

A66 Northern Trans-Pennine Project

4.5 Statement of Common Ground Cumbria County Council and Eden District Council (Rev 3)

APFP Regulations 5(2)(q)

Planning Act 2008

**Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009**

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A66 Northern Trans-Pennine Project
Development Consent Order 202X

**4.5 JOINT STATEMENT OF COMMON GROUND WITH
CUMBRIA COUNTY COUNCIL AND EDEN DISTRICT
COUNCIL**

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A66 Northern Trans-Pennine project ("the Application") made by National Highways Limited ("National Highways") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 This SoCG seeks to summarise and explain the respective parties' positions on issues but does not seek to replicate in full information which is available elsewhere within the Application documents. All Application documents are available on the Planning Inspectorate website.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where the Applicant understands agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.
- 1.1.4 This SoCG has been prepared by the Applicant and in its view provides an accurate record of discussions to date and a summary of the issues that are either agreed, subject to further discussion or not agreed. Previous iterations of the SoCG have been the subject of discussion between the parties to this SoCG. The Applicant will work to agree and submit joint working drafts of the SoCG as the examination progresses. Prior to the end of the examination, the Applicant intends to submit jointly on behalf of both parties a final SoCG confirming what matters have been agreed and have not been agreed, and if any remain under discussion.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by National Highways as the Applicant. It has been shared with Cumbria County Council and Eden District Council for comment prior to the submission of the DCO, at DCO submission and in advance of Deadline 5. Feedback was sought from Cumbria County Council and Eden District Council from 20 February to 6 March. Feedback was provided on 7 March 2023 and has been incorporated into this Deadline 5 SoCG.
- 1.2.2 The Applicant has set out the detail of the issues raised by Cumbria County Council and Eden District Council to date and each of the SoCG parties' respective positions. This is intended to assist the Examining Authority in understanding where discussions have reached to date. The Applicant intends to narrow the issues and level of detail in this SoCG as the examination progresses and further matters are agreed.

- 1.2.3 National Highways (formerly Highways England) became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State.
- 1.2.4 Cumbria County Council is responsible for the local highway network within Cumbria, including any new local highway arising from the Application (subject to agreement). Eden District Council is the Local Planning Authority for the area covering the following areas of the A66 Northern Trans-Pennine project: M6 junction 40 to Kemplay Bank, Penrith to Temple Sowerby, Temple Sowerby to Appleby, Appleby to Brough.

1.3 Terminology

- 1.3.1 In the table in the Issues section of this SoCG:
- “Agreed” indicates area(s) of agreement from the Applicant’s perspective;
 - “Under discussion” indicates area(s) of current disagreement from the Applicant’s perspective, where resolution remains possible, and where parties continue discussing the issue to determine whether they can reach agreement by the end of the examination
 - “Not agreed” indicates a final position for area(s) of disagreement from the Applicant’s perspective, where the resolution of differing positions will not be possible, and parties agree on this point
- 1.3.2 It can be assumed that any matters not specifically referred to in the Issues section of this SoCG are not of material interest or relevance to Cumbria County Council and Eden District Council, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, unless otherwise raised in due course by Cumbria County Council and Eden District Council.

2 Record of Engagement

2.1.1 A summary of the key meetings and correspondence that has taken place between National Highways and Cumbria County Council (CCC) and Eden District Council (EDC) in relation to the Application is outlined in table 2.1.

Table 2.1: Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes
05.10.2020	Online Meeting	Meeting between CCC and Project Team to discuss the project and DCO process. Meeting included discussions on what is expected during a DCO, SoCC, Role of the Local Authorities and Drainage.
12.11.2020	Online Meeting	Meeting between CCC, National Highways and the Project Team to discuss updates. Meeting included discussions on SoCC and PPA.
07.12.2020	Online Meeting	Monthly meeting between CCC, EDC, National Highways and the Project Team to discuss the programme and general updates. Meeting included discussions on Draft SoCC, EIA and PPA
23.12.2020	Online Meeting	Meeting between CCC, National Highways and the Project Team to discuss ongoing actions. Meeting included discussions on the Draft PPA and Programme.
11.01.2021	Online Meeting	Meeting between CCC, National Highways and the Project Team for discussions on Heritage. Meeting included discussions on Engagement with Historic England, Geophysics Surveys, LIDAR and Intrusive Surveys.
15.01.2021	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss project updates. Meeting included discussions on PRoW Requests, Stakeholder Engagement Communication Strategy and Site Access.
20.01.2021	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss stakeholder engagement. Meeting included discussions on SoCC, Hard to Reach Groups, Locations for Consultation, Consultation Material and Local Publications.
02.02.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Highways Updates. Meeting included discussions on DMRB Standards, Local Roads, Future Workshops, Traffic Modelling and Programme for Statutory Consultation.
05.02.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team to discuss project updates. Meeting included discussions on SoCC, Warcop, Environmental Update and Local Authority Update.
08.02.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on the Evidence Plan, Scheme Overview and the Proposed baselines surveys, modelling and assessment to underpin the HRA.

Date	Form of correspondence	Key topics discussed and key outcomes
09.02.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage Technical Working Group (TWG) (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on the Evidence Plan, Project Overview, Update on Report for Geophysics, Design Development and Archaeological Trenching.
11.02.2021	Online Meeting	Meeting between CCC and the Project Team to discuss highways updates. Meeting included discussions on M6 J40, Kemplay Bank Roundabout, Penrith to Temple Sowerby.
11.02.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on the Evidence Plan, Scheme Overview and Assessment Methodology.
02.03.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Works to be Completed, Watercourse Crossings and Key SW Receptors Overview.
02.03.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Works to be Completed and Key GW Receptors Overview.
12.03.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on the Research Agenda, Designated Funds Opportunities, Discussion of Developing Design at Brougham and Archaeological Trenching.
12.03.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions the Evidence Plan, a scheme-by-scheme Overview, Viewpoint Consultation, Landscape Character Assessment, AONB Management Plan, Area of High Landscape Value.
16.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss project updates. Meeting included discussions on Access for Emergency Services, Adoption Records and Departures.
16.03.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Ornithology Strategy, Bats and Red Squirrels.

Date	Form of correspondence	Key topics discussed and key outcomes
17.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Highways Package A. Meeting included discussions on Kirkby Thore and Crackenthorpe.
18.03.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussion on Site and Proximity to schemes, Biodiversity Survey Strategy and HRA Baseline, Baseline Surveys Strategy and Introduction to SAC fluvial geomorphology.
19.03.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing project updates. Meeting included discussion on Programme, DCO Updates, Design Updates Environmental Updates and Local Authority Updates.
19.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Highways Package B. Meeting included discussions on Kemplay Bank Design, Junction 40 and Technical Approvals Process.
25.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Walking, cycling and horse riding (WCH) facilities for Highways Package B Meeting included discussions on Existing NMU routes, Amendments to routes/proposed alterations and Diversions. It was noted in the meeting that North South Connectivity is an important consideration to CCC.
26.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss the existing A66 De-trunking and Maintenance. Meeting included discussions on Areas of De-trunking, Process of De-trunking, Maintenance Interfaces, Maintenance Responsibilities and Design Requirements. It was noted in the meeting that CCC would request detailed surveys of any sections they are to adopt ahead of adoption.
29.03.2021	Online Meeting	Meeting between CCC and the Project Team to specifically discuss the Appleby to Brough section of the scheme. Meeting included discussions on Café 66, Warcop and the Eastern tie in.
08.04.2021	Online Meeting	Meeting between CCC and the Project Team to discuss information requests outstanding. Meeting included discussion on Objectivity Connect, GI Licenses and Members Workshop.
13.04.2021	Online Meeting	Meeting between CCC and the Project Team to discuss general updates. Meeting included discussion on GI Licenses and Information for Members Workshop.
14.04.2021	Online Meeting	Meeting between CCC and the Project Team to discuss upcoming member's workshop. Meeting included discussions on Information within Presentation, Workshop Process and Members Engagement.
14.04.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application

Date	Form of correspondence	Key topics discussed and key outcomes
		Document Number 3.4)). Meeting included discussion on Evidence and Survey Strategy Documents, Environmental Scoping Report, Further options Assessment and Research Framework and Geo Modelling.
23.04.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on Environmental Updates, General Design Updates, Programme and DCO Updates. It was noted in the Meeting that CCC need early warning of actions to understand how it can be resourced under the PPA and Work Packages.
26.04.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Skirsgill within Highways Package B. Meeting included discussions on General Updates, Skirsgill Depot Access and Kemplay Bank Access.
26.04.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Zone of Theoretical Visibility (ZTV), Definition of North Pennine Area of Outstanding Natural Beauty (AONB) Setting, Special Qualities of the Great Bridge and Bowes Conservation Areas.
29.04.2021	Online Meeting	Meeting between the CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Badger Bait Marking, Otter Halt Monitoring, MoRPH, and Air Quality and Affected Road Network (ARN).
06.05.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Progress, Flood Modelling Overview, Survey Updates, DCO Process and Designated Funds.
06.05.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on GW Abstraction, Assessment Area and Attenuation Ponds.
07.05.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on DCO/Consultation Updates, General Design Update, Environmental Update and Local Authority Update. It was noted in the Meeting that WSP will represent both CCC and EDC all though with different leads.
10.05.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on RFI's, Drawing Review Programme and PPA. It was noted in the meeting by the Project Team that CCC/WSP would not have a lot of time to review the

Date	Form of correspondence	Key topics discussed and key outcomes
		drawings and therefore a process is needed to be discussed and agreed.
14.05.2021	Online Meeting	Meeting between CCC, National Highways and the Project Team to discuss highway design development. Meeting included discussions on Design Updates, Programme, Collaborative Approach to Reviewing Designs and Traffic Modelling. It was noted in the meeting a draft process for CCC/WSP reviewing drawings issued by the Project Team.
18.05.2021	Online Meeting	Meeting between CCC and the Project Team to discuss highway design development. Meeting included discussions on Programme and Progressive Assurance.
20.05.2021	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss actions around Highways Package A. Meeting included discussion on Updates to Kirkby Thore Options, Local Arrangements, Updates to Options at Warcop and Side Roads Strategy and Junctions. It was noted in the meeting that the preferred option at Warcop would take the route north into the AONB.
21.05.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on the DCO/Consultation Update, Environmental Updates and Local Authority Updates.
24.05.2021	Online Meeting	Meeting between CCC/EDC and the Project Team to at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on the M6 Junction 40 Penrith, Kemplay Bank Roundabout, Penrith to Temple Sowerby (east and west), Temple Sowerby to Appleby, Appleby to Brough, Bowes Bypass, Cross Land to Rokeby, Stephen Bank to Carkin Moor and Options Appraisal.
08.06.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting discussions include Research Framework, Option Appraisal, Evidence and Survey Strategy and Geoarchaeological Modelling.
10.06.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Bat Surveys (Overview of methods).
11.06.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on EIA Scoping Report, RFI's, PPA and Enabling Works.
15.06.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Progress, Works to be Completed and Design Options.

Date	Form of correspondence	Key topics discussed and key outcomes
15.06.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Progress, Ongoing Work and Focus Points.
17.06.2021	Online meeting	Meeting between EDC, National Highways and the Project Team for update on the scheme. Meeting included discussions on Llama Karma Kafé, Replacement Football Pitches and the MOD.
18.06.2021	Online Meeting	Meeting between CCC, EDC and the Project Team discussing ongoing actions. Meeting included discussions on General Design Updates and Environmental Updates. It was noted in the meeting that David Haughian will be the new Senior Programme Manager for CCC.
18.06.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions on Design Review Process, Drawings Review, Updates on the Comment Log and the Programme. It was noted in the meeting that WSP will provide a comments log following their review of the drawings.
28.06.2021	Online Meeting	Meeting between the CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on the M6 Junction 40 Penrith, Kemplay Bank Roundabout, Penrith to Temple Sowerby (east and west), Temple Sowerby to Appleby, Appleby to Brough, Bowes Bypass, Cross Land to Rokeby and Stephen Bank to Carkin Moor.
01.07.2021	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss planned public engagement. Meeting includes discussions on Seldom Heard Groups, Proposed Engagement Methods and Statutory Consultation.
02.07.2021	Online Meeting	Meeting between CCC, EDC and the Project Team discussing ongoing actions. Meeting included discussions on DCO /Consultation Updates, Design Updates, Environmental Updates and Local Authority Updates.
08.07.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussion on Proposed Route Alternatives, Site Trout Beck Geomorphology Modelling, HRA Programme and Documentation and Sleastenhow Restoration.
12.07.2021	Online Meeting	Meeting between CCC and the Project Team discussing ongoing actions. Meeting included discussions on Progressive Assurance, Programme, SoCG and PPA.
16.07.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on Programme and Key Components and Design Updates.

Date	Form of correspondence	Key topics discussed and key outcomes
23.07.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions on Work Packages and the Comments Log. It was noted in the meeting that the Project Team are just needing high-level comments from CCC/WSP due to time constraints.
29.07.2021	Online Meeting	Meeting between CCC and the Project Team to discuss watercourse culverts. Meeting included discussions on Culverts, Flood Risk and Flood Modelling.
30.07.2021	Online Meeting	Meeting between CCC, EDC and the Project Team discussing ongoing actions. Meeting included discussions on Programme, DCO Consultation Process, Design Updates, Environmental Updates and Local Authority Updates.
03.08.2021	Online Meeting	Meeting between CCC and the Project Team for a design review. Meeting included discussions on Junction 40 and Kemplay Bank. It was noted in the meeting that CCC had concerns over the impact of the design to the access to Skirsgill Depot (allocated future employment site).
06.08.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions on the Design Review Process. It was noted in the meetings that CCC/WSP were now reviewing higher-level comments than detailed.
10.08.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Ornithology, Bats, Mammals, Terrestrial Inverts, River Corridor Survey and Macrophytes, Aquatic Inverts, Fish Surveys, White-clawed surveys and Key PEI Report Findings.
11.08.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Study Area, Key Findings from the PEIR, Potential Impacts, Design Mitigation and Enhancement and Potential Significant Effects.
12.08.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Updates on Surveys, HRA Documentation Programme, HRA Screening Summary and Scheme Details.
13.08.2021	Online Meeting	Meeting between CCC, National Highways and the Project Team to discuss highway design development. Meeting included discussions on Programme, DCO Consultation Process, Design Updates, Environmental Updates and Local Authority Updates.
18.08.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application

Date	Form of correspondence	Key topics discussed and key outcomes
		Document Number 3.4)). Meeting includes discussions on Key PEI Report Findings and a scheme-by-scheme review.
20.08.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions Comments Log and Statutory Consultation.
26.08.2021	Online Meeting	Joint LA Meeting between CCC, NYCC, EDC, National Highways and the Project Team. Meeting included discussions on Project Updates, Programme, Consultation, PPA, Ways of Working and Terms of Reference.
08.09.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Traffic Regulation Orders. Meeting included discussions on Side Road Orders and Data held by CCC.
10.09.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions on NMU Movements and Design Updates.
20.09.2021	Online Meeting	Meeting between CCC and the Project Team to discuss departures. Meeting included discussions on De-trunking, Agreeing Departure Process, Diversion Routes and Funding. It was noted in the meeting that CCC are looking to develop their own De-trunking Strategy.
23.09.2021	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on PPA, Route Wide Considerations and SOCGs.
08.10.2021	In person meeting	Introduction meeting with new NH Senior Project Manager and update on current issues and concerns (not attended by EDC)
26.10.2021	Online Meeting	Meeting between CCC and the Project Team to discuss highway design development. Meeting included discussions on Appleby Junction Arrangements.
02.11.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on Feedback to Statutory Consultation, Updates on research Framework, Geoarchaeological Modelling and Surveys.
02.11.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on PEIR Recap, Feedback from Stat Con and an Update on Ongoing Works.
02.11.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on PEIR Recap, Feedback from Stat Con and Update on Ongoing Works.
03.11.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical

Date	Form of correspondence	Key topics discussed and key outcomes
		Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Survey/Assessment Updates, Response to Feedback and Requests for Specific Design Elements.
11.11.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Habitats, Reptiles, Ornithology, Bats, Mammals, Freshwater Ecology and Feedback following Statutory Consultation period.
25.11.2021	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on Programme, A66 Updates, Summary of Statutory Consultation Responses, Local Authority Updates, Experiences with DCOs and Stakeholder/Communications Update.
26.11.2021	Online Meeting	Meeting with CCC to discuss consultation responses.
01.12.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Key Findings from Stat Con, LVIA Update and the Landscape Design Approach.
03.12.2021	Online Meeting	Meeting between CCC, EDC and National Highways and the Project Team to discuss Project Updates. Meeting included discussions on Local Authority Updates, Identification of Topics for Future Meetings, Public Open Space Updates and Design Updates. It was noted in the meeting that CCC will be going through a restructure in 2022 and therefore communication might become difficult.
09.12.2021	Online Meeting	Meeting between CCC and the Project Team on Progressive Assurance. Meeting included discussions on Design Updates at Appleby and Kirkby Thore, Public Open Space, Long Marton and Kemplay Bank Western End.
14.12.2021	Online Meeting	Meeting between CCC, WSP, EDC, Project Team and National Highways to discuss Walking Cycling and Horse-riding principles across the schemes. Meeting included discussions on Scope of Works, Designated Funds and Barriers to Connectivity.
16.12.2021	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on Terms of Reference, A66 Updates, Stakeholder/Comms Updates, Local Authority Updates and SOCGs.
10.01.2022	Online Meeting	Meeting between CCC, EDC, WSP, Project Team and National Highways to discuss comments relating to Parking and Traffic Modelling. Meeting included discussions on Junction 40 Traffic Count, Pedestrian Movements, Skirsgill

