

## A66 NTP: Cumbria County Council - PRINCIPAL AREAS OF DISAGREEMENT SUMMARY STATEMENT – UPDATE FOR DEADLINE 3

Principal Issue in Question	The brief concern held by Cumbria County Council which will be reported on in full in WR / LIR	What needs to; change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination.
1  2	<p><b>Penrith Area</b></p> <p>General There are a number of issues associated with the proposals for M6 Junction 40, Kemplay Bank and the adjacent Skirsgill Depot. These have been grouped together geographically under the Penrith Area heading. Specific concerns are set out below.</p>	See comments in relation to specific issues below	<p>Funding has been agreed with the Applicant up to the end of the Examination via a Planning Performance agreement (May 23). However, funding is required beyond May 23 for the Councils to have meaningful engagement with the Applicant and to reach agreement on issues not agreed as part of the Examination. This needs to be additional funding and/or extension of the current funding beyond May 23. Discussions with the Applicant are ongoing, and until they are completed the Councils cannot confirm their position.</p>
3	<p><b>Penrith Area</b></p> <p>Junction Capacity at M6 J40 There is a key concern that the Project will worsen current congestion issues in Penrith, especially because M6 junction 40 does not see any significant capacity improvements but will need to handle significantly more traffic. The Council therefore expects NH to undertake further reviews of the designs of this scheme and look to increase the capacity of this junction. The Council is not satisfied that J40 of the M6 has adequate capacity to manage traffic flows at peak times and on Fridays resulting in congestion and delays to local journeys. We consider that, following scheme opening, demand on this junction will grow with the potential for adverse impacts upon local residents, visitors, businesses alongside long distance travellers.</p>	The Council needs to be provided with the opportunity to review the traffic modelling and traffic forecasts. Discussions are needed with NH to discuss the modelling and reach agreement on the approach, which informs the suitability of the junction design and road capacity (see also Traffic Flows and Modelling below)	<p>Results of the September 22 traffic survey shared with Councils on 16/01/23. However, the results suggests that existing congestion will not be addressed, particularly on the Friday pm peak. It may be that improvements to the traffic signal phasing may improve the performance of the junction. The results indicate that the current scheme can accommodate the 45% predicted traffic growth. Vissim modelling information not yet available, so no further comments can be made at this stage.</p>
4	<p><b>Penrith Area</b></p> <p>M6 J40 Cycling and Walking crossing provision do not appear appropriate or in accordance with LTN 1/20. The proposals result in a slow and lengthy journey across the junction and are likely discourage sustainable modes. The proposals for the cycle route linking J40 and Kemplay Bank are unclear</p>	The proposals need to be amended to comply with LTN 1/20, then reviewed by the Council to confirm agreement	The Councils will continue to engage with the Applicant as the design progresses to ensure that the standard of provision provided meets the standards within LTN 1/20.
5	<p><b>Penrith Area</b></p> <p>Skirsgill Depot Proposed new access road to Skirsgill Depot is not agreed due to potential adverse impact of proposals on the delivery of CCC operational services (CTOT (customer transport), highway depot operations, county stores, buses, winter maintenance - during construction works and in operation</p>	<p>Discussion needed to ensure suitability of proposals and design integration with the operational usage of the depot. Incorporation of agreed solution in scheme design Need to review how the construction impacts will be managed in order minimise impacts and ensure continued viable operation of the site. Confirm suitability of junction design for depot usage, including CTOT (Community Transport) buses</p>	Until detailed designs are available the Councils cannot confirm their position.
6	<p><b>Penrith Area</b></p> <p>The routes to access Skirsgill depot from the west by motorised vehicles can be increased by 2km if the secondary access if the M6 slip road is removed. Journey times can be lengthened significantly at peak periods. The Council oppose removal of this access.</p>	The vehicular access to the depot from the M6 slip road needs to be retained to enable potential access from the west. Further consideration of movements in and out of the depot is required. Final design needs to be agreed to the satisfaction of the Council	Resolved - The Applicant has now confirmed that the secondary access from the M6 slip road will be retained.
