concerned by the construction impact of the Project on the local community and mitigations are not secured through the DCO.</p> <p>Please refer to paragraph 7 of the Local Impact Report [REP1-019].</p>
RR-123-14	Legal	<p>Introduction and Purpose</p> <p>Further to the Examining Authority's letter of 29 July 2022, this paper sets out the Joint Engagement Statement of Cumbria County Council, Eden District Council and Westmorland and Furness Council. It details how the existing and replacement authorities will engage in the Pre-examination and Examination stages of the Application process for the A66 NTP Project, particularly in regard to</p>	<p>National Highways is grateful for the confirmation of the working arrangements proposed for the authorities prior to the transfer of their functions to the Westmorland and Furness Council in April 2023 and welcomes the continued co-ordinated participation of Cumbria County Council and Eden District Council in the examination of National Highway's proposals. National Highways remain open to discussions regarding the formalities required</p>	<p>The Councils refer to comments in paragraph 1.10 of the Local Impact Report (REP1-019) which remain applicable.</p> <p>The current arrangements and resources made available through the PPA will automatically be transferred to Westmorland and Furness Council on 1 April 2023. The</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>the submissions of documents such as the Local Impact Report, Written Representations, Statement of Common Ground and Principal Areas of Disagreement Summary Statements.</p> <p>Local Government Reorganisation (LGR) in Cumbria</p> <p>On 1 April 2023 local government in Cumbria will change. The current six district councils, along with Cumbria County Council, will be replaced by two new 'unitary' councils.</p> <p>Westmorland and Furness Council will be created and will inherit the roles and functions of and subsequently replace Cumbria County Council and Eden District Council.</p> <p>The draft Cumbria (Structural Changes) Order 2022 to set out the process of creating the new councils is proceeding through Parliament and will be agreed by 29 March 2023.</p> <p>The Order states that on 1st April 2023 the existing district councils and county council will cease to exist.</p> <p>From this date Westmorland and Furness Council will be responsible for providing all the services currently</p>	<p>to enable any funding/ PPA agreed to continue to be effective after the LGR.</p>	<p>statutory functions of both CCC and EDC will be transferred on 1 April 2023 and Westmorland and Furness Council will continue to be fully engaged throughout the DCO process.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>delivered in those areas by the three district and borough councils and the County Council.</p> <p>Established working arrangements between Cumbria County Council and Eden District Council</p> <p>Cumbria County Council and Eden District Council have well established working arrangements to co-ordinate their input into the A66 NTP project.</p> <p>Prior to submission of the Development Consent Application a joint Planning Performance Agreement has provided the mechanism to resource both councils' input to providing an effective response to this complex proposal.</p> <p>To date the councils have used joint technical support from consultants to underpin their responses and ensure a joined-up approach. The councils have engaged with National Highways through joint meetings.</p> <p>Transitional Arrangements</p> <p>Cumbria County Council and Eden District Council will continue to operate and deliver all current services until April 2023 and maintain their responsibilities and decision-making powers as local</p>		

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>highway authority and local planning authority, as well as responding as host authorities to the Application process.</p> <p>In this respect Cumbria County Council and Eden District Council will continue to co-ordinate their input to responses to information relating to the A66 Trans-Pennine Dualling project, including:</p> <p>67) Principal Areas of Disagreement Summary Statements</p> <p>68) Relevant Representations</p> <p>69) Local Impact Report</p> <p>70) Written Representations</p> <p>71) Statement of Common Ground</p> <p>As part of the process to set up the new unitary councils, 'shadow' authorities were created following elections in May 2022. The Shadow Authority for Westmorland and Furness Council will be overseeing the planning and preparation for the new unitary council between now and April 2023.</p> <p>The Shadow Authority currently has no responsibility for service delivery or decision-making powers, but it operates alongside the existing councils until Westmorland and Furness Council becomes operational on 1 April 2023.</p>		

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>In order to maintain an efficient transition between authorities a programme of joint briefings of Cumbria County Council and Eden District Council and Westmorland and Furness Council elected members is established. Members of all three councils will be briefed on the content of the LIR and other key submissions. Eden's current Cabinet Portfolio holder responsible for planning and development has been appointed to a similar role in the new authority, therefore, providing consistency of political inputs to this project. The resourcing of this project is being considered through the LGR Place Theme and captured within both Highway and Planning workstreams. This work should support the smooth transition between existing and new councils.</p> <p>However, the Councils will not have additional resources following the LGR process meaning that existing resource pressures will remain. Should further PPA or other funding be secured to support local authority's engagement in the project, it would be possible for the PPA to novate to the new Westmorland</p>		

