

A66 Northern Trans-Pennine Project

4.5 Statement of Common Ground North Yorkshire County Council and Richmondshire District Council (Rev 3)

APFP Regulations 5(2)(q)

Planning Act 2008

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A66 Northern Trans-Pennine Project Development Consent Order 202X

4.5 JOINT STATEMENT OF COMMON GROUND WITH NORTH YORKSHIRE COUNTY COUNCIL AND RICHMONDSHIRE 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.

1.2 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 North Yorkshire County Council (NYCC) and Richmondshire District Council (RDC) for comment prior to the submission of the DCO, at DCO submission and in advance of Deadline 5. Feedback has been sought from NYCC and RDC between 20 February and 6 March to update the Deadline 5 version. No formal feedback has been received prior to 6 March, but the subject of the SoCG and changes proposed since Deadline 3 have been shared by the Applicant with NYCC and RDC during the period between Deadline 3 and Deadline 5.
- 1.2.2 The Applicant has set out the detail of the issues raised by North Yorkshire County Council and Richmondshire 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 NYCC will be responsible for the new and improved local highway network. RDC are the Local Planning Authority for Stephen Bank to Carkin Moor and Scotch Corner schemes of the A66 Northern Tran-Pennine project.

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 both NYCC and RDC, 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 NYCC and RDC.



2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and NYCC and RDC 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
17.12.2020	Online Meeting	Meeting between NYCC, National Highways and A66 Project Team to discuss future engagement, consultation on the Scheme. Meeting included discussions on the programme of the project. It was noted in the meeting that NYCC would welcome a PPA.
08.01.2021	Online Meeting	Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions. Meeting included discussions around future engagement with both NYCC and RDC.
14.01.2021	Online Meeting	Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on SoCC, de-trunking and walking, cycling and horse riding (WCH). It was noted in the meeting that NYCC are preparing a draft PPA.
09.02.2021	Online Meeting	Discussions with NYCC and RDC 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 archaeology trenching.
11.02.2021	Online Meeting	Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on ongoing engagement plans and general design and environmental updates.
16.02.2021	Online Meeting	Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on highways design. It was noted in the meeting that an outlet centre is being proposed at Scotch Corner.
16.02.2021	Online Meeting	Meeting between NYCC Highways and the Project Team to discuss Scheme development and principles.
12.03.2021	Online Meeting	Discussions with NYCC/RDC 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, design at Brougham and archaeological trenching.
12.03.2021	Online Meeting	Meeting between NYCC/RDC 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 evidence plan, a



Date	Form of correspondence	Key topics discussed and key outcomes
		scheme-by-scheme overview, viewpoints, Landscape Character Assessment, AONB Management Plan and Areas of High Landscape Value.
16.03.2021	Online Meeting	Meeting between NYCC and RDC 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.
08.04.2021	Online Meeting	Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on programme updates, future highways design technical meetings and general environment update.
26.04.2021	Online Meeting	Meeting between NYCC/RDC 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 Greta Bridge and Bowes Conservation Areas.
20.05.2021	Online Meeting	Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on updates to the DCO consultation and TWG's.
24.05.2021	Online Meeting	Discussions between NYCC/RDC 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 Lanes to Rokeby, Stephen Bank to Carkin Moor.
08.06.2021	Online Meeting	Discussions between NYCC/RDC 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, options, evidence and survey strategy and geoarchaeological modelling.
10.06.2021	Online Meeting	Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on design updates and updates to the project programme.
10.06.2021	Online Meeting	Meeting between NYCC and RDC 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).



Date	Form of	Key topics discussed and key outcomes
	correspondence	
28.06.2021	Online Meeting	Meeting between NYCC Members/Leader, National Highways and Project Team to provide an update on the scheme.
01.07.2021	Online Meeting	Joint Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on the SOCC and PPA and external resourcing for NYCC/RDC.
01.07.2021	Online Meeting	Meeting between RDC Leader, National Highways and the Project Team to provide an update on the scheme.
20.07.2021	Online Meeting	Meeting between NYCC, RDC, National Highways and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on PPA and Mainsgill. It was noted in the meeting that the owners of Mainsgill have been speaking with Council members.
21.07.2021	Online Meeting	Continuation of 20.07.2021.
10.08.2021	Online Meeting	Meeting between NYCC and RDC 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 various ecology surveys.
16.08.2021	Online Meeting	Meeting between NYCC and RDC 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 Lanes to Rokeby, Stephen Bank to Carkin Moor and Scotch Corner.
18.08.2021	Online Meeting	Discussions with NYCC and RDC 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 PEI Report findings.
15.09.2021	Online Meeting	Meeting between WSP and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on design updates.
28.10.2021	Online Meeting	Meeting between NYCC and the Project Team to discuss project drainage designs. Meeting included discussions on departures, flooding and culverts.
01.11.2021	Online Meeting	Meeting between NYCC, National Highways and the Project Team to discuss project development and WCH proposals outside of scope. Meeting included discussions on design standards, signage, de-trunking, operational requirements and specific design updates. It was noted in the meeting that NYCC are happy for designs to be based off of DMRB standards.
02.11.2021	Online Meeting	Meeting between NYCC, National Highways and the Project Team to discuss development of project structures and