7  8	<p><b>Penrith Area</b></p> <p>Congestion at Skirsgill Depot entrance as a consequence of capacity issues at M6 J40</p>	The vehicular access to the depot from the M6 slip road needs to be retained to enable access from the west. Further consideration of movements in and out of the depot is required. Final design solution needs to be agreed to the satisfaction of the Council	<p>Results of the September 22 traffic survey shared with Councils on 16/01/23. However, the results suggests that existing congestion will not be addressed, particularly on the Friday pm peak. It may be that improvements to the traffic signal phasing may improve the performance of the junction. The results indicate that the current scheme can accommodate the 45% predicted traffic growth. Vissim modelling information not yet available so no further comments can be made at this stage.</p>
	<p><b>Penrith Area</b></p> <p>Cycling &amp; Walking crossing provision at Skirsgill Depot is not appropriate or in accordance with LTN 1/20. Opportunities to cross the A66 between the depot and Penrith are inadequate and the proposed design will discourage sustainable travel.</p>	The removal of the uncontrolled crossing point across the A66, moving the access to Skirsgill Depot eastwards and the requirement to negotiate 4 sets of signals will make access to Skirsgill Depot less direct. There is a need to review the proposals and consider whether an amended design can address this concern.	The Councils will continue to engage with the Applicant as the design progresses to ensure that the standard of provision provided meets the standards within LTN 1/20.
	<p><b>Penrith Area</b></p> <p>Drainage at Skirsgill Depot Lack of clarity on how additional run-off from new access road will be managed. Council is concerned that drainage basins and associated access tracks will adversely impact development site.</p>	The Council requires details of how existing depot drainage will cope with the increased runoff from the new access road, which will need to include treatment of surface run-off.	Until detailed designs are available the Councils cannot confirm their position.

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9	<b>Penrith Area</b> Kemplay Bank Concern that access to Blue Light Hub at Kemplay Bank may be adversely affected by the proposals. There is potential for the construction activity to have a detrimental impact on the traffic flow and accessibility of the hub from the Kemplay Bank Roundabout. Response time is of critical importance for emergency services.	During construction of the A66 NTP, the Councils require assurance that the operational performance of the blue light hub facility will not be negatively impacted. It is expected that NH approach to this matter will be addressed in the EMP and detailed design process. The emergency services directly access the A66 from this facility as means of providing the fastest response and this needs to be retained throughout construction.	The Councils need specific reassurance that the ability for the blue light services to continue to operate both during construction and during operation isn't compromised. Further discussions with the applicant to resolve these concerns is required.
10	<b>Penrith Area</b> Kemplay Bank Concern that the Project will worsen current congestion issues in the vicinity of Kemplay Bank Roundabout, due to lack of capacity	The Council needs to be provided with the opportunity to review the traffic modelling and traffic forecasts. Discussions are needed with NH to discuss the modelling and reach agreement on the approach, which informs the suitability of the junction design and road capacity (see also Traffic Flows and Modelling below)	Results of the September 22 traffic survey shared with Councils on 16/01/23. However, the results suggests that existing congestion will not be addressed, particularly on the Friday pm peak. It may be that improvements to the traffic signal phasing may improve the performance of the junction. The results indicate that the current scheme can accommodate the 45% predicted traffic growth. Vissim modelling information not yet available so no further comments can be made at this stage
11	<b>Penrith Area</b> Cycling and Walking access routes are proposed via the centre of the Kemplay Bank roundabout, which will lead to an increase in severance due to an increase in the number of crossing points and increased conflicts with vehicles. The PROW across KB needs to be extinguished and improvements made to other PROW.	The proposals for cycling and walking at Kemplay Bank need to be reviewed to ensure compliance with LTN1/20 and consideration given by NH to improving PROW.	The Councils will continue to engage with the Applicant as the design progresses to ensure that the standard of provision provided meets the standards within LTN 1/20.
12	<b>Penrith Area</b> Detrunking of roundabout into local network and liability for bridge structures. Unclear what the detrunking proposals for the KB roundabout will mean for the Council. The Council is not willing to accept maintenance liability for the roundabout, which includes new overbridges, lighting, traffic signals, etc	NH need to explain their proposals for detrunking of the roundabout and what arrangements will be put in place for future operation and maintenance. See also comments on 'Detrunking' below	The Council's principles document was produced in 2022 to initiate the discussion on de-trunking with the Applicant without any insight to the Applicant's strategy. The Councils did not have any feedback on the document but welcome the discussions which are now progressing well on the technical aspects of the different assets to be included in the de-trunking process. The examples of residual serviceable life issues noted here by the Applicant have already been discussed and, along with other aspects, are in the process of being resolved with the Applicant. The Councils believe that the requested funding from the project to support improvement to sub-standard assets and for their ongoing maintenance after handover is a justified use of taxpayers' money as it will go through the rigorous local highway governance process and efficient delivery processes. The consequence of the Project to significantly increase the assets to be maintained by the Councils should have direct compensation and not be reliant on unsecured future funding strategies.