Date	Form of correspondence	Key topics discussed and key outcomes
		Depot, Kirkby Thore, Center Parcs, Eamont Bridge and Parking in Penrith
13.01.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways to discuss comments relating to Population and Human Health. Meeting included discussions on Scope, Methodology, Key themes and Responses to Consultation. It was noted in the meeting the CCC would like to see more information of how visitors to the Fairs are considered and the impact on rat-running on locals.
14.01.2022	Online Meeting	Discussion with CCC/EDC, Project Team and National Highways to discuss the supplementary consultation.
17.01.2022	Online Meeting	Discussion with CCC/EDC, Project Team and National Highways to discuss the supplementary consultation.
18.01.2022	Online Meeting	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussion on Geoarchaeological Modelling Exercise, Survey Updates and Design Updates.
18.01.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways for the first session to discuss the Approach to Project Design Principles. Meeting included discussions on Environmental Mitigation, BNG and Project Design Report.
19.01.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways to discuss comments relating to Technology and Operations. Meeting included discussions on Existing Technology, Retained Proposed Technology, Response to Statutory Consultation, Engagement with Cumbria Police. It was noted in the meeting that CCC want further information about how speed limits are to be enforced.
20.01.2022	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on LVIA Update and a Scheme Update.
24.01.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways for the second session to discuss the Approach to Project Design Principles. Meeting included discussions on BNG, Trout Beck, Roman Road and AONB.
26.01.2022	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Surveys, Construction Mitigation Methods, Species Specific, Design Mitigation, Scheme-by-scheme mitigation.
26.01.2022	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application

Date	Form of correspondence	Key topics discussed and key outcomes
		Document Number 3.4)). Meeting included discussions on Surveys, Construction Mitigation Methods, Species Specific, Design Mitigation, Scheme-by-scheme mitigation.
31.01.2022	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on LVIA Update and a Scheme Update.
22.02.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways for discussion around Diversionary Impacts during Construction and Traffic Modelling. Meeting included discussions on General Updates and Feedback on Traffic Modelling. It was noted in the meeting that CCC/EDC do not believe the traffic model accurately the issues at Junction 40.
24.02.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on A66 Updates, Stakeholder/Comms Updates and Local Authority Updates.
10.03.2022	Online Meeting	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on Delivery Partners, Research Framework, Delivery Plan and Survey Updates.
11.03.2022	Online Meeting	Meeting between CCC, EA, National Highways and the Project Team discussing Water Modelling and joint working. Meeting included discussions on Warcop, Culverts, Drainage Ponds, Designated Funds and Community Engagement.
11.03.2022	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss project updates. Meeting also included discussions on SOCGs, Junction 40 Modelling, WCH Provision at Junction 40 and Kemplay Bank, Penrith to Eamont Bridge and Programme.
17.03.2022	Online Meeting	Meeting between CCC and the Project Team on Progressive Assurance. Meeting included discussions on Project Speed, Designated Funds, EMP, WCHAR Access at Junction 40.
24.03.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on EMP and the DCO Process.
30.03.2022	In Person	Meeting at A66 Project Hub with NH Project Director and CCC leadership team – regular meetings to take place going forward
07.04.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing ongoing actions. Meeting included discussions on SOCGs, Work Packages, Opposition Groups, Consultation Report. It was noted in the meeting that the LA's would appreciate an early version of the Consultation Report due to the short time frame they have to respond to it.

Date	Form of correspondence	Key topics discussed and key outcomes
20.04.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team
03.05.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team
12.05.2022	In Person	Meeting between EDC and the Project Team for a site walk around Wetheriggs Park to understand impacts of development.
10.05.2022	Online Meeting	Meeting between CCC, Cumbria Fire and Rescue and the Project Team discussing Skirsgill Depot
24.05.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team.
10.06.2022	In Person	Meeting at Skirsgill Depot to discuss CCC owned land parcels
23.06.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on enabling works and TCPA applications.
19.07.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team.
01.08.2022	Online Meeting	Online meeting jointly with CCC and EDC to discuss approach, full review to be scheduled for w.c. 29 August and to schedule topic specific sessions to discuss content. EDC request for presentation of material on particular topics as a result of consultation.
15.08.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on resources for the LAs and requested documents for PINS.
31.08.2022	Online Meeting	Meeting between CCC, EDC, Project Team and DIPs to discuss future engagement. Meeting included discussion on enabling works and how the DIPs will engage with the LAs.
16.09.2022	In Person	Meeting at A66 Project Hub - CCC follow up meeting with NH Project Director and CCC leadership team
22.09.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on PADSS, PPAs and the separate National Highways freight study.
26.09.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on priority topics and Wetheriggs Country Park.
24.10.2022	Online meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included Accommodation Strategy.
27.10.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on priority topics.

Date	Form of correspondence	Key topics discussed and key outcomes
28.10.2022	Online meeting	CCC follow up meeting with NH Project Director and CCC leadership team.
07.11.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on priority topics.
21.11.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on priority topics.
24.11.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on enabling works and TCPA applications.
08.12.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team.
12.12.2022	Online Meeting	Joint meeting between EA, CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss Flooding issues along the scheme.
22.12.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on HGV study and future engagement.
05.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing Wetheriggs Country Park masterplan.
10.01.2023	Online meeting	Potential impacts on the Gypsy and Traveller community.
11.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing flooding and drainage. Meeting included discussions on future joint projects.
12.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing Biodiversity Net Gain. Meeting included discussions on the requirements for DCO and maximising delivery.
12.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing Socio-Economics
13.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing design and connectivity.
13.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing landscape and design principles.
13.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing noise and air quality.
16.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing traffic modelling.
16.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing carbon
18.01.2023	Online Meeting	CCC leadership meeting with NH Project Director focused on funding

Date	Form of correspondence	Key topics discussed and key outcomes
20.01.2023	Email Correspondence	Email from representative of Cumbria County Council and Eden District Council on the draft of the SoCG confirming their position on issues considered within the SoCG.
30.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on priority topics.
31.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing Wetheriggs Country Park masterplan.
01.01.2023	In Person	Meeting at Skirsgill Depot with the NH delivery partners
09.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing archaeology.
09.02.2023	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team to discuss accommodation and skills plan
10.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing the EMP and carbon.
13.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing active travel.
15.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing noise and air quality.
16.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing traffic modelling.
09.03.2023	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team – main topics discussed were progression of PADSS/SoCGs post Deadline 5 and review of other regular meetings

2.1.2 It is understood that this is an accurate record of the key meetings and other forms of consultation and engagement undertaken between (1) National Highways, (2) Cumbria County Council and (3) Eden District Council in relation to the issues addressed in this SoCG.

3 Issues

Tables 3-1, 3-2 and 3-3 provide a summary of the issues raised between the parties and the status. Appendix A provides further detail in relation to historical positions set out by either party in discussing these issues, where relevant, to provide further context to the Examining Authority on the dialogue.

Table 3-1: Record of Issues – Agreed Issues

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
3-1.1 North-South Connectivity - Skirsgill.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	Skirsgill Depot: routes accessing from the west by motorised vehicle can be increased by 2km, as the secondary access from the M6 slip road will be removed. To mitigate this impact, it is recommended that the M6 slip road access to Skirsgill Depot is retained (we believe this has now been reinstated so this point could be removed)	In respect of concerns regarding the access from Skirsgill depot to the M6 southbound on-slip, we have amended our design to retain the existing access.	Agreed
3-1.2 North-South Connectivity – Llama Karma Kafé and Sewage Works.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	The former Llama Karma Kafé & Sewage Works: right turns from/into these sites will be prohibited resulting in an approximate 5km detour. NH to clarify the future use of this site.	Planning permission has been granted by Eden DC for the use of the Llama Karma Kafé as a Project Hub. Any future use would require a further planning application should there be a subsequent change of use.	Agreed
3-1.3 Environmental Mitigation – Air Quality	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164) WP9	Air quality (NO2) exceedances are expected on Ullswater Road. The PEI Report is not clear on whether these are new exceedances or just deteriorating exceedances. Eden District Council is statutorily obliged to put measures in place to address these.	The predicted air quality exceedance in the PEI Report on the property on the corner of Ullswater Road was a new exceedance. Further detailed modelling has been undertaken as part of the Environmental Impact	Agreed Commentary on outstanding air quality matters is included at Table 3-2.

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
			Assessment, as new baseline traffic data has been provided. Further detail on the Applicant's position has been included at Appendix A.	
3-1.4 North-South Connectivity – Appleby Bypass.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	SECTION E – APPLEBY BYPASS 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 (review against WCH proposals).	We believe this relates to footpath 317004 which connects under the existing A66. This section of the A66 will form part of the de-trunked network and we are seeking to agree an appropriate standard with Local Authorities for de-trunked sections of the A66.	Agreed - This will be covered within the separate de-trunking agreement being progressed.
3-1.5 North-South Connectivity – Brougham Castle to Temple Sowerby Design.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	SECTION B – BROUGHAM CASTLE TO TEMPLE SOWERBY BYPASS <ul style="list-style-type: none"> The footpath from Center Parcs that joins the existing A66 opposite an existing layby terminates at the A66, with no existing provision for pedestrians along the A66. The nearest continuation for pedestrians is an unnamed road approximately 350m to the west. The proposals do not make any provision for this footpath (the WCH proposal may have addressed this?). The byways and footpaths to the north of the A66 close to Hornby Hall are severed	A shared cycle/footway parallel to the dual carriageway has been proposed within the scheme extents between Penrith and Temple Sowerby. All existing Public Rights of Way (PRoW) will remain.	Agreed

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		for pedestrians, cyclists and horse riders (check against WCH proposals)		
3-1.6 North-South Connectivity - Severance.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	There should be no loss of North-South connectivity (severance) as a result of the Scheme.	National Highways are committed to restoring any north-south connections that may occur as a result of the project to prevent the severance of communities. Further detail on the Applicant's position has been included at Appendix A (3-2.2 General Design Comments)	The parties agree that this is resolved within the remit of the scope of the Project but will be subject to continued detailed design development post making of the DSCO. CCC/EDC would wish to retain this point in relation to ensuring this is retained in the detailed design.
3-1.7 Environmental Mitigation – Water Environment	WP16	The Councils' response to the S42 Consultation stated the assessment of the effects upon the water environment that had been presented within the PEI Report were satisfactory given the status of the design of the A66 NTP. However, there were fundamental aspects of the design and subsequently the assessment that were absent and had not been fully considered that needed to be provided within the ES. Further detail on the Local Authority position is set out at Appendix A.	Further detail on the Applicant's position has been included at Appendix A (3-1.7 Environmental Mitigation – Water Environment).	The parties agree that the assessment as submitted meets the technical requirements. Discussions are continuing on the acceptability of the proposals as outlined in table 3-2.
3-1.8 Schools and College engagement	Approach to Sustainable Design (Session 1) 18/1/2022	To engage the local community and younger generations the IPT should engage with schools and colleges and	We welcome the possibility of further engagement with schools and colleges within the local community in order to promote,	Agreed

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		have students possibly attend on site surveys to further their learning.	not only awareness of the project, but also further education of students through practical means. We can confirm there is no issue outstanding between the parties and engagement will continue throughout the project.	
3-1.9 Co-location of technology	Technology and Operations 19/1/2022	The Councils would like to see co-locating of technology where possible to make maintenance more efficient and safer.	The designs of the routes have been planned out in line with National Highways Design Manual for Roads and Bridges (DMRB). This can be explored as part of the detailed design post-DCO.	Agreed - The parties agree that this is resolved subject to continued detailed design development throughout the DCO process.
3-1.10 Variable Messaging System (VMS) warning and provision	Technology and Operations 19/1/2022	Concerns raised by CCC/EDC over the lack of VMS provisions across the route and would like to see a better warning system with CCC/EDC given more access to warnings.	The Project aims to maintain the current provision of VMS on the A66. Our design drawings include the replacement of one existing VMS sign and the provision of two additional signs, one at the Center Parcs Junction and one prior to Kemplay Bank. We can commit to working with CCC/EDC to investigate the feasibility of informing Host Local Authorities of incidents and messaging on the A66 VMS.	Agreed - The parties agree that this is resolved subject to continued investigation of the feasibility post making of the DCO.
3-1.11 HGV parking and service provision across the route	Response to National Highways' Statutory Consultation – A66 Northern Trans	There is a need for National Highways to identify measures to ensure adequate HGV parking and service provision is provided across the A66 corridor.	We have met with the Councils to discuss CCC's concerns regarding the demand for HGV facilities. We acknowledge there may be demand for improved HGV	Agreed - within the remit of the A66NTP scope.

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
	Pennine Project (pages 163-164)	Further detail on the Local Authority position is set out at Appendix A.	<p>facilities along the A66, but this is outside the scope of the A66 NTP project. We can confirm that laybys have been proposed in the preliminary design in accordance with Design Manual for Roads and Bridges (DRMB) standards.</p> <p>A meeting took place on 22 December 2022 with CCC/EDC to discuss the separate National Highways Freight Study . This study is outside the scope of A66 NTP.</p> <p>The latest National Highways position on HGV facilities is set out at section 2.7 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018).</p>	
3-1.12 Use of digital technology and resilience.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>There are opportunities to utilise digital technology across the A66 to improve the resilience of the route, specifically in relation to adverse weather/flooding and accident alerts.</p> <p>Within the Councils' Technology WP4 there are clear recommendations setting out how the scheme can be enhanced through the provision of technology on the A66. The Councils would expect guarantees from NH that the</p>	<p>We have received the CCC work package paper on technology.</p> <p>The parties agree that this is resolved subject to continued design development opportunities to further develop the approach to technology as part of the detailed design which will continue after the submission and post-approval of the DCO (should it be granted).</p>	Agreed

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		<p>recommendations/opportunities identified in the work package are included in the scheme design and principles documents for the scheme to be acceptable to the Councils.</p> <p>It is not accepted that this matter can simply be left to the detailed design stage.</p>		
3-1.13 Decommissioning / Retaining of Technology	A66 De-trunking and return of Assets 27/1/2022	CCC would like to explore the potential value of retaining some of the technology on the de-trunked sections that would help with their operation. This includes the speed camera at Kirkby Thore.	We welcome further engagement post DCO with CCC and EDC as we seek to cover what existing technology can remain in situ when de-trunked.	Agreed - The parties agree that this is resolved subject to continued design development post making of the DCO.
3-1.14 North-South Connectivity - Warcop.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	Warcop: Connectivity from Warcop towards the east will be reduced as the current right turn provision will be prohibited resulting in a 2km detour.	<p>There will be east and west connectivity at Warcop. Whilst there will be a slight increase in journey times to access the A66 eastbound, this will contribute to the safe operation of the A66 and there is no overall loss of connectivity.</p> <p>We will continue to engage with the Councils on this issue and seek agreement that its proposals represent the optimal solution and that any adverse effects of the scheme associated with connectivity from Warcop towards the east have been appropriately mitigated.</p>	Agreed.

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
3-1.15 North-South Connectivity - Langrigg.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	Langrigg: Accessing Langrigg from the A66 west will result in a 3.6 km detour.	For access into Langrigg from the west, users would leave the A66 at the Warcop junction and travel on the existing A66, there would be no significant increase in journey lengths or time to access the Langrigg junction.	Agreed
3-1.16 North-South Connectivity - Appleby.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>There is a footpath that crosses the existing bypass as an uncontrolled crossing point. The footpath links the minor road leading east out of Appleby, also part of NCN 68 with the B6542, to the south of Appleby. This crossing is not to current standards and should be grade separated.</p> <p>Existing roads leading into Appleby from either side of the town do not have facilities for active travel modes. These routes should be upgraded to LTN 1/20 standards to provide segregated facilities for cyclists and pedestrians.</p>	<p>Connections across the existing bypass or existing roads into Appleby are outside of the scope of the A66 NTP.</p> <p>These issues are also set out at paragraph 6.6 of the Council's LIR and are addressed in the Applicant's Comments on Local Impact Report (REP2-018), at paragraph 2.5.8.</p>	Agreed
3-1.17 Level of detail in the DCO		CCC/EDC have raised the issue that they are wanting to see a greater amount of detail ahead of the DCO application. The concern is details left to the Detailed Design Stage maybe removed without CCC/EDC being able to input.	As part of Project Speed, to ensure all works can be accommodated within the Red Line Boundary, a reasonable worst-case scenario has been used to establish a baseline. Therefore, taken into the DCO are high-level considerations which will be narrowed down at detailed	Agreed - the parties accept further engagement on the detailed design will be post making of the DCO.