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p data-bbox="463 209 956 276">& Furness Council and resource to transfer</p>		
RR-127-01	Impacts to Land	<p data-bbox="463 309 956 628">Land acquisition: The Council is open to entering informal without prejudice discussions with respect to the acquisition of land owned by the Council and this has been acknowledged by National Highways. However, this is in the very early stages and we are likely to require further information.</p>	<p data-bbox="983 309 1507 376">National Highways will continue to engage with Eden District Council on these matters.</p>	<p data-bbox="1556 309 1953 584">The Councils refer to the comments in paragraph 2.10.2 of the Written Representation (REP1-019.1) which remain applicable. No new information has been shared with the Councils.</p>
RR-127-02	Walking, Cycling and Horse Riding (WCH)	<p data-bbox="463 673 956 1082">Non-Motorised transport: We seek to ensure that acceptable provision is made in relation to continuity of cycle routes, standard of route, effectiveness of crossing/connection points. Routes through major junctions. In addition, we need to make sure provision is made for horse drawn vehicles particularly as access routes to historic traveller festivals are affected by the proposals.</p>	<p data-bbox="983 660 1507 1465">The project proposals for dealing with non-motorised users is outlined in the Walking, Cycling and Horse-riding Proposals (Document Reference 2.4, APP-010), submitted as part of the DCO application. Existing bridleways will be maintained or diverted to ensure continued connectivity. There will be potential negative impacts on journeys to and from a number of the local historic traveller festivals during construction. However, with the proposed upgrade to dual carriageway standard, we would expect lower traffic volumes on the detrunked sections (particularly west of Appleby) which will improve access for local traffic and Fair attendees. In addition, a dual carriageway will provide an increased opportunity to overtake horse-drawn vehicles thus reducing delay to other road</p>	<p data-bbox="1556 673 1953 995">The Council's refer to the comments in paragraph 6 (including paragraphs 6.1 to 6.14) of the Local Impact Report (REP1-019) which are still applicable. No new information has been shared with the Councils.</p> <p data-bbox="1556 1021 1953 1177">The Council's refer to the comments in (REP1-018) ISH2.PH.04 and 15 which are still applicable</p> <p data-bbox="1556 1203 1953 1484">Active Travel - Large sections of the design are not compliant with LTN 1/20 best practice. There is a need for a continuous east-west route and the potential gaps in the network are not acceptable to the</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>users and it is hoped that the route of the old A66 (de-trunked) could be utilised as it will have significantly lower traffic volumes and thereby more suitable for horse drawn vehicles.</p> <p>It is also worth noting that we have amended the design since statutory consultation to address feedback and concerns from attendees of the Appleby Fair and the local authorities.</p> <p>Furthermore, the proposed east/west WCH provision is envisaged to be at least 3m wide and suitable for walkers and off-road bikes and will likely consist of a compact stone or be gravel dust topped.</p> <p>Nonetheless we will continue to engage with the Local Authorities on these issues and seek agreement that its proposals represent the optimal solution and that any adverse effects of the scheme have been appropriately mitigated. Continued engagement with local authorities will continue during detailed design.</p>	<p>Councils. The whole route must be legible, well-signed and easy for users to navigate, serve the main destinations and be appropriate for all types of users.</p> <p>Appleby Horse Fair -</p> <p>Ideally, non-motorised traffic should be discouraged from using the A66, and the Applicant must consider how this can best be achieved, through Project design, traffic management and information systems. Measures in the CTMP must demonstrate how horse drawn traffic can safely access Appleby Horse Fair.</p> <p>As the A66 between Appleby and Kirkby Thore will be on a new alignment, the existing A66 will be de-trunked and will become an attractive alternative for equine traffic approaching or leaving Appleby to the west. This is welcomed and the design standards for the de-trunked road will need to take this into account.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
				<p>De-trunking will create the opportunity for further stopping places in the vicinity of the Fair, which may require an extension of the AHFTMP to prevent this from happening.</p> <p>The junction arrangements at the west side of Appleby are very limited and do not provide for sufficient movement to and from the A66. As a minimum an eastbound access needs to be provided onto the A66 in this location to help manage traffic during the operation of the Fair. The Councils recommend a westbound exit from the A66 at the junction, so that fair-bound traffic does not need to travel through Appleby.</p>
RR-127-03	Air Quality	Air quality impacts and mitigation need to be understood at a number of locations along the route.	The Environmental Statement Chapter 5: Air Quality (Document Reference 3.2, APP-048) reports the likely significant effects of the Project arising from air quality impacts. It reports these impacts and effects at a number of locations in accordance with the Scoping Opinion received by the SoS and relevant industry guidance. As such	The Councils refer to comments in ISH2.AQ.02 (REP1-018) and paragraphs 10.3 to 10.6 of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>it provides a robust assessment. National Highways will engage with Eden District Council regarding the locations referred to.</p>	<p>The Councils look forward to further engagement with the Applicant although in the absence of the information that the Councils have requested in Paragraphs 10.12 to 10.14 of the Local Impact Report [REP1-019], the Councils do not agree that the Air Quality assessment is robust</p>
RR-127-04	Noise and Vibration	<p>Noise Impacts and mitigation need to be understood at a number of locations along the route.</p>	<p>Further information is required regarding the specific location of the receptors of concern. Environmental Statement Chapter 12: Noise and Vibration (Document Reference 3.2, APP-055) provides information on impacts of noise, and any mitigation requirements across the Project. It reports these impacts and effects at a number of locations in accordance with the Scoping Opinion received from the SoS and in accordance with relevant industry guidance. As such it provides a robust assessment. National Highways will engage with Eden District Council regarding the locations referred to.</p>	<p>The locations of concern have been elaborated upon in the Councils' Local Impact Report, paragraph 10 (including paragraphs 10.47 to 10.50) of the Local Impact Report [REP1-019] and these comments remain applicable. No new information has been shared with the Councils</p>