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15	<b>Penrith Area</b> The Council is not satisfied that impacts on the local road network, on Ullswater Road, Clifford Road and Eamont Bridge have been adequately assessed.	See Traffic Flows and Modelling below See also comments regarding M6 diversions under Diversions below	Results of the September 22 traffic survey shared with Councils on 16/01/23. However, the results suggests that existing congestion will not be addressed, particularly on the Friday pm peak. It may be that improvements to the traffic signal phasing may improve the performance of the junction. The results indicate that the current scheme can accommodate the 45% predicted traffic growth. Vissim modelling information not yet available so no further comments can be made at this stage.
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17	<b>North - South Connectivity</b> In areas as above and at the following locations there are concerns about the maintaining of North-South connectivity. There should be no loss of north south connectivity - which are particularly an issue at the locations below	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	Until detailed designs are available the Councils cannot confirm their position.
	<b>North - South Connectivity</b> Larma Karma Kafe site - removal of right turn limits the future use of this building	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	Noted and agreed
18	<b>North - South Connectivity</b> Brougham Castle - Temple Sowerby (Eamont Bridge Llama Karma Café & Sewage work) Removal of the all- movement junction of the A66 and B6262 is opposed as this is used as a diversion route during flood events at Eamont Bridge to enable the A6(S) to remain connected to the A66.	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	Noted, however the councils require further information and discussion on the diversion issue before it can confirm their position
	<b>North - South Connectivity</b> Crackenthorpe At the western end of the Appleby bypass where the proposed realignment of the A66 will tie-in to the existing bypass, a footway/cycleway connection exists between the westbound merge slip road and the old alignment of the A66 towards Crackenthorpe Hall. This needs to be maintained and improved to LTN 1/20 standards as a segregated facility to maintain active travel linkages between Crackenthorpe and Appleby.	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	The Councils will continue to engage with the Applicant as the design progresses to ensure that the standard of provision provided meets the standards within LTN 1/20.
	<b>North - South Connectivity</b> Appleby Bypass - Brough (Warcop & Langrigg) Connectivity from Warcop towards the east will be reduced as the current right turn provision will be removed resulting in a detour. Accessing Langrigg from the A66 west will result in a detour.	Where connectivity is adversely impacted, the Council expects to have dialogue with NH to overcome the concerns. Mitigation, including design amendments where necessary will need to be agreed with NH and approved through the DCO process	The councils require further information and discussion on the diversion issue before it can confirm their position

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19	<b>Traffic Flows/Modelling</b>	There is concern that the assessment of scheme impacts underestimates impacts at M6 J40, Kemplay Bank, Eamont Bridge, Ullswater Road, and Clifford Road. As proposed the project may result in unacceptable congestion impacts.	The Council requires further details to be provided on the methodology and results of the assessment of impacts at M6 J40 and Kemplay Bank. The Council believes there is a need for review of more detailed outputs for local modelling undertaken, particularly on Ullswater Road and Eamont Bridge. There is also a need for further sensitivity testing to evidence that the proposals will not have unacceptable impacts on the local road network.	Results of the September 22 traffic survey shared with Councils on 16/01/23. However, the results suggest that existing congestion will not be addressed, particularly on the Friday pm peak. It may be that improvements to the traffic signal phasing may improve the performance of the junction. The results indicate that the current scheme can accommodate the 45% predicted traffic growth. Vissim modelling information not yet available so no further comments can be made at this stage.
20	<b>Departures</b>	Over 100 Departures from design standards have been assessed that carry potential safety risks; 8 of which are high risk /critical safety risk. Departure principles have not been agreed. The interface between DMRB standards and local network requires further work.	Risk assessments to address safety at interfaces between the networks need to be provided and agreed. The critical/high risk departures require extensive mitigation works that could affect the red line boundary and/or require extensive safety and operational justification. Departures where a solution appears achievable require detailed design development within the RLB. Medium risk departures either require more information eg a departure location plan to assess the safety risk, or (based on the detail provided) would require robust substantiation through the departures process. It should be noted that all identified departures should ideally be designed out by the project contractor in conjunction with the Council during detailed design or robust departures from standard developed to ensure safety risks are mitigated as far as reasonably practicable.	The Council shared a template for high risk departure assessments in April 2022. The Council remains concerned that the provisions made within the Order limits will preclude the optimum safe mitigation being adopted by the Project if this work is only undertaken at detailed design.  The Council require the Applicant to provide information on the high risk departures by Deadline 5.