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		<p>It is understood CCC and EDC have a concern regarding lack of detail regarding some key elements of the scheme but are seeking to address this by addressing further comments to the EMP and seeking controls over further details as part of the design process.</p>	<p>design when more detailed assessments can be undertaken.</p> <p>We commit to continuing engagement with the Host Local Authorities post DCO examination to address any continuing concerns regarding the level of detail in the DCO.</p> <p>National Highways are willing to consider any specific changes to the EMP which may address residual concerns. We understand these concerns will be provided at Deadline 5.</p>	
<p>3-1.18 North-South Connectivity – Appleby bypass to Brough Design.</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>SECTION F – APPLEBY BYPASS TO BROUGH BYPASS</p> <ul style="list-style-type: none"> • There is a need to ensure the proposed underpass to the east of Café 66 is of a suitable specification to cater for equestrians and pedestrians, with suitable segregation. • As the route deviates south of the current alignment a number of PRoW are re-routed under the A66 in order to re-join the existing A66. • At Warcop, to the east of the station, a local road and footpath that currently 	<p>A shared cycle/footway parallel to the dual carriageway has been proposed within the scheme extents between Appleby and Brough. All existing PRoW will remain.</p> <p>The WCH proposals east of Café 66 allow for an accommodation underpass for local farm access which would give pedestrians a segregated crossing of the dual carriageway.</p> <p>We assume this refers to the existing track to the west of the Bivouac site and the footpath</p>	<p>Agreed - The parties agree that this is resolved subject to continued design development post making of the DCO.</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		<p>join to the A66 are severed, making these links unusable.</p> <p>At Warcop and Brough, local roads are diverted to cross the new A66 alignment, with the provision for walking, cycling and horse-riding to be confirmed. These are important links for providing a network of PROW routes and ensuring the new road does not sever connectivity.</p> <p>The Council's in their DL2 submission – Response to Comments on Relevant Representations (REP2-030) for issues associated with Walking Cycling and Horse Riding (pages 7-8) 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. They state no new information has been shared with the Councils.</p>	<p>(372020) which runs to the south of the Bivouac site. No works are proposed to the PROW in this location. The road will be stopped up where it meets the new A66 dual carriageway.</p> <p>Provision for PROW routes at Warcop and Brough are set out in detail in the WCH proposals. In relation to Brough, bridleway 309003 and Footpaths 309004 and 329001 terminate at the existing A66. The proposals include a grade-separated junction at this location for traffic accessing the A66. This would allow for an underpass to give pedestrians a segregated crossing of the dual carriageway. This would allow onward journeys north and south of the A66. In addition, a shared cycleway/footway is proposed on the north side of the dual carriageway to facilitate onward journeys eastwards into Brough and westwards towards Warcop.</p> <p>Section 5 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018) sets out National Highways current position on Active Travel (including</p>	

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
			<p>Appleby Horse Fair). Paragraphs 2.5.12 of the Applicant’s Comments on Local Impact Report (LIR) (REP2-018) states that "additional infrastructure may be required to tie into the local road network at, for example Coupland Beck" and confirms that NH will, "seek to use designated funds within RIS3" for this.</p>	
<p>3-1.19 Workforce accommodation strategy</p>	<p>Response to National Highways’ Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>The Councils have 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.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to workforce accommodation (at page 38). They state:</p> <p>“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.”</p>	<p>The Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), REP3-004) includes a commitment to develop a Skills and Employment Strategy, which will be the responsibility of the Principal Contractor (PC).</p> <p>The EMP also has a “Construction Worker Travel and Accommodation Plan” listed as a subsidiary plan.</p> <p>Further detail on the Applicant’s position is set out at Appendix A.</p>	<p>Agreed - CCC/EDC would wish to retain this point but the parties accept the need for further engagement post making of the DCO..</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
3-1.20 Public Open Space (Wetheriggs Country Park)	Approach to Sustainable Design (Session 1) 18/1/2022	<p>Changes to the Public Open Space (POS) are to be put forward to the local community for further engagement to determine whether they would want either compensatory land or enhancements to the existing POS.</p> <p>We have concerns about the impact on the area, both in terms of the overall impact on the country park, on its users, and on the ability of the residual area to support formal sports pitches as it does at present.</p> <p>Further details on the Local Authorities' position are set out at Appendix A.</p>	<p>We have met with EDC to discuss the issues in relation to Wetheriggs Country Park and acknowledge the need to improve the connection between the existing open space and the new proposed open space.</p> <p>The existing football pitch at Wetheriggs Country Park is not within the red line for the DCO and will not be required for the construction of the A66 NTP.</p> <p>We are aware from consultation of the concerns regarding United Utilities (UU) Infrastructure in Wetheriggs Country Park. We are engaging and will continue to engage with UU on the movement of infrastructure to construct the Kemplay Bank scheme.</p> <p>NH have agreed to a Work Package with EDC on the creation of a masterplan for Wetheriggs Country Park via the Designated Funds route as this is outside of the A66 NTP scope. The Council will be leading the preparation of the masterplan with their appointed consultants. National</p>	Agreed

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
			Highways will continue to engage with EDC on this masterplan.	
3-1.21 Brough Hill Fair	Population and Human Health 13/1/2022	CCC/EDC are concerned of the impact of the scheme on the operation of Brough Hill Fair and the land where it is hosted.	<p>We undertook supplementary consultation to seek views on options for the re-provision of land for the Brough Hill Fair. Following this consultation, the bivouac site was taken forward within the DCO for the re-provision of the Fair.</p> <p>National Highway's current position on Brough Hill Fair is set out at Agenda Item 5 and Appendices 5 to 9 inclusive, of Deadline 1 Submission – 7.3 Issue Specific Hearing 2 (ISH2) Post Hearing Submissions (REP1-009).</p>	Agreed - National Highways can commit to continuing to engage with the Authorities in relation to the operation of the fair.

Table 3-2: Record of Issues – Under discussion Issues

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
3-2.1 De trunking	<p>Pre-application discussions</p> <p>Deadline 4 Response (REP4-023)</p>	<p>In various locations, the proposed draft DCO boundary excludes significant areas of highway to be 'de-trunked'. There are no specific drawings indicating the lengths of carriageway to be de-trunked as part of the statutory consultation.</p> <p>Further details on the Local Authority position are set out at Appendix A.</p> <p>The condition of proposed de-trunked sections of the A66 needs to be provided at an acceptable standard to the Highway Authority prior to adoption.</p> <p>At Deadline 4 CCC & EDC stated ((REP4-023): The Council is aware of its statutory duties, under the Highways Act 1980, that will apply to new, altered or diverted de-trunked highway after the scheme is open to traffic. This would include winter maintenance. The scope of the phased maintenance requirements and associated timescales have not been set out in detail within the Construction Traffic Management Plan [APP- 033].</p> <p>Therefore, the Council requires a legal side agreement to clarify this and for the agreement to align with the Applicant's own contractual arrangements with its contractors; any construction defects would remain the responsibility of the</p>	<p>We can confirm that the lengths of road to be de-trunked will be subject to the DCO powers to effect the de-trunking.</p> <p>We are committed to ensuring de-trunked sections are acceptable in terms of standard to Local Authorities. We can confirm this has been discussed with the Local Authorities as part of the pre-application process.</p> <p>National Highways have also responded on this matter in Section 4.8 of the Applicant's Comments on Local Impact Report (Document Reference 7.9, REP2-018).</p> <p>We will continue this discussion to agree the strategy for de-trunking. It has been agreed that a de-trunking agreement will be produced to reflect matters agreed with the Local Authorities. This is the</p>	<p>Under discussion. De-trunking discussions are progressing alongside the DCO. A further meeting is to be arranged with all LAs and National Highways to finalise the detail in the strategy at a meeting in late March). It is understood that residual issues relate to the funding of the de-trunking works and maintenance periods.</p>

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		<p>Applicant for a period of 12 months from the completion of the highways works as is standard practice for the construction of new highway.</p> <p>De-trunking works will be designed in accordance with a combined A66 NTP Rural Design Guide applicable across all LHA's. However, discussions are ongoing regarding applying the guide to specific parts of the network.</p> <p>The Councils have provided the Applicant with informal written responses to each de-trunking asset proposal received from the Applicant. Formal discussions are now required with the Applicant to resolve any outstanding technical issues and highlight those that should be resolved through legal side agreements to be completed as soon as possible and in any event by the end of the Examination.</p> <p>Acceptance of the de-trunking commuted sum will be required to be signed off by the new Westmorland and Furness Council post 1 April 2023 as the successor authority to CCC.</p>	<p>subject of a meeting in late March 2023. Maintenance periods after de-trunking will be the subject of discussion as part of the de-trunking agreement.</p>	
3-2.2 General Design Comments	Response to National Highways'	SECTION A - M6 JUNCTION 40 TO BROUGHAM CASTLE	The Local Authorities made detailed comments at	Dialogue will continue on these matters through the DCO and post making of the

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	Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	The Local Authorities made detailed comments at Statutory Consultation which are included in detail at Appendix A, including the Applicants response as to how these are addressed in the design. Dialogue will continue on these matters through the DCO and post DCO to ensure key issues are reflected in the detailed design	Statutory Consultation which are included in detail at Appendix A, including the Applicant’s response as to how these are addressed in the design.	DCO to ensure key issues are reflected in the detailed design.
3-2.3 General Design Principles	Response to National Highways’ Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	SECTION D – TEMPLE SOWERBY BYPASS TO APPLEBY BYPASS The Local Authorities made detailed comments at Statutory Consultation which are included in detail at Appendix A, including the Applicants response as to how these are addressed in the design. Dialogue will continue on these matters through the DCO and post DCO to ensure key issues are reflected in the detailed design •	The Local Authorities made detailed comments at Statutory Consultation which are included in detail at Appendix A, including the Applicants response as to how these are addressed in the design.	Dialogue will continue on these matters through the DCO and post making of the DCO to ensure key issues are reflected in the detailed design.
3-2.4 Traffic Modelling (including air quality matters related to modelling)& Junction designs at M6 Junction 40, Kemplay Bank and Skirsgill Depot - Penrith.	Response to National Highways’ Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	There is a key concern that the Project will worsen current congestion issues in Penrith. There is an over-arching concern that the methodology for the strategic modelling underplays the true levels of congestion experienced on the route and particularly around and within Penrith. This is as a result of the use of an average peak hour for AM and PM which is suitable for economic appraisal purposes but not a reasonable basis for assessing the true	The Transport Assessment (TA) (Document Reference 3.7, APP-236) identifies all transport impacts associated with the scheme and any required mitigation, including any required works on the local highway network. Further detail on the Applicant’s position is included as Appendix A.	Under discussion, National Highways has shared a copy of the VISSIM model and modelling meetings commenced in February 2023 to address the Council’s comments in relation to the following matters: o M6 J40 and Kemplay Bank, modelling info and ped/cycling facilities

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	<p>Deadline 4 Response (REP4-023)</p>	<p>operational performance of the network. In addition to this, there is a well-documented and observed peaking of traffic on Fridays which is not considered by the average month and average weekday modelling undertaken.</p> <p>Further detail on the Local Authorities position is included as Appendix A.</p> <p>At deadline 4 (REP4-023) CCC & EDC provided additional detail in respect of concerns on traffic modelling and consequent impacts on air quality as described below:</p> <p>A reduction in traffic flows has the potential to reduce air quality issues on Castlegate. However, it is not possible to judge with confidence that additional air quality issues will not be created without a detailed understanding of the impact of the Project on traffic flows on adjoining roads such as Ullswater Road, King Street, Victoria Road and Clifford Road. It is possible that the reduction in flows on Castlegate could cause, or be a result of, redistribution of traffic to these adjoining roads by the Project and therefore causing additional air quality issues in Penrith.</p> <p>The forecast reduction in traffic flows is not described in the air quality evidence base (Chapter 3.2 Environmental Statement</p>	<p>In relation to air quality matters, In Figure 5.4 Air Quality Operational Phase Assessment Sheet (APP-068), receptors are illustrated which were included in the assessment on Ullswater Road, King Street, Victoria Road and Clifford Road, Penrith.</p> <p>The potential impacts at these locations are then presented in 3.4 Environmental Statement Appendix 5.4 Air Quality Assessment Results (APP-153).</p> <p>Table 9 details that receptors HSR6-10 and HSR11 located on Ullswater Road are predicted to experience an increase in pollutant concentrations in the Project opening year, with concentrations of nitrogen dioxide (NO₂) below the Air Quality Standard of 40 ug/m³ at these locations. The greatest increase is</p>	<ul style="list-style-type: none"> o Traffic signal phasing and queuing of A686 at Kemplay o Current congestion levels – Friday (pm) Tourist Peak o Access to and use of Skirsgill Depot from A66 o Confirmation of single/two lane Kemplay slips with modelling evidence o Impacts on Local Road Network – Ullswater Rd, Clifford Road, and Eamont Bridge o Inter-regional movements <p>The next meeting for this is planned for the 17 March 2023. An email is attached as Appendix B which sets out the latest position in terms of discussions between National Highways and Cumbria CC in relation to traffic modelling at Kemplay Bank, Junction 40 and Skirsgill Depot.</p>

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		<p>Chapter 5 Air Quality or 3.4 Environmental Statement Appendix 5.2 Air Quality Assessment Methodology) in the form of tabulated modelled traffic data output which can be scrutinised.</p> <p>As at the time of writing, the full outputs of the modelling have not yet been disclosed by the Applicant. Initial discussions have been held which have shown the changes in traffic flows since 2019, monthly trends in traffic and the greater levels of traffic flows on Fridays at M6 J40 and Kemplay Bank. Although the Applicant has demonstrated that the modelling has been updated to incorporate 2022 observed traffic levels and altered to better represent the longer peak period on a Friday, the Councils still have concerns that the nature and study area of the Vissim modelling does not fully represent the interaction of the A66 and Penrith town centre traffic, especially on a Friday. Further modelling results (base model validation and future year forecasts with and without the scheme) are to be shared and when these have been reviewed by the Councils, a view can be given.</p> <p>At Skirsgill, exiting the depot and crossing three lanes to go north or east at J40</p>	<p>forecast at receptors HSR8 with concentrations predicted to increase from 32.6 to 35.2 ug/m3 in 2029.</p> <p>Table 9 also details that receptors HSR12-16 and HSR 18-19 located on King Street/Victoria Road are predicted to experience a reduction in pollutant concentrations in the Project opening year, with concentrations of nitrogen dioxide (NO2) below the Air Quality Standards at these locations. The greatest reduction is forecast at receptors HSR16 with concentrations predicted to reduce from 29.2 to 27.9 ug/m3 in 2029.</p> <p>Lastly, receptors HSR17 and 20 were also included in the assessment located on Clifford Road adjacent to the A66. Whilst an increase in traffic flows is predicted on this road, improvements in flow conditions and congestion on the A66 with the Project in place is</p>	

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		<p>roundabout could be a difficult manoeuvre. The Councils require evidence from the Applicant that the junction will operate safely in order to support the proposed junction arrangements.</p> <p>A clear explanation of the proposed construction arrangements is required from the Applicant for the Councils to be satisfied that the depot can continue to operate in a way that allows the Councils to meet their statutory duties.</p> <p>The Councils therefore do not agree that a forecast to be a reduction in traffic flows on Castlegate has been adequately demonstrated yet and is not satisfied that the Project will not create any additional air quality issues in Penrith.</p>	<p>forecast to improve pollutant concentrations at these locations also. The greatest reduction is forecast at receptors HSR20 with concentrations predicted to reduce from 24.0 to 22.8 ug/m3 in 2029.</p>	
<p>3-2.5 Traffic Modelling & Junction designs at Kemplay Bank.</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>Kemplay Bank Junction</p> <p>The proposed junction arrangement and accessibility at Kemplay Bank is important for the blue light services. Alongside this, NH will need to consider how the speed limit (50mph) along this section of Kemplay Bank can be enforced and how cycling and walking connectivity can be improved.</p> <p>Further detail on the Local Authorities position is included as Appendix A.</p>	<p>Kemplay Bank Junction</p> <p>The proposed grade separation of Kemplay Bank Junction makes a significant improvement for both the Blue Lights Services and WCH users.</p> <p>In respect of approach lanes on Kemplay Bank, our traffic modelling</p>	<p>Under discussion, this position will be reviewed as part of the review of consultation responses to proposed changes.</p> <p>The next meeting is scheduled for 17 March 2023.</p>

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			<p>supports the layout we have designed and presented in the Transport Assessment accompanying the DCO.</p> <p>In relation to active travel comments for this junction, we acknowledge the route is slightly longer, however it is considerably safer and largely reflects the current arrangements/routes.</p> <p>Further detail on the Applicants position is included as Appendix A.</p>	
3-2.6 Appleby Fair - access	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>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.</p> <p>Further detail on the Local Authorities position is included as Appendix A.</p>	<p>We recognise the issues CCC and EDC have raised regarding access to the Appleby Fair on the local road network rather than the A66, and that local road network upgrades may be necessary to facilitate the use of the local network for visitors travelling to the Fair rather than the fully dualled A66 in future.</p> <p>Further detail on the Applicants position is included as Appendix A.</p>	Under discussion.