RR-127-05	Landscape and Visual	<p>Landscape quality of the route corridor needs to be understood and commensurate with a route that provides access to and travels through or between the North Pennine AONB, Yorkshire dales National Park, the</p>	<p>The comment is duly noted and has been taken into account. The landscape setting has been carefully considered within the overarching design vision for the Project and is set out in further detail within the Project Design Principles (Document Reference 5.11, APP-009). The landscape framework and the</p>	<p>The Councils refer to comments in paragraph 10 (including paragraphs 10.33 to 10.42) of the Local Impact Report [REP1-019] which remain applicable. No new information has been shared with the Councils</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>Westmorland Fells, the Eden Valley and the Lake District National Park which is a World Heritage Site. The way the area presents itself to the users of the route will be important to the long term economy of the area which is to a significant extent reliant on tourism driven by the landscape beauty of the area.</p>	<p>sense of place created by it is an integral part of the Project. Landscape quality has been considered as part of the Landscape and Visual Chapter of the Environmental Statement (Document Reference 3.2, APP-053).</p>	
RR-127-06	Design, Engineering and Construction	<p>The design of structures on the routes needs to take into account the effect on the high-quality landscape and historic environment.</p>	<p>Structures design proposals have undergone an aesthetic review to ensure they comply with the overarching design aspirations, as outlined in both the Environmental Statement (ES) and Project Design Principles (PDP) (Document Reference 5.11, APP-302). These designs will be developed further during detailed design ensuring compliance with the afore-mentioned documents, adhering to Project wide principles of design such as LI02 which requires the use of locally specific materials for new structures where reasonably practicable and HEC01 which states "Where appropriate and reasonably practicable, facing materials and details of new structures must be compatible with the visual character of existing adjacent heritage assets". There are further project wide principles as well as scheme specific principles where there are additional heritage and landscape features to take into account during detailed design.</p>	<p>Bridge structures will be prominent features in the landscape in Cumbria. The Councils request that an illustrative drawing of their appearance along with a material palette should be provided and secured through the LEMP so that the "use of locally specific materials for new structures where reasonably practicable" can be clearly understood.</p> <p>The Councils refer to its comments in paragraphs 10.33 to 10.42 of the Local Impact Report [REP1-019] for landscape and visual which remain applicable. No new information has been shared with the Councils.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
RR-127-07	Climate	<p>Climate change and Carbon Offsetting. We need to be happy with the measures taken in view of national policy and EDC declaration of a climate emergency. A project of this scale, the largest affecting the area, needs to complement and not undermine other local and national efforts towards achieving net zero</p>	<p>The assessment of the potential effects of the Project on the Climate and any required mitigation is set out in Environmental Statement Chapter 7 (Document Reference 3.2, APP-050).</p> <p>Whilst the GHG assessment has identified an increase in GHG emissions, in the context of the overall UK GHG emissions the magnitude of the increase will not have a material impact on the Government meeting its carbon reduction targets.</p> <p>National Highways notes that a climate emergency was declared by EDC and the UK Parliament in the House of Commons on 1 May 2019. National Highways considers climate change to be a very important issue, and as such has conducted a thorough assessment of the impact of the Project on climate change. The declarations made by the UK Parliament do not give cause to alter the conclusions of the Environmental Statement assessment and the Project will make an extremely limited contribution to the UK's carbon reduction targets. National Highways also notes paragraph 5.17 of the National Policy Statement for National Networks (NPSNN) which states that it is "very unlikely that a road project will in isolation affect the ability of Government to meet its carbon reduction plans". In the context of the Project, the greenhouse gas assessment has demonstrated that the Project will not materially affect the ability of Government to meet its carbon reduction targets.</p>	<p>The Councils refer to comments in paragraph 10 (including paragraphs 10.22 to 10.25) of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>As detailed design progresses opportunities will be sought through construction and design development to reduce the carbon requirement of the Project. Measures to reduce carbon are included within the Environmental Management Plan (Document Reference 2.7, APP-019), see D-CL-01 and MW-CL-01.</p>	
RR-127-08	<p>Design, Engineering and Construction</p> <p>Population and Human Health</p>	<p>Impacts on Wetheriggs Country Park that is affected by land take by the project that impacts on sports facilities, an informal leisure facility, sensitive housing receptors, mature landscaping and biodiversity. A detailed masterplan for this area needs to be put in place to mitigate these impacts in the most effective way.</p>	<p>Chapter 13 Population and Human Health (Document Reference 3.2, APP-056) of the Environmental Statement assesses the impacts upon Wetheriggs Country Park as a community asset. It is acknowledged that there will be a loss of land at Wetheriggs Country Park however it is replaced as detailed in the mitigation section. Section 13.9.21 states that 0.9ha of replacement Common Land will be provided for that lost at Wetheriggs Country Park and the loss of land that is adjacent to the Ullswater Community College Rugby Field. It should be noted that the Rugby field itself is not affected and suitable spectator areas will be maintained. As such the usability of the Park and the sports pitch is unaffected.</p> <p>Section 7.2 of the Statement of Reasons (Document Reference, APP-299) provides further detail of the replacement land to be provided to compensate the local community for land take from Wetheriggs Country Park. The replacement land currently comprises a</p>	<p>The Councils refer to comments in para 2.10.2 of the Written Representation (REP1-019.1) whereby a detailed masterplan has been requested and this request remains applicable. No new information has been shared with the Council.</p> <p>However, the Councils note that the Applicant is now supporting the development of a masterplan for the country park with the aim of avoiding or reducing the loss of woodland, associated habitats, protecting the sports field at the park, resolving drainage issues and the other impacts on the park and local residents.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>field used for grazing; the area proposed by way of replacement exceeds the area which will be lost (see table under 7.2.10) and will be capable of beneficial use for the purposes of public recreation. The proposed replacement land is identified on the Special Category Land Plans (Document Reference 5.15, APP-314).</p> <p>Article 34 of the DCO makes provision for the special category land to be acquired once the Secretary of State has certified a scheme for the provision of the replacement land in consultation with the local planning authority. NH will continue to discuss its proposals for the provision of replacement land with Eden District Council.</p> <p>Impacts to landscape have been set out and assessed in the Environmental Statement Chapter 10: Landscape and Visual (Document Reference 3.2, APP-053). Significant adverse effects are predicted during construction as noted in section 10.8.22, but they would be temporary in nature. During operation users of the Park would experience significant adverse visual effects in Year 1 (section 10.8.26) which would reduce to not significant by Year 15 (section 10.8.29).</p> <p>Impacts to biodiversity have been set out and assessed in the Environmental Statement</p>	