21	<b>Detrunking (road and structures)</b>	Lack of clarity as to what assets will transfer to the Council as a result of detrunking. The Council needs to be assured that the detrunking proposals are acceptable in respect of: 1. Maintenance liabilities 2. The condition of the detrunked assets 3. The design suitability of the asset (appropriate to the proposed use) 4.. The provision of funds to maintain the asset.	There is a need for continued discussion and negotiation with NH to agree the over-riding principles for detrunking. A detrunking principles document and implementation of the process for agreeing detrunking needs to be secured through the DCO process provide the Councils with a commitment or funding to bring the de-trunked sections up to an acceptable standard before handover and adoption. The condition of the proposed de-trunked sections ( including carriageway surface, lighting and associated infrastructure) needs to be independently assessed. Before accepting the asset, there will need to be a full condition survey and joint agreement on how any required repairs or improvements will be implemented and funded. Need to understand deterioration of the asset once construction work commences until the handover date. Furthermore, the extent of de-trunking needs to be discussed and agreed with the Councils prior to establishing de-trunking agreements. it is understood that NH will prepare a 'Detrunking and Asset Handover Approach' and 'Asset Adoption Plan'. The Council needs an opportunity to review these documents and agree the approach for subsequent approval. Need to confirm that the application red line boundary includes all the detrunked assets.	The Council's principles document was produced in 2022 to initiate the discussion on de-trunking with the Applicant without any insight to the Applicant's strategy. The Councils did not have any feedback on the document but welcome the discussions which are now progressing well on the technical aspects of the different assets to be included in the de-trunking process. The examples of residual serviceable life issues noted The Councils will continue to engage with the Applicant as the design progresses to ensure that the standard of provision provided meets the standards within LTN 1/20. The examples of residual serviceable life issues noted here by the Applicant have already been discussed and, along with other aspects, are in the process of being resolved with the Applicant. The Councils believe that the requested funding from the project to support improvement to sub-standard assets and for their ongoing maintenance after handover is a justified use of taxpayers' money as it will go through the rigorous local highway governance process and efficient delivery processes.  The consequence of the Project to significantly increase the assets to be maintained by the Councils should have direct compensation and not be reliant on unsecured future funding strategies.
	<b>Detrunking (road and structures)</b>	Future Maintenance - the Council must not inherit a maintenance liability and must be funded appropriately to maintain the de-trunked assets.	Review the detrunking strategy or other relevant documents produced by NH to confirm the acceptability of maintenance provision and agree the mechanism for payment of commuted sums for maintenance	See above comments.
22	<b>Public Rights of Way (PROW)</b>	Lack of clarity on the acceptability of PROW proposals, including severance issues, route diversions, and the condition and maintenance of diverted PROWs	The Council needs to understand the impacts on PROW and confirm the acceptability of NH's proposals. Discussion will be needed to resolve any outstanding concerns	The Councils require further information and discussion on the diversion issue before it can confirm their position, including the PROW Management Plan.
23	<b>Structures</b>	Council will not accept liability for structures on the A66 or crossing the A66	The Council requires an assurance from NH that it will retain responsibility for structures on the A66, including overbridges, underbridges, culverts, etc.	The Council's principles document was produced in 2022 to initiate the discussion on de-trunking with the Applicant without any insight to the Applicant's strategy. The Councils did not have any feedback on the document but welcome the discussions which are now progressing well on the technical aspects of the different assets to be included in the de-trunking process. This matter remains unresolved.
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25	<b>Structures</b>	There is no clarity about responsibility for maintenance of road surfaces, lighting, barriers, retaining walls, etc. on structures that carry the local road network across the A66	There is a need for the Council to be adequately resourced to examine the DCO submission and engage fully in the DCO application process to understand the proposals for maintenance of local road infrastructure that is linked to structures over and under the A66. The responsibility for road surface, lighting, barrier fencing, retaining walls, etc. needs to be clearly documented and agreed through the DCO process.	See above comments
26	<b>Structures</b>	Documents and records need to be provided in respect of any structures that are to be transferred to the Council	The Council will require full records to be provided in respect of any asset that is to be transferred to the highway authority. The process for supplying such detail needs to be agreed and secured through the DCO process. Records will need to include: information on the structural form, including any modifications, history of any issues arising (eg. scour or latent defects), condition surveys, waterproofing detail, tests and inspection results, degradation details, etc.	See above comments
27	<b>Structures</b>	Crackenthorpe Retaining Wall is a potential major maintenance liability that will not be accepted by the Council without a full understanding of the structure and assessment of risks and liabilities. Walk Mill High bridge - liability due to high alumina cement used in construction	The structures present a major risk to the Council and it will require specialist technical advice and potentially investigation to quantify the risks and liabilities. The process for addressing the concerns and (if agreed) providing a commuted sum to offset the risks through the DCO process needs to be clarified.	The Council's specialist has discussed the detailed records of this structure and welcome the proposal which is in line with the Councils' principles document, Appendix A to the LIR [REP1-019].  The Council notes the Crackenthorpe bored pile wall and retaining wall must be resolved together. However, the Council has concerns about the high alumina cement content in Walk Mill High structure. Certainty over adequate condition of all assets is required before handover, otherwise the Applicant must retain asset ownership.  It is noted that the requirement for the Councils to undertake works immediately after the Project is complete, with commuted sums, will not be desirable due to ongoing disruption to the public.