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3-2.7 Appleby Fair – Traffic Management	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>The existing A66 has potential to provide a safer route for horse-drawn vehicles to travel to the Fair, but with no alternative than to use the dual carriageway from Warcop to Appleby.</p> <p>With the re-introduction of the Bolton/Long Marton junction, the Appleby Fair TMP will need to be updated in consultation with NH and wider partners. The cost of updating the TMP and any additional traffic management should be funded by A66 NTP.</p>	<p>The existing dual carriageway section is not within the scope of the A66 NTP.</p> <p>The new Long Marton junction will avoid any land take from the fair hill showground. The need for National Highways to fund an upgrade to the TMP has not been demonstrated to National Highways.</p> <p>We will continue to engage with the Council's on these issues and seek agreement that its proposals represent the optimal solution and that any adverse effects of the scheme such as those identified at Appleby Fair have been appropriately mitigated.</p>	Under discussion. National Highways seeks clarity from the Local Authorities on the required updates to the TMP.
3-2.8 Mitigation for diversion routes.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>The Councils have assessed the suitability of all potential diversion routes along the A66 corridor and made recommendations with regard to their suitability. This also covers potential rat-running routes that will also require mitigation during construction of the A66 NTP.</p> <p>The Councils are concerned that the project impacts in Kirkby Stephen are not being</p>	We recognise that diversions during construction are of concern to Local Authorities. We have issued technical notes in relation to Clifford Road (discussed below), Eamont Bridge (which demonstrates the A66 NTP does not	Under discussion

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
	<p>Deadline 4 Response (REP4-023)</p>	<p>satisfactorily addressed. During construction, the route is likely to be used as a rat run over the 5-year construction period. There is not sufficient spare capacity in the local road network to be able to cope with diversionary traffic during construction or once the A66 is operational. Particular pinch points relate to Victoria Square, the echelon parking in the town centre and the parking issues on South Road.</p> <p>Further detail on the Local Authorities position is included as Appendix A. during the true peak hours).</p> <p>The Deadline 4 response states that all diversion routes were assessed by the Councils to be unsuitable without mitigation (see Appendix 1 of the Councils' LIR, (REP 1-019)), and all comments and risks that were raised remain valid. Prior to construction, the Councils must have the opportunity to agree a set of diversion routes with the Applicant, alongside funding for any remedial works required to make those routes satisfactory within the planning limitations and agree the strategic operational diversion once the scheme is opened.</p> <p>The Councils continue to be concerned by the construction impact of the scheme on the local community from rat-runs, weight restrictions and suitability of the rural road network to accommodate diverted</p>	<p>contribute further to congestion at Eamont Bridge) and Kirkby Stephen. At Kirkby Stephen, at a local level the Project is forecast to displace trips from the congested A685 through Kirkby Stephen to the B6260 through Appleby in Westmorland, around (90 PCUs per hour) within the PM peak.</p> <p>Further detail on the Applicants position is included as Appendix A.</p> <p>We would also note that the EMP (Application Document Reference 2.7 (Rev 2), REP3-004) confirms that no part of the project can start until a Construction Traffic Management Plan (CTMP) is developed which will include (amongst other requirements) the following: Details of proposed traffic management measures, including phasing plans, route restrictions and speed limits.</p>	

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		<p>vehicles, particularly on the A685 through Kirkby Stephen.</p> <p>A strategic diversion plan for the operational phase needs to be provided by the Applicant and agreed by the Councils and secured as part of the EMP</p>	<p>Details of planned carriageway and local road closures, including proposed stakeholder and community engagement protocols in advance of closures.</p> <p>Details of proposed diversion routes, durations of use and proposals for encouraging compliance with designated diversion routes (with consideration for potential noise impacts).</p> <p>The CTMP will include, amongst other commitments, the following commitment for diversion routes to be discussed with the Local Highway Authority in advanced of required closures. National Highways consider that this matter is agreed in so far is possible at this stage and with commitment to the further engagement as cited above.</p>	
3-2.9 Environmental Mitigation - Landscape	WP13	It is the position of the Councils that the information provided to date does not allow a detailed assessment of the effects of the A66 NTP upon the landscape within Cumbria. Further detail is therefore required on how the project will appear in the	The impact of the project to the wider Landscape has been assessed in detail within Chapter 10 (Landscape and Visual) within Volume 1 of the ES	Under discussion, further meetings are being arranged to discuss the landscape principles in the A66 NTP.

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		<p>landscape and how this new visual feature will be incorporated to ensure that opportunities for sensitive placement are maximised.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to landscape and visual matters (at pages 31-32).</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. They state that no new information has been shared with the Councils.</p> <p>The Councils have reviewed the information and will be providing a detailed schedule of comments in relation to the Environmental Assessment</p>	<p>(Document Reference 3.2, APP-053).</p> <p>Further detail on the Applicants position is set out at Appendix A.</p>	<p>National Highways awaits the schedule of comments.</p>
<p>3-2.10 Environmental Mitigation - Acoustics</p>	<p>WP14</p>	<p>Based on the information provided in the PEI Report, it is understood that noise level increase and decreases are predicted as a result of the operation of the scheme. The design has included some embedded mitigation, including low-noise surfacing, route alignment (i.e. selecting the route that is as far as possible from existing sensitive receptors), landscaping bunds and cuttings. Essential mitigation, including noise barriers</p>	<p>The approach to design has been developed to ensure that noise (and other environmental considerations) have been considered as an integral part of the design process. Where significant impacts remain to be mitigated these are reported in the</p>	<p>Under discussion. National Highways awaits the schedule of comments.</p>

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		<p>and high-performing low-noise surfacing has not yet been assessed.</p> <p>Further detail on the Local Authorities position is set out at Appendix A.</p> <p>The Councils have reviewed the information and will be providing a detailed schedule of comments in relation to the Environmental Assessment</p>	<p>Environmental Statement accompanying the DCO.</p> <p>Further detail on the Applicants position is set out at Appendix A.</p>	
3-2.11 Environmental Mitigation – Socio Economics	WP15	<p>A summary of the potential socio-economic impacts (both positive and adverse) which WSP have identified as impacts that could arise from the Project are outlined below. Further assessment of these aspects is required to ensure that the effects of the Project are adequately presented alongside the DCO application, under the following headings:</p> <ul style="list-style-type: none"> • Employment Creation • Business and Property Impacts • Regeneration and Land Value Uplift • Better Connectivity (wider socio-economic benefits) <p>Refer to WP15 where the suggested mitigation and enhancements are listed. In particular the Councils expect to see a Skills and Supply Chain Strategy produced by NH. We are producing a Skills and Supply Chain Principles paper to inform this strategy.</p>	<p>We recognise that discussions in relation to socio-economic opportunities are ongoing between CCC and the DIPs. Dialogue on this will continue post submission of the DCO.</p> <p>The Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), REP3-004) includes a commitment to develop a Skills and Employment Strategy, which will be the responsibility of the Principal Contractor. An essay plan of the strategy is included at Appendix B which covers the following objectives:</p>	Under discussion. National Highways met with the Local Authorities and Members on 3 February and 15 February to discuss the approach to socio-economic matters such as the use of local supply chains, apprenticeships and skills and employment opportunities.

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		<p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to noise and vibration (at page 31). They state:</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>	<ul style="list-style-type: none"> • Open procurement and supporting local businesses through the Project supply chain where practicable • Inspiring the next generation • Providing opportunities for unemployed and under-represented groups • Developing local training infrastructure <p>Developing a workforce with the right skills</p> <p>The latest position of National Highways on socio-economic issues is set out at section 2.8 of the Applicant’s Comments on Local Impact Report (LIR) (REP2-018)</p>	
3-2.12 Drainage		<p>The drainage proposal for separate networks, in line with NH policy, results in a large number of drainage assets, such as multiple basins in close proximity within a catchment area, outfalls pipework and</p>	<p>We note the comment in relation to the number of drainage ponds. Separate drainage systems have been proposed for CCC</p>	Under discussion

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		<p>associated access tracks. The Councils challenge the blanket deployment of this strategy and the Project should rationalise the number of assets whilst maintaining clear maintenance responsibilities (Appendix A ref 43).</p> <p>Further details on the Local Authorities position is set out at Appendix A</p>	<p>and National Highways in accordance with the standards/guidelines. However, if there are opportunities to rationalise the number of ponds/systems and agreement can be reached between the various stakeholders, then this opportunity can be developed accordingly and progressed at detailed design stage.</p> <p>Further Detail on the Applicants position is set out at Appendix A.</p>	
3-2.13 Parking in Penrith	Parking and Traffic Modelling 10/1/2022	<p>Parking problems in Penrith are likely to intensify following the completion of the A66 upgrades as more people travel to the town. CCC/EDC wish to see NH assist with the provision of parking spaces within the Town.</p>	<p>The future growth in traffic modelled for Penrith is largely caused by the redistribution of journeys. Once constructed, it is predicted that there will be an increase in visitors which will be more likely to use the A66 to travel to destinations such as Penrith as the route is more resilient and travel times would be improved. Up to date traffic data and impacts on traffic in Penrith are set out in the</p>	<p>Under discussion. Detailed discussions on traffic modelling are being progressed to allow the authorities to review the impacts on Penrith. As part of this review, National Highways shared the VISSIM model. Progress on traffic modelling discussions is included at Appendix B. Next meeting 17 March 2023.</p>

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			<p>Applicant's Comments on Local Impact Report (REP2-018), at paragraphs 2.3.8.</p> <p>Increased demand for parking within Penrith has not been considered as part of the DCO and no evidence has been provided by CCC to support this statement. We would direct CCC and EDC to consider applying for designated funds from National Highways to address this local highway concern.</p>	
3-2.14 Structures		<p>The importance of the A66 in the landscape, visitors' perceptions of the area, and the sensitivity of the landscape that the route travels through, are such that the Councils will want to see full details of the proposed structures as part of the draft DCO application. These designs will require visual integration into the surrounding landscape character to reduce visual impacts.</p> <p>Further details on the Local Authorities position is set out at Appendix A</p> <p>The Councils have reviewed the information and will be providing a detailed schedule of</p>	<p>The detailed design of these structures will be in accordance with the report but will be developed post DCO and subject to consultation and engagement with the Local Authorities.</p> <p>Further details on the Applicants position is set out at Appendix A</p>	Under discussion. National Highways awaits the issuing of the schedule of comments.

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		comments in relation to the Environmental Assessment		
3-2.15 Land Take	Relevant Representations	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 as reported in the Applicant's Response to Written Representations made by Interested Parties subject to an SoCG (REP2-016) at page 92	Under Discussion
3-2.16 Historic Environment	Relevant Representations	<p>All impacts on the historic environment are not yet understood. Mitigation needs to be agreed.</p> <p>The Councils in their DL2 submission – Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to the Cultural Heritage (at pages 40-41).</p> <p>They state:</p> <p>“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 information has been shared with the Councils”</p> <p>The Councils have reviewed the information and will be providing a detailed schedule of comments in relation to the Environmental Assessment including heritage and archaeology</p>	<p>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 (Application Document Reference 2.7 (Rev 2), REP3-004), compliance with which is secured in the DCO.</p> <p>These issues on the Historic Environment were also set out at paragraphs 10.26 – 10.29 of the</p>	Under Discussion. National Highways awaits the issuing of the schedule of comments.

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			<p>Council's LIR and are addressed in the Applicant's Comments on the Local Impact Report (REP2-018), at section 2.15.</p> <p>National Highways awaits the issuing of the schedule of comments.</p>	
3-2.17 Tree loss	Relevant Representations	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.	In accordance with 7.3 Issue Specific Hearing 2 (ISH2) Post Hearing Submissions (REP1-009) NH submitted a Tree Loss and Compensation Planting Report to the ExA by Deadline 4. At the time of writing this report, the final design has not been fixed, and the parameters of the proposals are subject to change. Therefore, all trees within the Indicative Site Clearance Boundary have the potential to be impacted. Therefore, as a worst-case scenario, it has been assumed that all trees within this area will be lost, as per Chapter 10 of the ES (Document Reference 3.2 / APP-053).	Under Discussion

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3-2.18 Environmental Mitigation – Cultural Heritage	WP 12	<p>The Councils have stated in their response to the Statutory Consultation that the Applicant should liaise with them to identify suitable opportunities for enhancement measures and to ensure that mitigation is appropriate to the local context, and this is pertinent to mitigation for both buried and built heritage assets. The Councils remain uncertain of the degree to which non-designated assets are likely to be affected as no geophysical survey data or trial trench information has been formally presented.</p> <p>The Councils have reviewed the information and will be providing a detailed schedule of comments in relation to the Environmental Assessment including heritage and archaeology</p>	<p>Geophysical survey data has been provided to the Local Authorities as part of the pre-application phase. Trial Trenching has been undertaken to build on the geophysical surveys and the information is presented in the appendices to Chapter 8 Cultural Heritage of the Environmental Statement which accompanies the DCO.</p>	<p>Under Discussion. National Highways awaits the issuing of the schedule of comments.</p>
3-2.19 North-South Connectivity – Kemplay Bank.	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>Cumbria Constabulary and Cumbria Fire & Rescue Service (and the A6 south): access routes for NMUs are proposed via the centre of the Kemplay Bank roundabout. This will lead to an increase in severance due to an increase in the number of crossing points / conflicts with vehicles required.</p>	<p>At Kemplay Bank roundabout our traffic modelling supports the layout we have designed and presented in the Transport Assessment (Document Reference 3.7, APP-236) accompanying the DCO.</p> <p>In relation to active travel comments for this junction, we acknowledge the route is slightly longer, however it is considerably safer due to the proposed grade separation of the A66 and</p>	<p>Under Discussion as part of the Traffic Modelling, next meeting 17 March 2023. Appendix B provides further detail on the discussions underway between National Highways and CCC.</p> <p>This is being reviewed as part of the responses to consultation on proposed changes.</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
			largely reflects the current arrangements/routes. Therefore it will not lead to an increase in severance.	
3-2.20 Environmental Mitigation – Climate	WP 11	<p>Eden District Council have declared a Climate Emergency and both they and Cumbria County Council expect to see reductions in the emissions associated with the construction phase of the A66 NTP in the ES compared to that presented in the PEI Report. It is assumed that the approach that has been taken by the Applicant is one of adopting a worst-case assessment that will be refined and a reduction in the emissions will be presented in the ES. As stated in the Councils' response to the Consultation, it is expected that NH will seek the Councils' opinion on mitigation measures for carbon savings so that the Councils can facilitate the arrangements through liaison with local bodies, landowners and consultees.</p> <p>NH should refer to the climate work package (WP11) for mitigation and enhancement opportunities.</p> <p>The Councils in their DL2 submission – Response to Comments on Relevant Representations (REP2-030) set out their</p>	<p>Chapter 7 (Climate) of the ES (Document Reference 3.2, APP-050) assesses the likely significant Climate effects of the construction and operation of the Project. GHG emissions associated with the construction and operation of the Project have been assessed as part of the Climate chapter. An Environmental Management Plan (EMP) has also been prepared (Application Document Reference 2.7 (Rev 2), REP3-004) which confirms at MW-CL-01 that no part of the Project can start until a Carbon Strategy is developed in detail, has been subject to stakeholder consultation and has been approved in relation to that part.</p>	Under Discussion

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		<p>current position in relation to Climate Change (at pages 10-12).</p> <p>They state:</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>	<p>Further details on the Applicant’s position are set out at Appendix A. In addition, Appendix B sets out recent correspondence documenting the current status of traffic modelling discussions.</p>	
3-2.21 Environmental Management Plan	Deadline 4 Response (REP4-023)	<p>The Councils welcome the amendment to Article 53 and continued engagement with the Applicant, but still have wider concerns about the EMP process. These concerns were set out in detail in the Councils’ response to Written Representations to National Highways at Deadline 3.</p> <p>The Councils generally support the proposed changes to Article 53, but still have concerns as set out below.</p> <p>The Councils welcome the Applicant’s proposal to include a mechanism for notification to the Secretary of State (SoS), when it proposes to determine a change to the 2nd iteration EMP, giving the SoS the opportunity to ‘call-in’ the decision. To require the Councils’ views to be taken into account by the SoS in deciding whether to exercise call-in powers, it is requested that the Article should also include a provision requiring the Applicant to notify the Councils and</p>	<p>A session was held with the Local Authorities on 23 February 2023 to outline the approach to the EMP. This included outlining the consultation requirements within the EMP for National Highways to consult with the Local Authorities. Further detail was also provided in terms of the SoS call-in process and the level of detail in relation to the third iteration EMP.</p> <p>The issue of the Secretary of State ‘referral’ process under article 53 was discussed at Issue Specific Hearing 3. In light of those discussions, and the submissions made by CCC</p>	It is National Highways’ understanding that as a consequence of recent discussions, CCC/EDC issues relating to the EMP have been reduced however this remains under discussion until confirmed by CCC and EDC.