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>Chapter 6: Biodiversity (Document Reference 3.2, APP-049). The sensitive housing receptors have been assessed across the environmental statement. The likely effects of the Project on residents is covered within the human health assessment of Chapter 13 Population and Human Health (Document Reference 3.2, APP-056). The closest residential receptors are those along Clifford Road to the immediate north of Wetheriggs Country Park. During construction the temporary increase in levels of annoyance, reduced enjoyment of the public realm and open space, and a reduction in the perceived quality of the living environment for the affected communities. This is assessed as a negative health effect. During operation the visual impacts at year 1 will be a negative health impact which reduces to neutral once vegetation becomes established and the community becomes used to the presence of the new infrastructure.</p> <p>Mitigation measures to reduce the potential impacts of the Project are described within these chapters and have informed the development of the Environmental Management Plan (EMP) (Document Reference 2.7, APP-019) and associated Annexes, including an outline landscape and ecology management plan. These documents</p>	

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>will develop alongside the design of the Project as the DCO progresses.</p> <p>Annex B1 of the EMP (Document Reference 2.7, APP-021) contains an outline Landscape and Ecological Management Plan (LEMP). The EMP requires that the LEMP is developed in further detail in consultation with various stakeholders, including the local planning authorities. Compliance with this process is secured through article 53 of the draft DCO. This will then be subject to approval from the SoS prior to the start of works. The LEMP once approved will contain specifications for long term management and monitoring.</p> <p>Design considerations and context are identified in the Project Design Report (Document Reference 2.3, APP- 009) and the design will be guided by the design principles outlined in the Protect Design Principles (Document Reference 5.11, APP-302). As well as the overall design principles which will apply there is a scheme specific design principle identified for Wetheriggs (0102.04 Minimise impacts on mature tree canopy cover at Wetheriggs Country Park to maintain setting and landscape experience as far as reasonably practicable. Opportunities should be explored for the enhancement of Wetheriggs Country Park (CH10000) through</p>	