28	<b>New Structures</b>	There is no design information relating to new structures, including bridges, culverts and retaining walls. In the absence of such details the Council is not satisfied that designs will be acceptable or achieve satisfactory integration with the local road network.  The Council has not had the opportunity to comment on or agree the design of new structures that will carry the local road network, WCH routes or PROW and which it may be asked to maintain. I There is a need to ensure visual integration of structures to minimise impact.	The Council needs an opportunity to review the structures designs and reach agreement with NH. Design detail needs to be provided by NH to confirm acceptability in terms of accommodating the proposed usage, tie-in with existing structures, meeting non-trunk road functions, integrating with PROW, meeting the needs of users and ensuring safety. The impact upon remote structures needs to be assessed and any mitigation delivered through the DCO The mechanism for jointly agreeing the design detail needs to be clarified and set out and the agreed proposals secured through the DCO. New A66 structures designed in accordance with DMRB and the associated design, checking and approval processes will be acceptable to the Council if built and maintained by NH. Council needs to be consulted upon and agree the design of all structures that will carry its network in order to ensure that they are fit for purpose and acceptable. The designs must be suitable to accommodate the proposed usage and should seek to address existing problems and constraints. The process for designing, checking and approving structures should be shared with the Council and should include the opportunity for Council input (in terms of agreeing the process and being able to influence the design)	Until detailed designs are available the Councils cannot confirm their position.  The Council's principles document was produced in 2022 to initiate the discussion on de-trunking with the Applicant without any insight to the Applicant's strategy. The Councils did not have any feedback on the document but welcome the discussions which are now progressing well on the technical aspects of the different assets to be included in the de-trunking process. The examples of residual serviceable life issues noted here by the Applicant have already been discussed and, along with other aspects, are in the process of being resolved with the Applicant.
29	<b>New Structures</b>	Lack of clarity on liability & maintenance responsibilities relating to structures assets transferred to local highway authority	The Council needs to examine the DCO submission to understand the proposals for transferring structures assets. This needs to include consideration of all aspects of repairs and maintenance associated with the structures, including road surface, pavements, drainage, lighting, barriers, winter maintenance, etc. Such matters need to be clarified and agreed through the DCO process.	See above comments
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31	<b>Diversions and construction impacts</b>	<p>Diversions routes are not suitable without mitigation and fall outside the DCO boundary.</p> <p>The Council's assessment of diversion routes indicates that all will require mitigation and six are unsuitable without significant mitigation.</p> <p>Particular concerns remain in respect of the A685 at Kirkby Stephen, as well as other local roads, where various physical constraints will give rise to congestion and delay during construction.</p> <p>HGV - lack of clarity on diversions and impacts during construction</p> <p>M6 diversion routes do not appear to have been considered (The A6 at Kemplay Bank is a diversion route when the M6 is closed). There are also concerns about the diversion routes around and through Penrith where there is already a significant traffic issue. Serious congestion occurs at Kemplay Bank during M6 closures</p>	<p>Council needs to understand what future diversion use NH may have for the detrunked routes, eg;. Tactical diversions and future use of network. NH must develop a clear strategy for traffic management and the establishment of viable alternative/diversion routes to support the construction of the upgraded A66, taking into account the condition and suitability of local roads, susceptibility to rat-running the the particular constraints that may apply to HGV use. There are clear challenges with the suitability of the rural road network to accommodate the types and volumes of vehicles to be diverted.</p> <p>NH should improve the existing strategic diversion routes, specifically the A6 and the A685 and undertake further feasibility work to determine how these routes can be enhanced to cope with the increased volume of traffic.</p> <p>This issue requires consideration by NH in discussion with the Council and mitigation measures need to be agreed through the DCO process.</p> <p>The Council believes there is a need for further sensitivity testing to provide comfort that the proposals will not have unacceptable impacts on the local road network.</p>	<p>The Councils still have concerns that the detailed proposals for diversions, both temporary and operationally, have not be set out and assessed as part of the DCO and that there are no detailed commitments from the Applicant to address the concerns raised in the Councils Diversions Assessment Report, Appendix C to the LIR [REP1-019].</p>