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		<p>other interested parties of the changes at the same time as the notification to the SoS takes place. This will afford them an opportunity to make timely representations to the SoS about the matter.</p> <p>The Councils consider that the proposed period of 14 days for the SoS to make a decision under Article 53 (8) (b) is insufficient, particularly if adequate opportunity is to be afforded to other parties to make representations to the SoS, as suggested above.</p> <p>The Councils would like the SoS to be consulted now to ascertain his view on whether the proposed approval process for the EMP is acceptable to him and that the timescales are reasonable for his department to consider and respond to any notification by the Applicant. The Councils are concerned that if the time period is too short for the SoS to respond and consider any third-party representations, then the effect of the process will be to operate as deemed approval and their views not taken into account. The Councils wish to point out that this will set a precedent for other DCOs in the future allowing applicants to self-approve amendments to their schemes.</p> <p>The Councils are also concerned that there are no provisions in relation to the approval</p>	<p>and EDC (and other interested parties), National Highways has amended the draft DCO (a revised version of which has been submitted alongside this SoCG at Deadline 5) to provide the Secretary of State with the ability to extend the 14 day 'call in' period in article 53. This is also confirmed in National Highways' <i>Issue Specific Hearing 3 (ISH3) Post Hearing Submissions (including written submissions of oral case)</i> (doc. ref 7.30). It is also worth noting the oral submissions made by National Highways at Issue Specific Hearing 3, where it was confirmed that the Secretary of State (in deciding whether or not to make the DCO) can also amend the 14 day time period if they see fit.</p> <p>As also stated in the post-hearing submission made by National Highways in</p>	

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		<p>of the third iteration EMP to deal with any material changes to that version. This is unacceptable as it effectively gives National Highways the ability to make any amendments to the third iteration EMP it wishes.</p>	<p>respect of Issue Specific Hearing 3, Paragraph 1.4.34 of the first iteration EMP requires National Highways to provide consultees with a copy of any submission made to the Secretary of State. National Highways will reflect on this wording further with a view to establishing whether any amendments are required to make it clear that this extends to submissions to the Secretary of State relating to proposed amendments to the second iteration EMP (including any 'referrals'). Any required revisions to the first iteration EMP will be reflected in the next draft submitted into the examination.</p> <p>Finally, in respect of the third iteration EMP, it should be noted that this must substantially accord (as per amendments made to the draft DCO following</p>	

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
			<p>Issue Specific Hearing 3) with operational provisions contained in an already approved second iteration EMP. The third iteration EMP will not contain any new provisions, simply those dealing with operation and maintenance. It is of course important to note that when the Project becomes operational, it will become part of National Highways' overarching network, which must be maintained in accordance with its licence, as well as the third iteration EMP. National Highways does not propose any further amendments to the DCO in this regard.</p>	
<p>3-2.22 Cycling, walking and equestrian connectivity - policy.</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>Cycling, walking and equestrian connectivity should be delivered as part of the scheme in line with national and local policy guidance, and there is potential to utilise parts of the “old A66” to form part of a new east-west walking and cycling network.</p> <p>Currently the Project does not sufficiently provide for active travel users and does not align with the latest DfT policy as set out in</p>	<p>We have reviewed the separate work package information shared by WSP in relation to the aspiration for an east-west corridor linkage. We have sought to include these links where possible, including design changes at Warcop to</p>	<p>Under discussion.</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		<p>documents such as “Gear Change”, which states that any highway upgrade should provide a betterment for active travel. The adopted Cumbria Transport Infrastructure Plan also shows active travel as a key element and specifically identifies the A66 corridor in this regard. The Penrith LCWIP is currently in development and NH should have regard to its contents, particularly in relation to junction 40, Kemplay Bank and onward travel. This means that the Project is currently misaligned with national and local policies for encouraging sustainable travel.</p>	<p>create a route between the Appleby Bypass and connecting into Brough (which will include designated funds applications to connect to existing infrastructure).</p> <p>Along with changes to WCH provision on the Center Parcs junction (scheme 3) this now provides a full route on the new A66 sections between Penrith and Brough.</p> <p>The current position on the issues raised on Active Travel is as set out at section 2.5 of the Applicant’s Comments on Local Impact Report (LIR) (REP2-018)</p>	
<p>3-2.23 Cycling, walking and equestrian connectivity – route corridor.</p>	<p>Response to National Highways’ Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>The Councils have assessed and proposed a corridor route for active travel which would be achievable and should be delivered by NH as part of the A66 NTP Project. At a high level, this would include improvements related to the following:</p>	<p>Significant WCH enhancements to the de-trunked sections are not within the scope of the project. However, quick win enhancements may be considered as part of the</p>	<p>Under discussion.</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		<ul style="list-style-type: none"> • Cycle/footways using existing infrastructure (enhanced to meet current design standards). • Segregated cycle/footways parallel to the A66. • New cycle/footways on existing quieter roads; and/or • New cycle/footways on de-trunked sections of the A66. <p>The line of the continuous corridor is described below.</p> <ul style="list-style-type: none"> • Enhanced facilities for crossing M6 junction 40 and Kemplay Bank roundabouts aligning with the latest guidance set out in LTN 1/20 (current designs suggest a worsening of provision). • Utilising existing links between Kemplay Bank to Brougham Castle. • Use of the Project's access/farm tracks to link Brougham Castle to Center Parcs on a parallel lightly trafficked route. • Use of existing local roads between Center Parcs junction and Temple Sowerby. 	<p>de-trunking process where feasible.</p> <p>We have also discussed with the Councils some localised opportunities to work together on 'designated funds' opportunities to address particular issues on the existing A66 where sections may be de-trunked. These particular requests are outside of the scope of the A66 NTP. We would welcome the possibility of submitting joint applications wherever possible.</p> <p>In relation to LTN1/20 a 3m path and 2m verge have been proposed i.e. 5m of overall width to provide a path. The detail of which will be undertaken at detailed design.</p> <p>The current position on the issues raised on Active Travel (including the Appleby Horse Fair) is as set out at section 2.5 of the Applicant's Comments on</p>	

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position	Status
		<ul style="list-style-type: none"> Use of the de-trunked A66 between Temple Sowerby, Kirkby Thore, Crackenthorpe and on to Appleby (with suitable infrastructure amendments). An off-highway route running parallel to the A66 between Appleby and Warcop. Use of the de-trunked A66 between Warcop and Brough (with suitable infrastructure amendments); and <p>Alternative route: utilising the disused railway line.</p>	Local Impact Report (LIR) (REP2-018)	

Table 3-3: Record of Issues – Not Agreed Issues

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
3-3.1 Traffic Modelling & Junction designs at Skirsgill Depot.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>Skirsgill depot</p> <p>The vehicular access from Skirsgill Depot north onto the A66 has been replaced by an access approximately 100m to the east. This is helpful for vehicles exiting the Skirsgill Depot and enables them to manoeuvre into the correct lane on the approach to the M6 J40 roundabout. However, there are concerns over the gradient and there doesn't appear to be a dedicated pedestrian access onto the A66 shown on the consultation plans. A</p>	<p>Skirsgill Depot</p> <p>In relation to comments on moving the 3 lanes on the M6 junction 40 overbridges further left, we have considered this further, but it creates additional crossings for pedestrians/cyclists and is unlikely to be achievable without significant modifications to the bridge structure.</p> <p>For traffic exiting Skirsgill depot and moving to the outside lane to make the right turn, the existing access has been relocated as far east as possible. This not only provides additional weaving length, but it also allows a full standard merging taper to be provided, where currently there is none.</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>pedestrian and cycle access should be provided on approximately the same alignment as the existing vehicular access. Retention of only 3 lanes on the M6 junction 40 overbridges and the retention of traffic signals on the slip roads onto M6 north and A66 west may limit capacity of this junction despite the proposed scheme providing additional lanes on the approaches.</p>	<p>A pedestrian access at Skirsgill depot has been provided to link the depot to the main M6 junction 40 junction. By relocating the depot access east by approximately 100m and realigning accordingly, this will improve the vertical gradient. This vertical realignment also provides a 10m dwell area at the mouth of the junction which should again be an improvement on the existing. Swept path analysis has also been carried out to ensure the proposed alignment is suitable for larger HGV's.</p> <p>The current position on these issues is as set out in the Applicant's Comments on Local Impact Report (LIR) (REP2-018) as follows:</p> <ul style="list-style-type: none"> • Clear and Effective Junction connectivity: at Section 2.3 of Applicant's Comments on LIR • Traffic modelling of junctions and traffic surveys at para 2.3.5 and 2.3.11- 2.3.33 of Applicant's Comments on LIR • Skirsgill Depot: paras 2.3.34-2.3.25 of Applicant's Comments on LIR
3-3.2 Land Take	Relevant Representations	<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 have on the Council's ability to provide essential services.</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 maximum land required to construct the Project and has been determined through 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) section 5.2, Environmental Statement (Document Reference 3.1-3.2,</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
			<p>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>The latest position of National Highways on these issues is set out in the Applicant's Response to Written Representations made by Interested Parties subject to an SoCG (REP2-016) at pages 8 and 9</p>
<p>3-3.3 North-South Connectivity - Brougham Castle and Eamont Bridge.</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>Brougham Castle: movements between Brougham Castle and the A66 eastbound will no longer be possible and will be required to route to the A6 via the B6262. There is insufficient data available in the Local Traffic Report to be able to quantify the number of users that will be impacted, however this all movement junction is used as a diversion route during flood events at Eamont Bridge. Measures to cater for this provision should be secured as part of the A66 NTP, as there are little to no alternatives to connect to the A6 south if Eamont Bridge is closed due to flood events.</p>	<p>In relation to Eamont Bridge closures, the objectives of the scheme include: removing right turns across the carriageway as part of improving safety on the route. When Eamont Bridge is closed, traffic heading eastbound will need to turn west and use the Kemplay Bank roundabout to access the east bound carriageway. The scheme aims to reduce crossing manoeuvres on the A66 including right turns into and out of priority junctions with the aim of improving road safety. It is accepted that in some instances this will result in slightly longer routes for some traffic using side roads on the A66.</p> <p>We will continue to engage with the Councils on this issue and seek agreement that its proposals represent the optimal solution.</p> <p>The Council's issues on Brougham Castle and Eamont Bridge are also set out at paragraphs 4.11-4.13 of the Council's LIR and are addressed in the Applicant's Comments on Local Impact Report (REP2-018), at paragraphs 2.3.8-2.3.10.</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
3-3.4 Skirsgill Depot	Approach to Sustainable Design (Session 1) 18/1/2022	<p>It is the preference of the Council that the temporary construction compound is not reinstated to agricultural fields after use as the area will be the site of the new employment allocation.</p> <p>This is subject to commercial negotiations with CCC.</p>	<p>We acknowledge the allocation for future employment sites at Skirsgill Depot. We continue to discuss future plans for Skirsgill with CCC.</p> <p>The latest position of National Highways on re-purposing construction compounds is set out at section 2.8.15 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018)</p>
3.3.5 Environmental Mitigation - BNG	WP10	<p>The Councils would expect NH to minimise the impacts on biodiversity and achieve minimum 10% BNG as close as possible to where the impact occurs.</p> <p>The Councils would encourage NH to review Cumbria Local Nature Recovery Strategy – to identify potential projects to offset impacts. NH should refer to the biodiversity work package (WP10) for potential BNG opportunities.</p> <p>The Councils in their DL2 submission – Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to Biodiversity Net Gain (at pages 39-40).</p> <p>They state: “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”.</p>	<p>Biodiversity net gain is not currently a requirement for Nationally Significant Infrastructure Projects; however, we are committed to maximising biodiversity delivery achieved by the Project.</p> <p>The environmental mitigation design has been developed to ensure mitigation is provided for adverse impacts on protected species and replacement habitats are provided for those lost, achieving a minimum of no net loss. Impacts and proposed mitigation are detailed within Chapter 6 (Biodiversity) of the ES (Document Reference 3.2, APP-049) and underpinned by detailed assessments within separate appendices (appendix 6) within Volume 3 of the ES (Document Reference 3.4, APP-154 – APP-175).</p> <p>We have sought to address the Council's issues of concern with respect to BNG, and discussions will continue with the Councils.</p> <p>National Highways confirm that the current position on the provision of biodiversity net gain is set out in the Applicant's Comments on Local Impact Report (REP2-018), at section 2.13. Furthermore, the Applicant has documented additional detail on this point in the 7.30 ISH3 Post Hearing</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
			Submissions (including submissions of oral case), submitted at Deadline 5 of the Examination.

APPENDICES

Appendix A: Further Historical Context to Discussions

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
3-1.3 Environmental Mitigation – Air Quality	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	Air quality (NO ₂) exceedances are expected on Ullswater Road. The PEI Report is not clear on whether these are new exceedances or just deteriorating exceedances. Eden District Council is statutorily obliged to put measures in place to address these.	<p>The predicted exceedance in the PEI Report on the property on the corner of Ullswater Road was a new exceedance. Further detailed modelling has been undertaken as part of the Environmental Impact Assessment, as new baseline traffic data has been provided.</p> <p>Chapter 5 (Air Quality) of the ES (Document Reference 3.2, APP-048) confirms that in relation to Penrith, there are no predicted exceedances of the annual mean NO₂ objective in 2029 as a result of the Project.</p> <p>The maximum increase in NO₂ concentrations as a result of the Project in 2029 is predicted to be at receptor point 8 (Skirsgill Close, Penrith) of 2.6µg/m³.</p> <p>The greatest reduction in NO₂ concentrations as a result of the Project in 2029 is predicted to be at receptor point 22 (Kemplay Bank Roundabout, Penrith) of 2.8µg/m³. This reduction is due to the redesign of the roundabout and realignment of adjoining roads next to this isolated property.</p>
3-2.2 General Design Comments	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	There should be no loss of North-South connectivity (severance) as a result of the Scheme.	<p>National Highways are committed to restoring any north-south connections that may occur as a result of the project to prevent the severance of communities.</p> <p>We have prepared a Walking, Cycling and Horse Riding (WCH) Proposals report (Document Reference 2.4, APP-010) which has been developed to achieve the following objectives:</p> <ul style="list-style-type: none"> • A low-speed, low-traffic route parallel to the A66 for pedestrians and cyclists should be created where possible, in order to replace and connect existing routes affected by

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
			<p>the A66 improvements. This could mean utilising the de-trunked sections of single carriageway, where they remain open to traffic.</p> <ul style="list-style-type: none"> All facilities for WCH users should be a betterment, where practicable, to those available prior to the improvement project. Re-establish any WCH routes severed by the proposed works; and where public rights of way converge at the upgraded A66 carriageway, then a grade-separated crossing facility is required to cross. <p>Discussions will continue with CCC and EDC with respect to its potential concerns and to seek agreement that the nature and extent of the mitigation proposals are satisfactory.</p>
3-1.7 Environmental Mitigation – Water Environment	WP16	<p>The Councils' response to the S42 Consultation stated the assessment of the effects upon the water environment that had been presented within the PEI Report were satisfactory given the status of the design of the A66 NTP. However, there were fundamental aspects of the design and subsequently the assessment that were absent and had not been fully considered that needed to be provided within the ES. A summary of key requirements are:</p> <ul style="list-style-type: none"> Attenuation measures should be designed in accordance with CIRIA C753 – The SuDS Manual – to ensure multiple benefits are provided. The Project will need to include an assessment of the impacts on 	<p>Private water supplies are considered in Chapter 14 (Road Drainage and the Water Environment) within Volume 1 of the ES (Document Reference 3.2, APP-057) and Appendix 14.6 (Hydrogeological Impact Assessment) within Volume 3 of the ES (Document Reference 3.4, APP-225). Where adverse impacts are predicted, appropriate mitigation, such as the replacement of the water supply, is proposed.</p> <p>A WFD assessment has been undertaken for the Project and is detailed in Appendix 14.1 (Water Framework Directive Compliance Assessment) within Volume 3 of the ES (Document Reference 3.4, APP-220). The effects of the scheme in relation to road drainage and the water environment, including groundwater and surface water, have been assessed in detail and consider potential impacts to flows and impacts on water quality. The methodology of the assessment undertaken</p>