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			woodland management and sensitive replanting.)	
RR-127-09	Design, Engineering and Construction	Worker Accommodation Strategy needs to be agreed to avoid negative impacts on a sparsely populated rural area that relies heavily on its accommodation stock to support its important tourism industry.	Annex B10 of the Environmental Management Plan (EMP), Construction Worker Travel and Accommodation Plan (Document Reference 2.7, APP-030) provides an outline Construction Worker Travel and Accommodation Plan, which will be developed further in consultation with the Local Planning Authorities including Eden District Council. It will ensure that additional demand created by non-home-based workers can be met by the current local housing market and visitor accommodation supply). The Plan will be completed on an iterative basis by the Principal Contractor as the Project progresses through detailed design and will describe the approach to managing travel and accommodation for construction workers during the construction phase. This process is secured through the EMP (Document Reference 2.7, APP-019).	The Councils refer to comments in paragraph 9 of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.
RR-127-10	Population and Human Health	A local economic optimisation strategy needs to be agreed to impact positively on the local area particularly during the construction phase.	Annex B12 of the EMP (Document Reference 2.7, APP-032) provides an outline Skills and Employment Strategy, which will set out measures to upskill and maximise the use of a local workforce and supply chains. The Strategy will also provide support and guidance to existing businesses that are impacted as a result of the construction and/or operation of Project.	The Councils refer to comments in paragraph 9 of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Council.

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
				The Outline Skills and Employment Strategy needs to be developed with commitments identified.
RR-127-11	Flooding and Drainage	Impacts on watercourses need to clear and appropriate mitigation agreed.	The impacts on watercourses from the highway drainage system are set out in the Environmental Statement Appendix 14.2 Flood Risk Assessment and Outline Drainage Strategy (Document Reference 3.4, APP-221). Detailed designs for the mitigation measures will be developed during the detailed design stage in accordance with current legislation and design standards, this process is secured in the Environmental Management Plan. Refer to the Road Drainage and Water Environment section of Table 3.2 in the Environmental Management Plan, (Document Reference 2.7, APP-019)	The Council's refer to comments in paragraph 10 of the Local Impact Report (REP1-019) and 2.10.1 and 2.10.5 of the Written Representation (REP1-019.1) which remain applicable. No new information has been shared with the Councils.
RR-127-12	Biodiversity and BNG	Biodiversity mitigation and net gain in line with the requirements of the Environment Act 2021 need to be delivered.	Biodiversity net gain is not currently a requirement for Nationally Significant Infrastructure Projects; however, National Highways are committed to maximising biodiversity delivery achieved by the Project. The environmental mitigation design has been developed to ensure that mitigation is provided for impacts on protected species, and that replacement habitats are provided for those lost. In order to demonstrate effective mitigation for habitat impact and loss the Project has applied the principle of No Net Loss. To measure this outcome the	The Council's refer to comments in paragraph 10 (including paragraphs 10.18 to 10.21) of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>application of 0% Biodiversity Net Gain (BNG) as set out within Natural England's BNG Metric 2.0 was applied (Metric 2.0 being the available metric at the time of mitigation determination). This approach was discussed and agreed with the Strategic Environmental Bodies, including Natural England, as part of the Evidence Base process, documented in EclA14 of the Evidence Base table in Appendix 1.1 of the Environmental Statement (Document Reference 3.4, APP-146).</p> <p>Once the mitigation for protected species, landscape and visual effects and habitat loss was developed and incorporated into the Project, the BNG 2.0 Metric was applied to the overall ecological and landscape mitigation requirements.</p> <p>Following the publication of BNG 3.1 the team are in the process of recalculating the BNG Metric output.</p> <p>Impacts and proposed mitigation are detailed further within ES Chapter 6 Biodiversity (Document Reference 3.2, APP-049) and underpinned by detailed assessments within separate appendices to ES Chapter 6.</p>	
RR-127-13	Cultural Heritage	All impacts on the historic environment are not yet understood. Mitigation needs to be agreed.	The likely significant effects on cultural heritage are set out in the Environmental Statement Chapter 8: Cultural Heritage (Document Reference 3.2, APP-051), including necessary mitigation measures. These mitigation measures are contained within the Environmental Management Plan	The Councils refer to the comments in paragraph 10 (including paragraphs 10.26 6 to 10.29) of the Local Impact Reports (REP1-019) which remain applicable. No new