32	<b>HGVs</b>	<p>HGV (Parking and Services) - lack of provision and an absence of analysis of the impacts and requirements arising from a forecast increase in HGV traffic.</p> <p>Potential nuisance and safety risks arising from HGV parking.</p>	<p>Consideration of the adverse impacts arising from substantial increase in HGV traffic is required. NH need to provide clarity on provision of parking and services to accommodate increased usage by HGVs and parking and services demands.</p> <p>Freight Study needs to be developed in conjunction with Council and stakeholders to establish the need for parking and services provision and the recommendations considered for delivery through the DCO.</p>	<p>The Councils are disappointed that the Applicant has suggested that the Councils' concerns raised around HGV facilities are considered to be outside the scope of the Project. The Councils recognise that the Project will substantially increase the volume of HGV traffic using this part of the A66, with volumes expected to double by 2051.</p> <p>In addition, and as stated in paragraph 8.7 of the Local Impact Report (LIR) document reference REP1-019, the current insufficient facility provision will become more severe within the next five years and beyond.</p> <p>The Councils would urge the Applicant to reconsider concerns raised around HGV facilities and embed adequate HGV proposals into the Project rather than cite the nation-wide Freight Study as a mechanism to potentially address the Councils' concerns.</p>
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34	<b>Drainage and the Water Environment</b>	<p>The proposals contain a large number of drainage assets (basins, pipes, access tracks, etc) which have an adverse impact on the environment, land take, sustainability, maintenance and cost.</p> <p>There a lack of drainage detail in some locations leading to concern about how drainage will be satisfactorily achieved.</p>	<p>Discussion is required with NH to clarify the drainage strategy, including clarification of how the designs have optimised and the operation and maintenance of drainage assets to be transferred to the Council.</p> <p>The process for agreeing the transfer of drainage assets needs to be clarified and formalised within the DCO process.</p> <p>Clarity required on the how the potentially harmful effects of highway run-off (from the A66 and detrunked sections) have been addressed.</p>	<p>The Councils understand that protective provisions have now been included in the dDCO Schedule 9 Part 7 for the benefit of the drainage authorities. These protective provisions will be the subject of discussions between the Applicant and the Councils.</p> <p>Until detailed designs are available the Councils cannot confirm their position.</p>
35	<b>Drainage and the Water Environment</b>	<p>Lack of clarity on drainage strategy and design detail for assets that will become the Council's responsibility.</p>	<p>NH needs to provide sufficient drainage design detail to enable the Council to confirm its understanding and agreement on assets to be taken over by the Council, and whether it includes any management of A66 surface water drainage?</p>	<p>See above comments</p>
36	<b>Drainage and the Water Environment</b>	<p>Concern about proposed storage ponds, including location, outfalls, functionality, clarity on the future maintenance responsibilities, dual 'his and hers' systems,</p>	<p>Discussion needed with NH to address concerns around storage ponds in order to reach agreement on design principles and future maintenance.</p>	<p>See above comments</p>
	<b>Drainage and the Water Environment</b>	<p>Concern about flood risk, such as the location of treatment ponds within Flood Zones 2 &amp; 3 (eg. Carleton Hall), flood compensation being proposed in existing flood zones, lack of detail for flood compensation, proposed discharges in flooding locations. Opportunities should be taken to provide benefits in terms of flood risk reduction and natural flood management.</p>	<p>The Council requires details of all proposals which impact upon flood risk and need discussion with NH to resolve any concerns. NH need to ensure the inclusion of Natural Flood Management and other mitigation measures to align with EA/LLFA works.. It is essential that natural flood management is considered and engagement with the Cumbria Innovation and Flood Resilience Project team takes place, particularly in relation to the Warcop area, Lowgill Beck and Broom Rigg. Discussion is required on the flood modelling to ensure that NH and the Council can reach agreement on the approach, which should then inform the drainage designs.</p>	<p>See above comments.</p>

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37 <b>Drainage and the Water Environment</b>	Concern over how existing drainage systems will cope with increased run-off caused by the project	Council requires details of drainage proposals for its review and comment. There is a need for the Council to understand the impacts of run-off on existing drainage systems and to confirm whether there is sufficient capacity. Discussion needed with NH to reach agreement on the proposed discharge to existing drainage infrastructure.	See above comments