		<p>private water supplies as well as public water supplies.</p> <ul style="list-style-type: none"> • Any new or realigned or improved channels should be designed in accordance with the Manual of River Restoration Techniques. • The Councils fully expect that the DCO boundaries are set appropriately to ensure that sufficient mitigation measures can be included with the Project and fully assessed. This is a pertinent issue for watercourses which the scheme crossed at 90 degrees. • A WFD assessment is to be undertaken for all watercourses by a suitably qualified geomorphologist with appropriate mitigation measures identified and incorporated in the design. • All culverts (existing and proposed) are to be assessed to ensure that they are not a hindrance to fish passage or other ecology and will be designed to meet the requirements in CIRIA's Culvert, Screen and Outfall Manual. • Appropriate scour mitigation measures will be included at existing and proposed highway crossings. <p>The provision of landscape enhancements on the Strategic Road Network is supported in the National Policy Statement for National Networks, specifically in paragraph 3.5 where it states "Government policy is to bring forward</p>	<p>is consistent with that applied to other assessments (WFD) where applicable. This is reported in detail in ES Chapter 14 (Road Drainage and the Water Environment) of the ES (Document Reference 3.2, APP-057), which also sets out how climate change has been taken into account as part of the assessment.</p> <p>CIRIA guidance for culvert design has been followed and hydraulic modelling undertaken, however further development of culvert design will be required in the next design stage to add the details suggested.</p> <p>The design of any new, realigned, or improved channels is to be undertaken in accordance with the Manual of River Restoration Techniques (River Restoration Centre 2019). This is secured in the Project Design Principles (Document Reference 5.11, APP-302) which is certified as part of the DCO.</p> <p>The Order Limits plans have been developed to ensure that all required mitigation associated with the project can be delivered within the defined Order Limits.</p> <p>A WFD Compliance Assessment has been prepared and submitted to support the application. This is located within Appendix 14.1 of Volume 3 of the ES (Document Reference 3.4, APP-220).</p> <p>Embedded mitigation measures for road drainage and the water environment include structures within the watercourse designed in accordance with CD 529 (Design of outfall and culvert details) and CIRIA C786 Culvert, Screen and Operation Manual guidance. In addition, embedded mitigation such as the incorporation of climate change allowances in the drainage design have been informed by flood modelling. This is detailed in the Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), REP3-004).</p>
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Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>targeted works to address existing environmental problems on the Strategic Road Network and improve the performance of the network. This includes improving water quality and reducing flood risk.....”.</p>	<p>Within the EMP it states that “D-RDWE-05: Detailed design shall be in accordance with mitigation outlined in Appendix 14.9: Detailed Geomorphological Modelling (Document Reference 3.4, APP-228) which outlines that at detailed design, further modelling of the proposed bridge crossing piers on the Temple Sowerby to Appleby and Appleby to Brough schemes and refinement of design will be required to ensure no impacts on flood depths to third party land are observed.” This includes the instillation of green bank protection measures, such as scour protection to mitigate against the potential to changes of the geometry of the channel.”</p> <p>Furthermore, ongoing monitoring and maintenance will be secured. The EMP states that:</p> <p>“M-CL-03: Embankments and cuttings will be monitored, as part of routine maintenance, to identify any areas that are vulnerable to scouring or erosion from surface run off. Where required, additional surface run-off defences will be implemented.”</p>
<p>3-1.11 HGV parking and service provision across the route</p>	<p>Response to National Highways’ Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>There is a need for National Highways to identify measures to ensure adequate HGV parking and service provision is provided across the A66 corridor.</p> <p>Although it is recognised that creating HGV facilities is outside the scope of the A66 NTP, the scheme should act as a catalyst to the</p>	<p>We have met with the Councils to discuss CCC’s concerns regarding the HGV demand for facilities. We acknowledge there may be demand for improved HGV facilities along the A66, but we consider this to be outside the current scope of the A66 NTP project. We can confirm that laybys have been proposed in the preliminary design in accordance with Design Manual for Roads and Bridges (DRMB) standards. We will continue to engage with the Council on the scope of the project</p>

	<p>provision of high-quality HGV service and parking facilities.</p> <p>Further detail on the applications position is set out at Appendix A.</p> <p>Building on the work CCC has undertaken to date, which identifies a lack of suitable HGV service provision across the A66, the Councils understand that National Highways freight team is seeking to undertake market testing to understand the demand from the private sector in providing such a facility along the A66 corridor and identifying the necessary market conditions to make such a facility viable (such as land required, access arrangements, location along the route). We expect the Councils, alongside the North Yorkshire and Durham Councils will be engaged in these discussions as part of the project team.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to HGV Facilities and Parking (at pages 19-21).</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. They state that no new information has been shared with the Councils.</p>	<p>and is open to discussion as to how residual concerns can be addressed.</p> <p>A meeting has taken place with CCC/EDC to discuss the separate Freight Study on 22 December 2022. This study is outwith the A66 NTP.</p> <p>The latest position of National Highways on HGV facilities is set out at section 2.7 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018).</p>
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Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
3-1.21 Workforce accommodation strategy	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>The Councils have 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.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to workforce accommodation (at page 38). They state:</p> <p>“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.”</p>	<p>The Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), REP3-004) includes a commitment to develop a Skills and Employment Strategy, which will be the responsibility of the Principal Contractor (PC).</p> <p>The EMP also has a “Construction Worker Travel and Accommodation Plan” listed as a subsidiary plan.</p> <p>Annex B10 of the EMP is an extended essay plan for the Construction Worker Travel and Accommodation Plan (CWTAP) for the A66 Northern Trans-Pennine project (the Project). It will be completed on an iterative basis by the PC as the Project progresses through detailed design and will describe the approach to managing travel and accommodation for construction workers during the construction phase.</p> <p>B10.1.3: The essay plan for the CWTAP sets out the structure for further development of management plans as the detailed design and construction planning of the Project is developed and outlines the specific requirements for the content of the CWTAP. The CWTAP will set out the procedures that will be put in place to ensure successful delivery of sustainable transportation for the daily movement of the construction workforce and provides a solution for meeting the temporary increase in local accommodation demand generated by the Project during construction. The procedures are intended to provide confidence that sustainable transportation and workers accommodation can be provided, delivering economic benefits for the local area and mitigating impacts during construction.</p> <p>The latest position of National Highways on socio-economic matters is set out at section 2.8 of the Applicant’s Comments</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
			on Local Impact Report (LIR) (REP2-018) with paragraph 2.14-2.15 addressing worker accommodation issues.
3-1.22 Public Open Space (Wetheriggs Country Park)	Approach to Sustainable Design (Session 1) 18/1/2022	<p>Changes to the Public Open Space (POS) are to be put forward to the local community for further engagement to determine whether they would want either compensatory land or enhancements to the existing POS.</p> <p>We have concerns about the impact on the area, both in terms of the overall impact on the country park, on its users, and on the ability of the residual area to support formal sports pitches as it does at present.</p> <p>There are many issues that need to be addressed which include:</p> <ul style="list-style-type: none"> a. The operation of the sports pitches b. The attractiveness of the country park. c. The effect of increased noise on the current uses, particularly on sensitive receptors such as the country park itself, the nearby complex housing senior citizens, and homes close to the road at the pinch point with Clifford Road c. The need for and design of a noise barrier d. The effect on biodiversity on the removal of the band of trees and their replacement. 	<p>We have met with EDC to discuss the issues in relation to Wetheriggs Country Park and acknowledge the need to improve the connection between the existing open space and the new proposed open space.</p> <p>The existing football pitch at Wetheriggs Country Park is not within the red line for the DCO and will not be required for the construction of the A66 NTP.</p> <p>We are aware from consultation of the concerns regarding United Utilities (UU) Infrastructure in Wetheriggs Country Park. We are engaging and will continue to engage with UU on the movement of infrastructure to construct the Kemplay Bank scheme.</p> <p>NH have agreed to a Work Package with EDC on the creation of a masterplan for Wetheriggs Country Park through Designated Funds. The Council will be leading the preparation of the masterplan with their appointed consultants. National Highways will continue to engage with EDC on this masterplan.</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>e. The effect on the views of Penrith and image of the area to users of the road.</p> <p>f. Our preference of providing the pedestrian/cycle route to the north of the noise/tree barrier rather than along the roadside</p> <p>g. The potential need to relocate the sports pitch(es) away from this location.</p> <p>h. The usefulness of the possible replacement land and its connection to the wider area.</p> <p>The information provided in the consultation does not give clarity about the nature of the impacts and does not provide information on proposed mitigation. In this respect it is not possible for the Council to arrive at a judgement as to whether the proposed land take is acceptable Eden District Council requires a full study to be undertaken identifying the options for redesign of the Kemplay area (between the junction with the M6 and the Kemplay roundabout) in order to mitigate your proposals. This will facilitate an agreement on an acceptable way forward. This work should be funded by National Highways and EDC requests funding from NH to develop a master plan of the Ullswater Playing Fields site. This will explore how the site will be enhanced and interconnections between the existing park and proposed compensation land as part of the consultation outcome. The Councils require</p>	

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>further details to determine the impact of the Scheme on the current football pitch to ensure its future long-term use. These would include discussions with the local football association and current users of the pitches, and other relevant bodies.</p> <p>EDC want to ensure that associated benefits from the proposed A66 NTP are captured through the design process. Throughout the numerous consultation events held by National Highways, EDC have highlighted the existing drainage issues cause by the United Utilities main location beneath the A66 between M6 junction 40 and Kemplay Bank Roundabout.</p> <p>The faulty main results in the A66 being prone to flooding during heavy rainfall, which has additional impacts on Wetheriggs Country Park to the north and farmland south of the route. Due to the significance of the A66 as a national strategic network route and the local highway network in Eden and in particular to the town of Penrith, it has been unviable to close the route to resolve the drainage issue over a number of years. Attempts to rectify this issue without requiring closure of the A66 have not been successful.</p> <p>The A66 NTP affords the opportunity of resolving this matter as part of the construction process. Eden District Council are concerned that failure to do so as part of this scheme will</p>	

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		<p>result in the ongoing drainage issues and reduce the resilience of the route during a period of heavy rainfall.</p>	
<p>3-1.24 Environmental Mitigation – Climate</p>	<p>WP 11</p>	<p>Eden District Council have declared a Climate Emergency and both they and Cumbria County Council expect to see reductions in the emissions associated with the construction phase of the A66 NTP in the ES compared to that presented in the PEI Report. It is assumed that the approach that has been taken by the Applicant is one of adopting a worst-case assessment that will be refined and a reduction in the emissions will be presented in the ES. As stated in the Councils’ response to the Consultation, it is expected that NH will seek the Councils’ opinion on mitigation measures for carbon savings so that the Councils can facilitate the arrangements through liaison with local bodies, landowners and consultees.</p> <p>NH should refer to the climate work package (WP11) for mitigation and enhancement opportunities.</p> <p>The Councils in their DL2 submission – Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to Climate Change (at pages 10-12).</p>	<p>Chapter 7 (Climate) of the ES (Document Reference 3.2, APP-050) assesses the likely significant Climate effects and GHG emissions of the construction and operation of the Project... An Environmental Management Plan (EMP) has also been prepared (Application Document Reference 2.7 (Rev 2), REP3-004) which confirms at MW-CL-01 that no part of the Project can start until a Carbon Strategy is developed in detail, has been subject to stakeholder consultation and has been approved in relation to that part.</p> <p>Measures to minimise GHG emissions will be identified and implemented and will include:</p> <ul style="list-style-type: none"> • Use of materials with the highest recycled content. • Material recovered from the site shall be used to profile the new vertical and horizontal geometry. Alternatively near-site sources of material will be identified to minimise transportation and ground treatment emissions. • Efforts will also be made to reduce the off-site haul distance of excess material, by prioritising its use on neighbouring schemes. • Whole lifecycle assessments shall be undertaken to consider the impact of transportation as well as embodied GHG emissions for material used.

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>They state:</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>	<ul style="list-style-type: none"> • Careful construction management to avoid over-ordering of materials, to reduce transportation emissions. • Setting of targets to minimise GHG emissions and reduce GHG emissions during construction. • Appropriate traffic management measures shall be put in place (in accordance with the CTMP) to ensure that traffic flows on the existing A66 are maintained where reasonably practicable with limited disruption caused. Works shall be phased to minimise disruption to traffic, with more complex interface areas likely being undertaken during the night. • Any diversions required shall be the shortest acceptable route, to minimise GHG emissions. • Training of construction staff in actions to be taken to reduce emissions. • Implementation of travel planning for construction staff. • Monitoring of energy use, water use, waste, material use and transportation. • Powering down of equipment/plant during periods of non-utilisation. • Optimising vehicle utilisation. • Use of energy efficient lighting. • Implementation of energy saving measures (e.g. minimising the use of diesel or petrol-powered generators

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
			<p>and instead using mains electricity or battery powered equipment).</p> <p>The Scheme will also take account of Decarbonising Transport (Department for Transport, July 2021), which is the Government's strategy to decarbonise transportation to net zero by 2050.</p> <p>The Council's climate change issues are also set out at paragraph 10 and paragraphs 10.22 – 10.25 of the Council's LIR and are addressed in the Applicant's Comments on Local Impact Report (REP2-018), at section 2.14.</p>
3-2.33 Environmental Mitigation	Cumbria County Council Relevant Representations (Point 12)	<p>The scheme should provide environmental mitigation to minimise 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) (Application Document Reference 2.7 (Rev 2), REP3-004) 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>An Environmental Management Plan (EMP) has also been prepared (Application Document Reference 2.7 (Rev 2), REP3-004) which confirms at MW-CL-01 that no part of the Project can start until a Carbon Strategy is developed in detail, has</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
			<p>been subject to stakeholder consultation and has been approved in relation to that part.</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 EMP [APP-019], see D-CL-01 and MW-CL-01.</p> <p>Impacts of drainage on watercourses is set out in Chapter 6 (Document Reference 3.2, APP-049) section 6.8 and Chapter 14 (Document Reference 3.2, APP-057) section 14.8 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. Meetings continue to be held with the local authorities to discuss matters related to flooding and drainage and in particular to agree the approach to protective provisions and flood modelling outcomes (the next meeting has been arranged for 16 March 2023).</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
			<p>National Highways confirms that the current position on these issues are set out in the Applicant's Comments on Local Impact Report (LIR) (REP2-018), as follows:</p> <ul style="list-style-type: none"> • Environmental impacts and proposed mitigation addressed at section 2.9 (para 2.9.1 – 2.9.9) of the Applicant's comments on the LIR • Mitigation detail for drainage at section 2.21 of the Applicant's comments on the LIR <p>EMP issues are addressed in the Applicant's Response to Written Representations made by Interested Parties subject to an SoCG (REP2-016) at pages 6 and 7.</p>
3-2.1 De trunking		<p>In various locations, the proposed draft DCO boundary excludes significant areas of highway to be 'de-trunked'. There are no specific drawings indicating the lengths of carriageway to be de-trunked as part of the statutory consultation.</p> <p>The lengths of carriageway reviewed have been inferred from the General Arrangement Plans (A66-MB-2- Plans-and-Profiles). It is therefore unclear on the scope of works that will need to be undertaken to accommodate the Project's proposals for a new classification of road. This will allow it to safely operate as a local road, following the reduction in traffic and the consequential risk of an increase in vehicle speed. For example, the A592 junction with</p>	<p>We can confirm that the lengths of road to be de-trunked will be subject to the DCO powers to effect the de-trunking. De-trunking discussions are progressing alongside the DCO. A further meeting was held with all LAs and National Highways to finalise the detail in the strategy on 8 March 2023. It is understood that residual issues relate to the funding of the de-trunking works and maintenance periods.</p> <p>The parties agreed to work towards a timescale for completion of the de-trunking agreement and are content that the de-trunked areas are contained within the DCO boundary as submitted. The scope of required works and transfer of structures has been agreed with the exception of three remaining structures which are still under discussion (for Cumbria this relates to Crackenthorpe Retaining Wall and Walk Mill High.</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>Clifford Road is a junction that will require enhancement to improve safety concerns.</p> <p>The Councils are concerned that with the de-trunked lengths lying outside the proposed draft DCO boundary, this will preclude the works required to these areas from being delivered as part of the DCO. The Councils, in partnership with the other councils along the route corridor, are producing a de-trunking principles document to provide NH with information relating to the residual life, assessment standards, surveys and handover material that the Councils will accept. Discussions between NH and the Councils are ongoing and a De-Trunking Strategy document is expected to be produced as part of the Project to properly record the consultation and specific agreements which also the Examining Authority will need to see. There is a risk that any agreed plans for any such works will be subject to different funding and ultimately may not be delivered unless appropriately secured in principle through the DCO process.</p>	
<p>3-2.4 Traffic Modelling & Junction designs at M6 Junction 40, Kemplay Bank and Skirsgill Depot - Penrith.</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>There is a key concern that the Project will worsen current congestion issues in Penrith.</p> <p>There is an over-arching concern that the methodology for the strategic modelling underplays the true levels of congestion experienced on the route and particularly around and within Penrith. This is as a result of the use of an average peak hour for AM and PM which is suitable for economic appraisal purposes but not a reasonable basis for</p>	<p>The Transport Assessment (TA) (Document Reference 3.7, APP-236) identifies all transport impacts associated with the scheme and any required mitigation, including any required works on the local highway network.</p> <p>In respect of M6 junction 40 to Kemplay Bank, the TA confirms at section 8.2 that at this location traffic volumes are known to be particularly variable by day and are influenced by leisure traffic heading to the Lake District and the North Pennines AONB on a Friday afternoon / evening, and additionally by traffic going to and coming from Center Parcs on Monday and</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>assessing the true operational performance of the network. In addition to this, there is a well-documented and observed peaking of traffic on Fridays which is not considered by the average month and average weekday modelling undertaken.</p> <p>The key issues are as follows:</p> <ul style="list-style-type: none"> • There appears to be an underplaying of congestion on the local roads in the Do Minimum situation, which also flows through to the Do Something. This shows itself within the LMVR with consistently fast journey times within the model compared to those observed. • Despite the use of average flows and the strategic nature of the model – movements at M6 junction 40, Kemplay Bank and Eamont Bridge show unacceptably high V/C ratios with the scheme. • At junction 40, Ullswater Road impacts upon the operation of local roads, in particular Clifford Road. • The route through Kirkby Stephen is of concern as although the modelling shows spare capacity on an average hr/day, there is not sufficient spare to be able to cope with diversionary traffic during construction or operation considering the current junction layouts, parking and specific operational constraints that aren't replicated in a SATURN model. We are also unclear as to how well the model validates at this location. 	<p>Friday afternoons. Therefore, an additional test has been undertaken to consider the junction performance on a Friday afternoon. A Friday afternoon traffic count has been synthesised by considering the difference in flow between a typical Thursday and a typical Friday. 2017 data on the A66 east and west of junction 40, and on the M6 junction 40 offslips, together with the 2017 ATC from the A592 has been used to generate typical hourly profiles of Thursday and Friday demand at the junction.</p> <p>The modelling results show the Friday peak is the most onerous peak in terms of queuing delay. Queuing is forecast to occur on the lanes of A592 and M6 North approaches.</p> <p>An assessment of the proposed Kemplay Bank scheme has been undertaken. A design layout is proposed that is in accordance with the appropriate design standards and in line with the engineering constraints, user operations, construction costs and safety.</p> <p>We have issued technical notes in relation to Clifford Road, Eamont Bridge (which demonstrates the A66 NTP does not contribute further to congestion at Eamont Bridge) and Kirkby Stephen.</p> <p>At Kirkby Stephen, at a local level the Project is forecast to displace trips from the congested A685 through Kirkby Stephen to the B6260 through Appleby in Westmorland, around (90 PCUs per hour) within the PM peak.</p> <p>The latest position of National Highways on junction capacity and connectivity issues is set out at section 2.3 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018).</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>The model appears to overplay the capacity of Eamont Bridge, with higher flow throughput than within the Penrith Model or observed via DfT traffic counts (this is without the issue of average hr compared to peak hr). We are also unclear as to how well the model validates at this location.</p> <p>Junction 40</p> <p>Without carrying out more significant capacity improvements, the junction may continue to suffer from congestion and become worse for local residents, visitors and to the surrounding economy.</p> <p>Congestion is particular bad on Friday afternoons/weekends during the holiday season. Widening to provide four lanes would require either the widening of the existing bridges or the relocation of the footway to which runs around the outside of the roundabout to the inside of the roundabout.</p> <p>The current scheme provides indirect N-S crossing for cyclists and pedestrians and is not in line with Penrith LCWIP and LTN 1/20.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) for Improving Connections to Local Communities, (pages 3-5) refers to the comments in paragraph 4 of the Local Impact Report (REP1-019) which remain applicable. They state no new information has been shared with the Councils.</p>	