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>(Document Reference 2.7, APP-019), compliance with which is secured in the DCO. This includes the development of the Heritage Mitigation Strategy, which must be consulted on with the relevant local planning authorities (D-CH-01) and approved by the Secretary of State as part of a second iteration EMP. The Environmental Statement reports an assessment that has been carried out in accordance with the relevant legislation and guidance (as set out in section 8.3 of Chapter 8 within the Environmental Statement) (Document Reference 3.2, APP-051) and therefore reports the likely significant effects of the project on the environment. National Highways will continue to engage with Eden District Council as detailed design progresses.</p>	<p>information has been shared with the Councils.</p>
RR-127-14	Design, Engineering and Construction	<p>The potential for post construction use of compounds needs to be considered including permanent access and suitability for other end uses.</p>	<p>Any land possessed temporarily under Article 29 of the Draft DCO (Document Reference 5.1, APP-285) for purposes such as compounds will be returned to the landowner, unless it is acquired for other purposes under article 19. Article 29 of the Draft DCO requires land possessed temporarily to be returned in a condition reasonably satisfactory its owner.</p>	<p>The Councils refer to comments in paragraph 2.10 of the Written Representation (REP1-019.1) which remain applicable. No new information has been shared with the Councils.</p>
RR-127-15	Design, Engineering and Construction	<p>HGV and other services along the route have not been provided for. Proposals need to be agreed and assessed in terms</p>	<p>We have met with the Council to discuss their concerns regarding the demand for HGV facilities. Chapters 7 and 8 of the Transport Assessment (Document Reference 3.7, APP-</p>	<p>The Councils refer to comments in paragraph 8 (including paragraphs 8.1 to 8.9) of the Local Impact Report (REP1-019)</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
		<p>of environmental impacts before the project is consented.</p>	<p>236) consider the impact of the Project on traffic conditions. Paragraph 7.2.3 states that the average additional growth in traffic on the A66 due to the project in 2044 is 30%. Tables 7-5 and 7-6 show the split of traffic between Cars and HGVs with and without the Project. This shows that the growth in HGV traffic due to the project is on average 6%. The smaller growth in HGV traffic is due to the assumptions within the Traffic Model (and in line with the DfT's TAG guidance) that car traffic is more likely to change its destination (within the variable demand model) and its route (due to being more influenced by travel time, rather than travel distance) than HGV traffic. Therefore, traffic growth caused by the project is greater for cars than HGVs.</p> <p>We can confirm that laybys have been proposed in in accordance with Design Manual for Roads and Bridges (DRMB) standards.</p> <p>CCC will be consulted as part of a separate nation-wide freight study running in parallel with the DCO Examination. The aim of the study is to identify locations where new freight services and parking might be feasible on eth Strategic Road Network. There is currently a £20m lorry parking improvement fund that is available to improve existing facilities up until March 2025.</p> <p>Impacts arising from HGVs have been considered further in the air quality and noise</p>	<p>and ISH2.TT.17 (REP1-018) which remain applicable. No new information has been shared with the Councils.</p> <p>The 12-hour traffic growth from 2019 to 2051 as set out in Table 5-34 of APP-237, shows a significant increase in total vehicles (a doubling in some locations on the A66). Given the already high proportion of HGVs in 2019 – between 18% to 28% on the A66 (Para 2.2.1 APP-237), the provision of HGV facilities needs to cater for this growth, particularly as the A66 has insufficient HGV Facilities for current demand.</p>