38 <b>Drainage and the Water Environment</b>	Lack of clarity on how drainage will be provided for overbridges and underpasses, particularly in areas of known surface water concern (eg. Priest Lane underpass)	Council requires details of drainage proposals for its review and comment. There is a need for discussion with NH to reach agreement on the drainage infrastructure associated with bridges and underpasses that will be the responsibility of the Council.	See above comments
39 <b>Drainage and the Water Environment</b>	Lack of clarity on how run-off will be treated (eg. Whinfall Park Cottages underpass)	Clarity required on the how the potentially harmful effects of highway run-off (from the A66 and detrunked sections) have been addressed. The Council requires the opportunity to review and comment on the proposals and agree the acceptability of the design where it will have future responsibility.	See above comments
40 <b>Drainage and the Water Environment</b>	Concern about new infrastructure being provided in locations where swales or existing drainage ponds can provide the necessary treatment	Council requires details of drainage proposals for its review and comment. There is a need for discussion with NH to ensure that the use of swales and drainage ponds is explored in preference to the creation of new drainage infrastructure	See above comments
41 <b>Drainage and the Water Environment</b>	Opportunities to enhance drainage designs to provide better treatment and improved biodiversity. Concern about water quality impacts and the need to protect aquatic ecology.	Council requires details of drainage proposals for its review and comment. There is a need for discussion with NH to ensure that designs achieve optimal treatment benefits and protect and improve biodiversity.	See above comments
42 <b>Walking, Cycling and Horse-riding (WCH)</b>	The Standards and Suitability of designs for walking, cycling and horse-riding are unclear.	The design specification for the provision of WCH needs to be agreed with NH and approved through the DCO process. The designs should comply with DfT/Active Travel England standards.	The Councils will continue to engage with the Applicant as the design progresses to ensure that the standard of provision provided meets the standards within LTN 1/20.
43 <b>Walking, Cycling and Horse-riding (WCH)</b>	Maintenance - future responsibilities for WCH routes is unclear and could jeopardise longevity of the provision.	the Council seeks reassurance that the WCH provision will have continuity, permanence and ongoing maintenance and will expect this to be secured through the DCO approval process.	This matter will be included in the de-trunking response above.
44 <b>Walking, Cycling and Horse-riding (WCH)</b>	It is not clear whether the design of the E-W cycle route includes provision for horse-riding	The design specification for the provision of WCH needs to be agreed with NH and approved through the DCO process.	The Councils will continue to engage with the Applicant as the design progresses to ensure that the standard of provision provided meets the standards within LTN 1/20.
45 <b>Walking, Cycling and Horse-riding (WCH)</b>	Grade separation of all A66 crossing points is required to ensure the safety of WCH users.	The design specification for the provision of WCH needs to be agreed with NH and approved through the DCO process. The approved detailed design should ensure that all WCH routes which cross the A66 are grade separated to ensure the safety of users	The Councils will continue to engage with the Applicant as the design progresses to ensure that the standard of provision provided meets the standards within LTN 1/20..
46 <b>PROW</b>	The provision for diversions and replacements for severed PROW is unclear in a number of locations. Clarity is needed on the specification for PROW provision.	A review of the detailed proposals for PROW is required to ensure that diversions and replacement routes are appropriate and acceptable to the Council. There needs to be discussion with NH to agree any design changes and the specification for PROW provision. and these will need approval through the DCP process.	The councils require further information and discussion on the diversion issue before it can confirm their position, including the PROW Management Plan.
47 <b>Appleby Horse Fair</b>	It is unclear how access and Traffic Management for Fair traffic will be facilitated. The scheme should not negatively impact on Appleby Fair and should encourage further improvements on the local network to discourage the use of the A66 by the travelling community.	The Appleby Fair Traffic Management Plan will require updating in consultation with NH as a consequence of scheme changes. The CTMP will need to develop proposals to address provision for Horse Fair traffic. Connections to existing routes used by travellers and designated stopping places will need to be maintained across the proposed dual carriageway to enable their continued use.	Paragraph 6.19.2 requests that: "Measures in the CTMP must demonstrate how horse drawn traffic can safely access Appleby Horse Fair."

Principal Issue in Question	The brief concern held by Cumbria County Council which will be reported on in full in WR / LIR	What needs to; change, or be included, or amended so as to overcome the disagreement	Likelihood of the concern being addressed during Examination.