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
<p>3-2.5 Traffic Modelling & Junction designs at Kemplay Bank.</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>Kemplay Bank Junction The proposed junction arrangement and accessibility at Kemplay Bank is important for the blue light services. Alongside this, NH will need to consider how the speed limit (50mph) along this section of Kemplay Bank can be enforced and how cycling and walking connectivity can be improved.</p> <p>From a review of the statutory consultation plans there is only a single lane exit from the A66 eastbound onto the A66 Kemplay Bank roundabout (Appendix A ref 23). This is on the diversion route for traffic from the M6 (when the M6 is closed either north or south of J40) and is a concern because of the known operational performance of the junction, particularly congestion at the junction approaches. Consideration is to be given to provide two lanes rather than a single lane on the approach to the new signal-controlled roundabout. Provision of a two-lane approach is also to be considered for the westbound A66 off slip on the opposite side of the roundabout. Enhanced cycling provision on the roundabout should be considered.</p> <p>The current scheme provides indirect N-S crossing for cyclists and pedestrians and is not in line with Penrith LCWIP and LTN 1/20.</p> <p>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.</p>	<p>Kemplay Bank Junction In respect of approach lanes on Kemplay Bank, our traffic modelling supports the layout we have designed and presented in the Transport Assessment accompanying the DCO. In relation to active travel comments for this junction, we acknowledge the route is slightly longer, however it is considerably safer and largely reflects the current arrangements/routes.</p> <p>National Highways held a public consultation on some proposed changes to the preliminary design of the Project which closed on 27 February 2023. These design changes include changes to the proposed arrangement at Kemplay Bank. Following careful consideration of the responses to public consultation, National Highways will decide: (i) whether to submit a request to the Examining Authority to accept all, some or none of the proposed design changes for inclusion in the DCO application currently being examined, and (ii) what form the proposed changes will take. It is noted that the inclusion of the proposed design changes in the DCO will be subject to the acceptance of the changes by the Examining Authority.</p> <p>In relation to the blue light hub during construction, we will continue to work with both Cumbria Police and Cumbria Fire and Rescue throughout construction to minimise operational impacts on the hub.</p> <p>We will continue to engage with the Council's on these issues, including cycling provision, and seek agreement that its proposals represent the optimal solution and that any adverse effects of the scheme such as those identified at Kemplay Bank Junction have been appropriately mitigated.</p> <p>The latest position of National Highways on these issues is set out at section 2.3 of the Applicant's Comments on Local Impact</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) for Improving Connections to Local Communities, (pages 3-5) refers to the comments in paragraph 4 of the Local Impact Report (REP1-019) which remain applicable. They state no new information has been shared with the Councils.</p>	<p>Report (LIR) (REP2-018). Capacity and connectivity issues at the Kemplay Bank Junction are addressed at paragraphs 2.3.11 – 2.3.33.</p>
<p>3-2.6 Appleby Fair - access</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>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.</p> <p>Although use of the A66 by horse-drawn vehicles to access and egress the Fair is discouraged, travellers to and from the Fair continue to use the road. This can cause delay and congestion to other road users, especially on the existing single carriageway sections due to limited opportunities to overtake, and the perceived hazards in doing so. With the upgrade to dual carriageway standard, the opportunity to overtake a horse-drawn vehicle increases, and thus delay may be reduced to other road users. However, the difference in travelling speed between motor and horse-drawn vehicles will cause an increased hazard to all road users.</p>	<p>We recognise the issues CCC and EDC have raised regarding access to the Appleby Fair on the local road network rather than the A66, and that local road network upgrades may be necessary to facilitate the use of the local network for visitors travelling to the Fair rather than the fully dualled A66 in future.</p> <p>We note there is no stopping facilities currently provided and with the completion of the new dualled sections of the A66, we would expect lower traffic volumes on the de-trunked sections west of Appleby which will improve access for local traffic and Fair attendees.</p> <p>We will continue to engage with the Councils on these issues and seek agreement that its proposals represent the optimal solution and that any adverse effects of the scheme such as those identified at Appleby Fair have been appropriately mitigated.</p> <p>The latest position of National Highways on these issues is set out at paragraphs 2.5.14 and 2.5.21 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018).</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>As the A66 between Appleby and Kirkby Thore will be on a new alignment the existing A66 alignment which will be de-trunked and downgraded to a local distributor road. This will become an attractive alternative for equine traffic to using the dual carriageway when approaching or leaving Appleby to the west. 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 DIP contractors prior to being detrunked. 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.</p> <p>It should also be borne in mind that the de-trunking of the existing A66 carriageway to a local distributor road will create the opportunity for further stopping places in the vicinity of the Fair, which may either require an extension of the Traffic Management Plan to prevent this from happening or provide an opportunity to manage parking in the run up to and during the Fair.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) in relation to Appleby Horse Fair (pages 7-9) state:</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</p>	

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>variable message signs. Measures in the CTMP must demonstrate how horse drawn traffic can safely access Appleby Horse Fair. 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 to the west. This is welcomed and the design standards for the de-trunked road will need to take this into account. 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. 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</p>	

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
3-2.9 Environmental Mitigation - Landscape	WP13	<p>It is the position of the Councils that the information provided to date does not allow a detailed assessment of the effects of the A66 NTP upon the landscape within Cumbria. Further detail is therefore required on how the project will appear in the landscape and how this new visual feature will be incorporated to ensure that opportunities for sensitive placement are maximised.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to landscape and visual matters (at pages 31-32).</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. They state that no new information has been shared with the Councils.</p>	<p>The impact of the project to the wider Landscape has been assessed in detail within Chapter 10 (Landscape and Visual) within Volume 1 of the ES (Document Reference 3.2, APP-053).</p> <p>Chapter 10 has concluded that the combined predicted residual effects to the M6 junction 40 to Kemplay Bank Scheme, Penrith to Temple Sowerby Scheme, and the Appleby to Brough Scheme would not be significant.</p> <p>The combined predicted residual effect as a result of the Temple Sowerby to Appleby / Crackenthorpe has been assessed as significant.</p> <p>The overall approach to the landscape design is set out within the Project Design Report (Document Reference 2.3, APP-009) which accompanies the DCO submission.</p> <p>We have sought to address the issues of concern, and discussions will continue once the Councils have had full sight of the documents referred to above.</p> <p>The latest position of National Highways on landscape and visual issues is set out at section 2.17 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018)</p>
3-2.10 Environmental Mitigation - Acoustics	WP14	<p>Based on the information provided in the PEI Report, it is understood that noise level increase and decreases are predicted as a result of the operation of the scheme. The design has included some embedded mitigation, including low-noise surfacing, route alignment (i.e. selecting the route that is as far as possible from existing sensitive receptors), landscaping bunds and cuttings. Essential mitigation,</p>	<p>The approach to design has been developed to ensure that noise (and other environmental considerations) have been considered as an integral part of the design process. Where significant impacts remain to be mitigated these are reported in the Environmental Statement accompanying the DCO.</p> <p>Chapter 12 (Noise and Vibration) of the ES (Document Reference: 3.2, APP-055) confirms at Section 2.8.21 that a low noise surfacing will be used for the construction of the project.</p> <p>The creation and formation of a new earth embankment has been embedded into the design of the scheme to provide noise</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>including noise barriers and high-performing low-noise surfacing has not yet been assessed.</p> <p>Notwithstanding the above, enhancing the natural and local environment, including environmental, neighbour and neighbourhood noise, is supported by national policy and therefore some improvements to the design should be made by the Applicant. The National Policy Statement for National Networks (NPS NN) states that a project should “demonstrate good design through optimisation of scheme layout to minimise noise emissions and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.” Given the information presently available we do not believe that the Applicant has minimised noise emissions sufficiently to comply with this policy and therefore greater consideration for mitigation and enhancement measures, as detailed below, is required.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to noise and vibration (at page 31). They state:</p> <p>“The locations of concern have been elaborated upon in the Councils’ Local Impact Report, paragraph10 (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>	<p>mitigation to 242 residential and 9 non-residential properties in Kirkby Thore (north end of the village).</p> <p>Subject to consultation with relevant stakeholders, NH propose to install reflective fence-type barriers within their land, outside of the order limits utilising their existing powers, in three locations including at one residential receptor at Skirsgill Lodge.</p> <p>These measures will be secured through the Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), REP3-004) which is submitted to support the DCO Application.</p> <p>We have sought to address the issues of concern, and discussions will continue once the Councils have had full sight of the documents referred to above.</p> <p>The latest position of National Highways on noise and vibration is set out at section 2.19 of the Applicant’s Comments on Local Impact Report (LIR) (REP2-018)</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
3-2.12 Drainage		<p>The drainage proposal for separate networks, in line with NH policy, results in a large number of drainage assets, such as multiple basins in close proximity within a catchment area, outfalls pipework and associated access tracks. The Councils challenge the blanket deployment of this strategy and the Project should rationalise the number of assets whilst maintaining clear maintenance responsibilities.</p> <p>This should reduce land take, landowner and environmental impacts. It would also improve the sustainability of the drainage proposals and reduce overall Project and operational maintenance costs.</p> <p>If the segregation of networks remains, the consultation materials do not indicate the maintenance requirements for drainage basins transferred to the Councils. NH will need to consider the training, equipment and cost for this transfer of liability to the Councils.</p> <p>As currently presented on the consultation GA plans, there is limited detail provided on the overall drainage strategy / design. Further design development detail will need to be presented to the Councils to provide assurances that the drainage strategy and designs are acceptable.</p> <p>Further drainage details should be provided to the Councils to confirm how the design of detention basin and outfall assets have been optimised to reduce land take, mitigate landowner and environmental impacts and also improve the sustainability of the drainage</p>	<p>We note the comment in relation to the number of drainage ponds. Separate drainage systems have been proposed for CCC and National Highways in accordance with the standards/guidelines. However, if there are opportunities to rationalise the number of ponds/systems and agreement can be reached between the various stakeholders, then this opportunity can be developed accordingly and progressed at detailed design stage.</p> <p>Run-off from the Project will be captured within the Project's drainage and treated to the required Design Manual for Roads and Bridges (DMRB) standard before being discharged into the receiving water environment. The drainage system will be designed to capture and treat the pollutants within the road run-off.</p> <p>Flood risk to the Project and to 3rd party land has been assessed within the Project's Flood Risk Assessment located within Appendix 14.2 of Volume 3 of the ES (Document Reference 3.4, APP-221) and no impact to third party land or to the Project is predicted, based upon modelling. Through Technical Working Groups and SoCGs the opportunities for NFM measures have been discussed, however it is not within the scope of the Project to deliver these beyond the Order Limits.</p> <p>The Flood Risk Assessment assessed the risk of flooding to the Project and from the Project to third party land. As the Project results in an increase in impermeable area, potential disruption of surface flow routes and loss of floodplain, there is the potential to increase the risk of flooding from pluvial and fluvial sources. Mitigation in relation to flood risk is secured in the Project Design Principles Report (Document Reference 5.11, APP-009) and Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), REP3-004).</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>proposals. For example, the land to east of Skirsgill Depot (Appendix A ref 10) should be considered in more detail to mitigate any potential impact. This review should consider sites for potential development or regeneration in line with the Councils' plans. This would also reduce overall Project delivery costs for NH.</p> <p>Clarity is required regarding operation and maintenance of de-trunked and legacy drainage assets passed to the Councils. The Councils would expect each drainage asset to be surveyed and upgraded to an acceptable standard prior to adoption.</p> <p>Clarity is required from NH on the measures to be taken to safeguard watercourses from the harmful effects of highway runoff. Protection of aquatic ecology, using appropriate pollution mitigation measures, in the drainage design are of paramount importance. Particularly de-trunked and legacy assets passed to Cumbria County Council, which may not receive the same level of drainage investment as the strategic road network.</p> <p>Opportunities to maximise the benefits provided by the A66, in terms of flood risk reduction across the corridor, need further consideration by NH. This should include consideration of Natural Flood Management (NFM) and other flood risk mitigations to supplement works currently being undertaken by the Environment Agency in partnership with the Councils. Two key areas of focus are Warcop and Skirsgill Lane, where there are existing known flooding issues.</p>	<p>The mitigation measures proposed are being delivered to address flood risk that will directly impact the project or where the proposed works would increase the risk of flooding. These measures are all contained within the order limits.</p> <p>Anything outside of the order limits is not within the scope of the project. We would advise CCC and EDC to apply for a designated funds application to address wider issues of flood risk.</p> <p>Discussion on the drainage matters identified by the Councils, including operation and maintenance of de-trunked and legacy drainage assets, will continue. A meeting was held on 8 March 2023 to discuss and agree a timescale for the completion of the de-trunking agreement. The majority of structures are agreed in principle in terms of de-trunking, with the exception of three structures across the project. For CCC the relevant ones are Crackenthorpe retaining wall and Walk Mill High where discussions are continuing regarding transfer and maintenance.</p> <p>No deterioration of water quality is predicted as a result of the Project's highway runoff. A water quality assessment has been undertaken for each proposed drainage networks which demonstrated no adverse impact following the introduction of mitigation measures into the design (including combinations of attenuation ponds, ditches and proprietary products). The results are included in the Water Quality sections (one for each scheme) in the Flood Risk Assessment and Outline Drainage Strategy (APP-221) and Water Quality Assessment (APP-222). At the detailed design and construction stages, REAC commitments D-RDWE-02, 03 & 04 from the Environmental Management Plan (REP3-004) will be implemented and monitored. This is to ensure the drainage systems are compliant with the Environmental Quality Standards (EQSs) for the receiving watercourses.</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to drainage at page 39). They state:</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 latest position of National Highways on highway drainage is set out at section 2.21 of the Applicant’s Comments on Local Impact Report (LIR) (REP2-018)</p>
<p>3-2.3 General Design Comments</p>	<p>Response to National Highways’ Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>SECTION A - M6 JUNCTION 40 TO BROUGHAM CASTLE</p> <ul style="list-style-type: none"> The safety of pedestrian and cycle accessibility to Skirsgill Depot is improved by the addition of new signalised crossing facilities and additional shared surface paths. However, 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 this area less direct. In line with LTN 1/20, there should be segregation between the shared surface paths alongside the dual carriageway and around the roundabout, the width being dependant on the speed limit of the road. The paths should also be a minimum of 3.0m, possibly greater if the predicted flows of pedestrians and cyclists are high. It would appear from the 	<p>Designs have accommodated access for WCH across the A66 by redirecting foot and cycleways to new junctions or by providing new underpasses and overbridges where required to ensure there remains North – South connectivity. Where PROWs have been impacted, alternative routes have been provided to ensure that users are able to travel safely across the A66.</p> <p>In relation to LTN1/20 a 3m path and 2m verge have been proposed i.e. 5m of overall width to provide a path. The detail of this will be undertaken at detailed design.</p> <p>We note the comments in relation to provision at the junction of the A686 and enhancements to the wider network of PROW. We have prepared a Walking, Cycling and Horse Riding (WCH) Proposals report (Document Reference 2.4, APP-010) which has been developed to achieve the following objectives:</p> <ul style="list-style-type: none"> A low-speed, low-traffic route parallel to the A66 for pedestrians and cyclists should be created where possible, in order to replace and connect existing routes affected by the A66 improvements. This could mean utilising the de-trunked sections of single carriageway, where they remain open to traffic.