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>assessments which form part of the Environmental Statement. During the construction phase, potential air quality effects arise from emissions from HDVs (Heavy Duty Vehicles) using the road network. These impacts are discussed further in section 5.10 of Chapter 5 Air Quality of the Environmental Statement (Document Reference 3.2, APP-048). Best practice mitigation measures are discussed in section 5.9.</p> <p>The predicted noise impacts of the Project reflect changes in traffic speed, flow and percentage of HGVs. Additional traffic would be generated on the existing nearby road network by the construction works and therefore road traffic noise levels may increase during construction. Further details are provided in section 12.10 of Chapter 12 Noise and Vibration, with proposed mitigation measures set out in section 12.9 (Document Reference 3.2, APP-055).</p> <p>Possible construction traffic diversion routes are shown in Figure 12.9 of the Environmental Statement and will be the subject of further discussion with local authorities and relevant stakeholders (Document Reference 3.3, APP-120). The selection of these routes will be conducted in line with the Environmental Management Plan (Document Reference 2.7, APP-019) and Construction Traffic Management Plan (Document Reference 2.7, APP-033).</p>	

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			Further details on the management of construction impacts arising from HGV traffic are provided in Annex B4 Air Quality and Dust Management (Document Reference 2.7, APP-024), Annex B5 Noise and Vibration Management (Document Reference 2.7, APP-025) and the Construction Traffic Management Plan (Document Reference 2.7, APP-033).	
RR-127-16	Environment and EMP	Diversion Route impacts and mitigation need to be clear discussed and agreed.	The Environmental Management Plan (Document reference 2.7, APP-019) (EMP) has been developed to control construction impacts, setting out an array of controls required to be implemented in the construction phase. Annex B13 Construction Traffic Management Plan (Document 2.7, APP-033) which sets out the essay plan for a Construction Traffic Management Plan (CTMP) that must be developed]. This essay plan includes the key stakeholders that will be engaged with in the development of the final Construction Traffic Management Plan in section B13.2.1 and includes Eden District Council and Cumbria County Council. Under the EMP, the developed, detailed CTMP is subject to consultation with the local planning and highway authorities (in accordance with the consultation provisions contained within the EMP). The CTMP must then be approved by the Secretary of State as part of a 2nd iteration EMP prior to the start of works (see article 53 of the draft DCO (Document Reference 5.1, APP-285) and	The Councils refer to comments in paragraphs 7 and 10 of the Local Impact Report (REP1-019) and 2.10.5 of the Written Representation (REP1-019.1) which remain applicable. No new information has been shared with the Councils.

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			paragraph 1.4.11 of the EMP). These are legally enforceable requirements.	
RR-127-17	Design, Engineering and Construction	Construction Impacts and mitigation need to be clear, discussed and agreed.	Construction impacts are reported in the Environmental Statement. National Highways will continue to engage with Eden District council concerning these impacts and mitigation proposals and report these matters in the Statements of Common Ground.	The Councils refer to comments in paragraph 7 of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils.
RR-127-18	Impacts to Land	Negotiations on the purchase of land owned by EDC is underway but there are a number of unresolved issues yet to be agreed which need to be the subject of discussion in the Examination.	National Highways will continue to engage with Eden District Council on these matters.	The Councils refer to comments in paragraph 2.10.2 of the Written Representation (REP1-019.1) which remain applicable No new information has been shared with the Councils.
RR-127-19	Environment and EMP	Proposed route alignments requiring removal of mature trees and demolitions need to be avoided wherever possible. There are number of locations where agreement on this is required.	Duly noted. The detailed design will be undertaken within the parameters of the Environmental Management Plan (Document Reference 2.7, APP-019) and the Project Design Principles (Document Reference 5.11, APP-302). These two documents secure mitigation identified as required within the Environmental Statement and its Chapters (Document Reference 3.2, APP-048 to APP-057). This includes where there might be impacts on matures trees or demolition of property. The Environmental Management Plan (Document Reference 2.7, APP-019) Register of Environmental Actions and	The Councils refer to comments in paragraph 10 of the Local Impact Report (REP1-019) and 2.10.5 of the Written Representation (REP1-019.1) which remain applicable. No new information has been shared with the Councils.