48 49 <b>Appleby Horse Fair</b>	Safety concerns relating to non-motorised vehicles using the A66 dual carriageway. The difference in travelling speed between motorised traffic and horse-drawn vehicles will cause an increased hazard to all road users.	The Council expect NH to confirm how non-motorised traffic will be discouraged from using the A66, in particular how horse drawn traffic can effectively access Appleby Horse Fair via alternative routes. Route risk assessment to ensure the local network can accommodate safe passage of horse drawn vehicles there is continuity of alternative provision on the local network	The Councils prepared a technical assessment (Appendix B) of the effects of the Project upon Appleby Horse Fair, which was shared with the Applicant in January 2022. 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 the junction, so that fair-bound traffic does not need to travel through Appleby
50 <b>Appleby Horse Fair</b>	Absence of suitable stopping places for non motorised vehicles for travellers to the Fair	There is a need to discuss the provision of stopping places for Horse Fair traffic on local and detrunked roads that will be used in preference to the A66 The Councils expect NH to provide either direct funding to provide stopping places on the detrunked sections or ensure the work is undertaken by its contractors prior to being detrunked.	The Councils believe that the scheme has created conditions that make the likelihood of stopping by horse-drawn vehicles more likely, as a result of the new alignment and quieter de-trunked sections. Therefore, there is a need to consider this as part of the scheme design to encourage and accommodate safe stopping for those travelling to Appleby Horse Fair.
51 52 <b>Socio - economic</b>	Skills & Supply Chain - absence of assessment of impacts and need for a strategy to ensure that the project delivers benefits to the local area	Skills and Employment Strategy to facilitate and contribute to support training and upskilling to ensure that the Project contractors can make the best use of the local workforce and provide suitable support and training for those will need to re-skill. Support for local schools and colleges to increase and extend the range of courses available to ensure young people have the right skills and qualifications to secure apprenticeships and employment opportunities generated directly and indirectly by the project needs to be provided. The Council has requested a Business Support Strategy and discussion is required with NH and its contractors to ensure that local businesses are supported and encouraged to engage in training and tendering opportunities.	Whilst the Applicant's responses in paragraphs 2.8.7, 2.8.8, 2.8.10, 2.8.11 and 2.8.12 of document reference REP2-018 are noted, the Applicant has not addressed comments regarding specific requests for the following strategies, assessments and plans to the Councils' satisfaction: <ul style="list-style-type: none"> <li>• Supply chain support strategy</li> <li>• Socio-economic assessment</li> <li>• Health impact assessment</li> <li>• Benefits realisation plan.</li> </ul> The Councils consider that these are essential standalone documents required to maximise the opportunities for legacy benefits deriving from the Project: In addition, whilst the Applicant's responses in paragraphs 2.8.3, 2.8.4, 2.8.5 and 2.8.11 of document reference REP2-018 are noted, the Councils have not yet seen any of the following documents populated beyond simple templates with insufficient detail: <ul style="list-style-type: none"> <li>• Construction Worker Travel and Accommodation Plan</li> <li>• Community Engagement Plan</li> <li>• Skills and Employment Strategy.</li> </ul> The Councils would request that specific theme-based meetings with the Applicant's Delivery Integration Partners (DIPs) are scheduled as soon as possible to help guide and inform the content of all plans and strategies listed above
53 54 <b>Socio - economic</b>	Worker Accommodation Strategy. The impacts of accommodating the construction workforce are unclear and may have an adverse impact on the visitor economy, local housing and communities through use of existing accommodation or poor siting of the accommodation.	The Council has submitted an accommodation strategy principles document to NH to ensure that the workforce accommodation is suitable and can result in legacy benefits, but have yet to receive a response. The matter will need to be addressed through the Construction Management Statements as part of the DCO process	See comments above.
<b>EIA topics/mitigation relevant to local highway network</b>	Materials and Waste. It is unclear how waste is being minimised and if the waste hierarchy is being followed. Also unclear if borrow pits will be needed. There are opportunities for carbon offsetting across the scheme which have not been fully explored. Biodiversity net gain is also an issue of importance and it is not clear that local opportunities are being fully explored.	The Council needs to understand the proposals in relation to waste and materials, carbon offsetting and biodiversity net gain to ensure that these matters have been addressed. Discussions will be required with NH to ensure that the proposal address any concerns.	The Councils require further discussions and information with the Applicant. This matter remains unresolved.
<b>Communication and Collaboration</b>	Lack of information and understanding of the proposals to inform elected members	The Councils require the Applicant to improve engagement with elected Members in the nascent Westmoreland & Furness Council	The Councils and the Applicant to agree joint engagement plan to have more effective dialogue with Members, as the detailed design and construction plans are finalised.
<b>Land and Property</b>	Opposition to land acquisition, which would have a serious impact on the Council's ability to provide essential services.	There is a need for discussion and agreement with NH regarding land take that will have a serious impact on Council services.	There is a need for further dialogue regarding the impact on the Councils' land holdings including greater clarity over what land is required permanently and what land is only required on a temporary basis.