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>drawings provided that this provision may not be met.</p> <ul style="list-style-type: none"> Whilst providing a shared surface path around the inside of the circulatory carriageway at Kemplay Bank roundabout means that crossings are not required across the exits from the roundabout, it will require pedestrians and cyclists to negotiate more crossings to manoeuvre the roundabout and will not be as intuitive to users. Cycling around the inside of the roundabout may prove a deterrent to many cyclists. No crossing provision is made for cyclists or pedestrians at the junction of the A686 and the link road under the A66. <p>The right of way across Kemplay roundabout has been previously severed by the A66. The scheme may be required to extinguish this PRow but we would expect enhancements to the wider network of PRow.</p>	<ul style="list-style-type: none"> All facilities for WCH users should be a betterment, where practicable, to those available prior to the improvement project. Re-establish any WCH routes severed by the proposed works; and where public rights of way converge at the upgraded A66 carriageway, then a grade-separated crossing facility is required to cross. <p>We continue to work with Local Authorities to explore opportunities for designated funds to improve WCH across the A66 corridor, for items outside the scope such as at the junction of the A686 or wider enhancements.</p> <p>The latest position of National Highways on these issues is set out at paragraphs 2.5.6 and 2.5.7 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018)</p>
3-2.3 General Design Principles	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>SECTION D – TEMPLE SOWERBY BYPASS TO APPLEBY BYPASS</p> <ul style="list-style-type: none"> There are a number of public rights of way that are affected by the proposed new route around Kirkby Thore. Although alternative provision has been made to maintain connectivity across the road via overbridges, no segregated facility is made for NMU's. 	<p>A shared cycle/footway has been proposed within the Temple Sowerby scheme extents primarily in the verge along the de-trunked old A66, where it will remain. All existing Public Rights of Way will remain.</p> <p>The Walking, Cycling and Horse Riding (WCH) Proposals Report (Document Reference 2.4, APP-010) acknowledges that the proposed design would sever Footpaths 336013, 341017, 317006, 336017, and 317004, along with bridleway 336018. The proposed design would reconnect any severed paths and provide safe crossing points of the dual carriageway,</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<ul style="list-style-type: none"> The introduction of a bridge on Main Street for NMU's will be necessary to maintain the NCN route 68 and access to the PRoW network. Although a bridleway is proposed alongside the existing A66 to the north of Long Marton Road, its full extent is not known. Further drawings will be required to determine the extent of the bridleway. This should be constructed to allow segregated use by pedestrians, cyclists and horse riders. The realignment of the A66 to the north of Kirkby Thore will result in the de-trunking of the existing A66 alignment between the existing Temple Sowerby and Appleby bypasses. The existing alignment will form an attractive direct route for cyclists between local destinations and should make provision for them. Sleastonhow Lane will be realigned and pass over the proposed A66 alignment close to its existing alignment. A bridleway link between Kirkby Thore and Long Marton uses this lane. The grade separated crossing has no facility for NMU's. A footpath connection between Bolton and Long Marton will be severed. Although an alternative route will exist by using the de-trunked A66, the diverted Long Marton Lane and the access road to Powis House, this represents a diversion of approximately 600m. 	<p>through shared use of underpasses and bridges. This will maintain connectivity to the NCN route 68 and access to the PRoW network.</p> <p>The WCH proposals also confirm that in relation to Long Marton Road, the shared cycle/footway for this scheme would run on the south side of the de-trunked A66 through Kirkby Thore and would then run on the north side of the de-trunked A66 from the east end of Kirkby Thore village to the western extent of Appleby. This new route ties into existing provision at each end of the scheme.</p> <p>In relation to the connection between Bolton and Long Marton, Footpaths 317009 and 341017 would both be severed by the proposed alignment of the A66. A diversion is proposed via a new bridge proposed for a local road diversion. The diversion would redirect pedestrians back to the de-trunked A66 and along a proposed footway. This would also provide a connection to Footpath 317008. The proposed diversion is around 600m in order to provide safe connectivity and means to cross the A66.</p> <p>We will continue to engage with the Council on these matters. Comments in relation to the Appleby Fair Traffic Management Plan are set out further below.</p> <p>Section 5 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018) sets out National Highways latest position on Active Travel (including Appleby Horse Fair) with paragraphs 2.5.8 and 2.5.11 addressing issues of horse riders at Kirkby Thore and with safe crossings of the detrunked sections.</p> <p>In relation to bridlepath and footpath connections local to Crackenthorpe the Applicant can confirm that Footpath 317/004 between the existing A66 and the existing Roman Road (Bridleway 341/001) is maintained via a bridge over the A66 dual carriageway, east of Rogerhead Farm. Footpath 317/006 and Bridleway 317/012 are consolidated north-east of</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<ul style="list-style-type: none"> The Appleby Fair Traffic Management Plan will require updating in consultation with NH as a consequence of scheme changes. <p>The proposal to bypass Crackenthorpe to the north of the village will leave the village 'sandwiched' between the River Eden and the new alignment and severed from connections to other local communities. It will be necessary to ensure that bridleway and footpath connections across the proposed alignment are maintained as grade separated facilities to reduce severance.</p> <p>The Councils in their DL2 submission – Response to Comments on Relevant Representations (REP2-030) for issues associated with Walking Cycling and Horse Riding (pages 7-8) 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. They state no new information has been shared with the Councils.</p>	<p>Crackenthorpe and pass under the A66 to connect to the existing Roman Road (Bridleway 341/001) via an underpass.</p>
3-2.14 Structures		<p>The importance of the A66 in the landscape, visitors' perceptions of the area, and the sensitivity of the landscape that the route travels through, are such that the Councils will want to see full details of the proposed structures as part of the draft DCO application. These designs will require visual integration into the surrounding landscape character to reduce visual impacts.</p>	<p>The detailed design of these structures will be in accordance with the report but will be developed post DCO and subject to consultation and engagement with the Local Authorities.</p> <p>The latest position of National Highways is set out in the Applicant's Response to Relevant Representations (Part 4 of 4) (PDL-013) is as follows: "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</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>Proposed structures on the Project expected for Cumbria County Council adoption are to be designed (including width and headroom) to accommodate proposed usage, including active travel and public rights of way. Structures need to be desirable to assure use, balanced with their maintenance requirements. There are a number of underpasses proposed on the Project which will need careful consideration.</p> <p>Structural impacts will also need to be considered for 'remote structures' put under greater strain resulting from permanent changes to the highway network and traffic flows and as a result of temporary diversion routes. These wider area impacts associated with the Project must be assessed during the preliminary design stage.</p> <p>The Councils in their DL2 submission – Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to design of structures (at page 32). They state:</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. The Councils refer to its comments in paragraphs 10.33 to 10.42 of the Local Impact Report [REP1-019] for landscape and</p>	<p>(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>In addition</p> <p>It was decided at ISH3 on 2 March 2023 that the Councils request for a material palette to be secured through the LEMP was not required.</p> <p>Annex B1 of the EMP (Document Reference 2.7, APP021) 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>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		visual which remain applicable. No new information has been shared with the Councils.”	
3-2.8 Mitigation for diversion routes.	Response to National Highways’ Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>The Councils have assessed the suitability of all potential diversion routes along the A66 corridor and made recommendations with regard to their suitability. This also covers potential rat-running routes that will also require mitigation during construction of the A66 NTP.</p> <p>The Councils are concerned that the project impacts in Kirkby Stephen are not being satisfactorily addressed. During construction, the route is likely to be used as a rat run over the 5-year construction period. There is not sufficient spare capacity in the local road network to be able to cope with diversionary traffic during construction or once the A66 is operational. Particular pinch points relate to Victoria Square, the echelon parking in the town centre and the parking issues on South Road. Further detail on the Local Authorities position is included as Appendix A.</p> <p>The Councils wish to encourage National Highways to look at alternative options for addressing the parking issues on South Road and the junction capacity issues at Victoria Square to mitigate the problems. These issues are now being recognised on a local level by Kirkby Stephen Parish Council and we can anticipate this becoming a sensitive issue.</p> <p>NH should revisit the validity of the model on Eamont Bridge and through Kirkby Stephen to</p>	<p>We recognise that diversions during construction are of concern to Local Authorities. We have issued technical notes in relation to Clifford Road (discussed below), Eamont Bridge (which demonstrates the A66 NTP does not contribute further to congestion at Eamont Bridge) and Kirkby Stephen. At Kirkby Stephen, at a local level the Project is forecast to displace trips from the congested A685 through Kirkby Stephen to the B6260 through Appleby in Westmorland, around (90 PCUs per hour) within the PM peak.</p> <p>We can commit to monitoring vehicle numbers at Clifford Road in Penrith during construction and discuss mitigation should congestion issues on Clifford Road arise.</p> <p>This was discussed with EDC on 05.04.22 and it was agreed to provide example measures of where NH has implemented measures on other schemes to stop rat-running during construction. Discussions will continue.</p> <p>The latest position of National Highways on these issues is set out at section 2.6 and an assessment of Cumbria CC's proposed diversion routes (as contained within Appendix C of the LIR) is set out at paragraph 2.24 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018).</p>

Issue	Document References (if relevant)	Cumbria County Council and Eden District Council Position	National Highways Position
		<p>ensure a true representation is made of the capacity of these local routes (with local knowledge being that these are at capacity during the true peak hours).</p> <p>In addition to the analysis of the connectivity, we undertook an assessment of the safety performance of existing junctions along the A66 to understand whether safety improvements outside of the proposed improvement are required for mitigation. The assessment concluded that the proposed scheme is likely to improve the safety of the A66 and the sections of the old A66 alignment will benefit from a traffic flow reduction and therefore the number of PICs should also reduce. However, the northern section of the A685 between Kirkby Stephen and Brough is expected to see traffic flows increased by 14%. This could lead into more accidents and therefore some improvements will be required at this section of the A685.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to Diversion Routes (at pages 18-19). The Councils refer to comments in paragraph 7 (including 7.10 to 7.12) of the Local Impact Report [REP1-019] which remain applicable. They state that no new information has been shared with the Councils.</p>	

Appendix B: Current Status for Traffic Modelling Discussions

From: Matthew Sinnett
To: Beverley, Leanne
Cc: Peter George; Fergus McMorrow; Molyneux, Peter; Elliott, Richard; Kenyon, Guy; Vincent.Holden; Randall, Thomas; Landreth, Paul; Henson, Peter; Thomas Hanson; Carey, Paul; Hannah Smith; Sean Smith; Bagnall, Stephen
Subject: RE: A66 NTP Traffic Modelling Discussion
Date: 24 February 2023 17:13:18
Attachments: 24 02 22 - Jnc 40 and Kemplay Bank Modelling Acceptance Timeline.xlsx
image001.png

Hi Leanne

Thanks for the email, and the notes of the meeting. I have responded to each item below, and suggest we use this email as the basis for our agreed position on the status of the modelling, such that we can present a consistent front for the inspector at ISH3 next Thursday. I have also included a proposed timetable for completion and agreement of the work.

NH Position:

Since ExQ1 National highways have met with Cumbria Council to show the performance of the proposed design for Kemplay Bank and Junction 40. At the meeting National Highways explained that the modelling was a work in progress, and discussed some of the technical issues, as discussed below that had resulted in finalised models not yet being ready.

The agreed position at the meeting is noted within the email below, namely that National Highways consider that the proposed Layouts at Junction 40 and Kemplay Bank will provide sufficient capacity for forecast flows in 2044 during an annual average weekday and on an annual average Friday. National Highways will work with Cumbria in the following weeks to allow their technical experts to check the validity of the traffic modelling to therefore confirm agreement on this position. As noted below that there are a number of outstanding design issues at Kemplay Bank that will be considered by both parties as part of detail design, as they can be accommodated within the current DCO order limits.

I hope you find this agreeable, and please let me know if you have any queries Many thanks
Matt

Matt Sinnett
Traffic and Economic Lead
A66 Northern Trans-Pennine Project www.highwaysengland.co.uk/A66TransPennine

D: [REDACTED]

M: [REDACTED]

E: [REDACTED]

From: Beverley, Leanne <[REDACTED]>
Sent: 21 February 2023 14:42
To: Hannah Smith <[REDACTED]>; Matthew Sinnett <[REDACTED]>
Cc: Peter George <[REDACTED]>; Fergus McMorrow <[REDACTED]>; Molyneux, Peter <[REDACTED]>; Elliott, Richard <[REDACTED]>; Kenyon, Guy <[REDACTED]>; Vincent.Holden <[REDACTED]>; Randall, Thomas <[REDACTED]>; Landreth, Paul <[REDACTED]>; Henson, Peter <[REDACTED]>; Thomas Hanson <[REDACTED]>
Subject: A66 NTP Traffic Modelling Discussion Hannah/ Matt
Further to our call on Thursday 16. Please see below requests for information/ points which were noted.

Please could you provide:

the modelling technical document which you advised you would send. It would also be useful if a non-technical note could be provided.

We have provided a note on the survey data, (see email from Sean Smith dated 21/02/2023) and will provide further notes on (a) VISSIM model validation, and (b) the junction performance, in terms of a comparison of current year performance versus opening year and design year of 2029. We will also provide a non-technical summary which will describe the issues which are the cause of the current congestion and how the design will relieve these issues. (Due date 17/03/2023)

clarification of current and future flows from A66 east, across the M6 J40, to A66 west to allay LDNP concerns about increased traffic

We will provide details of forecast traffic flows into the Lake District National Park due the scheme. This will include the flows on the A66 west of junction 40. (Due date 1 / 3/ 2023)

clarification on current performance of J40, now, on open day, and 2044

This clarification will be contained in the junction performance note detailed above in terms of flows, queue lengths and journey times.

the access to Skirsgill depot didn't seem to be included in the model to date, can we suggest this is incorporated into the model for two reasons

- a. To capture maintenance vehicle trips to / from the depot (and potential trips associated with the future Local Plan Allocation)
- b. To model the weaving impacts of trips leaving Skirsgill depot

Do you have details of the traffic generation in and out of the depot? This would allow us to include it within our analysis?

information relating to the design at J40 and the lane designations – for us to consider a now and after - a set of plots showing lanes available for each key movement i.e. J66 approach from the east to M6 north, which appears to be two lanes now and two in the future (but some sharing of movements are amended which may explain the improvements). It is important that the modelling follows what is proposed on the ground, i.e. that the approaches don't just allow all traffic to share the lanes and capacity equally, as this would not happen in reality.

We will provide a plans to show the proposed lane designations, and we will ensure that these are consistent within the model. It is suggested that this is discussed in detail in a review session with WSP. (Due date 17/03/2023)

confirmation for both roundabouts of the assumptions related to signals being called for the cycle/pedestrian crossings – it didn't appear to be every other cycle from the model demo.

The current work is being reviewed to ensure that these movements are all correctly represented.

We note that:
the VISSIM Models were still a 'work in progress'

agreed
that traffic signal timings were the critical controlling feature for operation

agreed
Friday traffic is generally higher and is proving difficult to balance in the microsim model, with signal timings critical to efficient operation

Agreed – The flows are only slightly higher, but the queueing is worse than on a Friday. This is proving difficult to replicate within the model, which is why

the amount of Friday traffic compared to other days is being assessed, and a narrative of the real term impact in the context of wider benefits is in preparation

Linked to the above

Single lane off-slips at Kemplay Bank seemed to quickly reach capacity (albeit the models are a work in progress), but with the re-orientation of the junction marked as a Change in the DCO, there seems to be the opportunity to increase the number of lanes, particularly on the approach to the roundabout

Noted. The single lane slips at Kemplay Bank will be considered within the detail design by the DIPs. We will provide them with this model to allow them to use it as a detail

design tool

Linked to the reorientation, the active travel route across the junction could be realigned to avoid going through the roundabout – there may also be benefit for signal controls / capacity with a reconfiguration

Noted. The active travel routes and traffic signals at Kemplay Bank will be considered within the detail design by the DIPs. We will provide them with this model to allow them to use it as a detail design tool

Linsigs have not been developed for the two junctions, although Vinny H suggested that it you could provide a different form of assessment to help support the design of the signal phases / length of flares / lane allocations – particularly as signals are the controlling factor of the operation

Noted.

Many thanks Leanne

Leanne Beverley
Lead – Infrastructure Planning Economy & Infrastructure Cumbria County Council Parkhouse Building
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