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>Commitments C D-LV-04 which requires tree removal to be kept to a minimum, D-BD-05 which requires replanting of lost habitats and D-LV-01 which requires an Arboricultural Impact assessment to be undertaken and tree protection plans be developed. Where trees of particular importance have been identified, measures have been included to ensure their protection such as Project Design Principle 0405.15 which specifies the requirement to retain the veteran oak tree on Sleastonhow Lane.</p> <p>Where the removal of trees is unavoidable there will be replanting as part of the habitat planting mitigation strategy which will be secured through the Environmental Management Plan (Document Reference 2.7, APP-019) and the Project Design Principles (Document Reference 5.11, APP-302).</p> <p>Demolition of property and housing is required as part of the design submitted in the DCO, the decision for which has been taken in engagement with affected landowners, these have been identified and assessed in Chapter 13 Population and Human Health of the Environmental Statement (Document Reference 3.2, APP-056) by scheme at various points in the report. National Highways will continue to engage with Eden District Council on these matters as will be reported in the SoCG.</p>	

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
RR-127-20	Road Drainage and the Water Environment	Water Quality: the potential for the scheme to increase surface water run-off, via additional carriageways and traffic, adding to the nutrient load in rivers and watercourses, which in turn will exacerbate the nutrient neutrality problems facing housing development in the Eden catchment.	<p>The Environmental Statement (ES) Chapter 14: Road Drainage and the Water Environment (Document Reference 3.2, APP-057), the Habitat Regulations Assessment (HRA) Statement to Inform Appropriate Assessment (Document Reference 3.5, APP-234) and (Document Reference 3.6, APP-235) and the Environmental Statement Appendix 14.1 WFD Compliance Assessment (Document Reference 14.1, APP-220) set out the potential effects of any changes to water run-off on watercourses, including the River Eden and its catchment.</p> <p>Based on these assessments, coupled with embedded avoidance and mitigation measures in the outline drainage design, and the Environmental Management Plan (Document Reference 2.7, APP-019) and Annex B7 Ground and Surface Water Management Plan (Document 2.7, APP-027), ES Chapter 14 referenced above section 14.10.13 to 14.10.14 and section 14.10.44 to 14.10.50 notes that there are no significant effects on water quality to any surface water receptor (including the River Eden catchment) in construction or operation.</p> <p>As stated in section 1.5.50 of the HRA (APP-235) referenced above, the Project itself doesn't trigger the Nutrient Neutrality Methodology as there is no accommodation being built as a result of the Project. Section 1.5.38 and section 1.5.42 note that without mitigation there is risk of runoff affecting the</p>	The Councils refer to comments in paragraph 10 of the Local Impact Report (REP1-019) and 2.10.1 and 2.10.5 of the Councils' Written Representation which remain applicable. No new information has been shared with the Councils.

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>River Eden SAC, however as noted in Section 1.5.293 it is considered that with embedded avoidance and mitigation measures that adverse effects on the integrity of the River Eden SAC can be ruled out.</p> <p>Natural England's (2022) Advice for development proposals with the potential to affect water quality resulting in adverse nutrient impacts on habitats sites lists (in Table 2) the River Eden SAC as a site considered to be in unfavourable condition due to excessive nutrients (in the case of the River Eden SAC it is listed for phosphorous) which require an HRA and where nutrient neutrality is a potential solution to enable development to proceed. According to the Environment Agency's Phosphorus and Freshwater Eutrophication Pressure Narrative (2019) 4 the main sources of phosphorus (P) in rivers and lakes are sewage effluent (primarily from water industry sewage treatment works) and losses from agricultural land. Food waste, food and drink additives and P dosing of drinking waters all contribute to sewage P loadings. Septic tanks and package sewage treatment plants are small sources nationally but can be important sources locally, particularly in the headwaters of catchments. Leaking water mains are a newly identified P source entering ground and surface waters. Road runoff or traffic emissions are not listed in the paper and there is considered to be no credible</p>	

No.	Topic	Matters Raised in Relevant Representation	National Highways Response (Verbatim)	Councils' Response
			<p>pathway for additional phosphorus to enter River Eden SAC during construction or operation of the Project, either through discharge, surface run off, or leaching to groundwater. In conclusion, given there is no credible pathway for phosphorus pollution (as described above) as a result of the Project, it is considered that nutrient neutrality does not apply to the Project and also that the Project will not exacerbate the problems faced by future housing developments in the area and the need for such development to demonstrate nutrient neutrality.</p>	