Date	Form of	Key topics discussed and key outcomes
	correspondence	
		future requirements. Meeting included discussions around specific structures such as underbridges and overbridges but also covered culverts and laybys.
10.11.2021	Online Meeting	Meeting between NYCC, National Highways and the Project Team to discuss project development and principles. Meeting included discussions on ponds, SuDS, water quality and culvert designs.
15.11.2021	Online Meeting	Meeting between NYCC and the Project Team to discuss Scheme development and WCH proposals outside of scope.
16.11.2021	Online Meeting	Meeting between NYCC, National Highways and the Project Team to discuss development of project structures and future requirements. Meeting included discussions on DMRB, lighting and the NYCC technical approval process.
24.11.2021	Online Meeting	Meeting between NYCC, National Highways and the Project Team to discuss project development and principles. Meeting included discussions on ponds, SuDS, water quality and culvert designs.
29.11.2021	Online Meeting	Meeting between NYCC and the Project Team to discuss project development and WCH proposals outside of scope
30.11.2021	Online Meeting	Meeting between NYCC, National Highways and the Project Team to discuss development of project structures and future requirements. Meeting included discussions on programme update and general design updates.
01.12.2021	Online Meeting	Meeting between NYCC and RDC 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 statutory consultation, LVIA Update and the landscape design approach.
08.12.2021	Online Meeting	Drop-in session between NYCC and the Project Team to discuss any outstanding principles or concerns relating to drainage.
13.12.2021	Online Meeting	Meeting between NYCC and the Project Team to discuss Scheme development and walking, cycling and horse riding proposals outside of scope
14.12.2021	Online Meeting	Meeting between NYCC and the Project Team to discuss development of project structures and future requirements.
17.12.2021	Online Meeting	Monthly Meeting between NYCC, DCC and the Project Team to present and discuss potential WCH proposals and projects to be allocated and supported though designated funds applications.
20.12.2021	Online Meeting	Meeting between RDC, NYCC, National Highways and the Project Team to discuss the response the statutory consultation.
20.01.2021	Online Meeting	Meeting between NYCC and RDC 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)).



Date	Form of correspondence	Key topics discussed and key outcomes
		Meeting included discussions on LVIA Update and a scheme update.
24.01.2022	Online Meeting	Meeting between NYCC and the Project Team to discuss the present the current work and process on the diversionary impacts during construction. Meeting included discussions on construction compounds, construction traffic and mitigation. It was noted in the meeting that there are local concerns regarding the impact of construction traffic on local roads.
25.01.2022	Online Meeting	Meeting between NYCC and the Project Team to present the current environmental mitigation and the work undertaken on the Project Design Report. Meeting included discussions on the proposed environmental mitigation and a walk through of the Project Design Report.
26.01.2022	Online Meeting	Meeting between NYCC, National Highways and the Project Team to discuss the current work being undertaken on the A66, looking specifically at the Technology being delivered on the road for operational purposes. Meeting included discussions on retained and proposed technology, retained and proposed operational elements and responses to statutory consultation comments. It was noted in the meeting that NYCC would want to see technology added that would futureproof the network.
26.01.2022	Online Meeting	Meeting between NYCC and RDC 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 and design mitigation.
10.02.2022	Online Meeting	Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on design updates and PPA updates.
22.02.2022	Online Meeting	Meeting Between NYCC and the Project Team to discuss the approach taken towards Socio Economic, Population and Human Health in the Environmental Statement. Meeting included discussions on the scope and methodology of the work, key themes, and the responses to NYCC/RDC consultation.
10.03.2022	Online Meeting	Joint Meeting between NYCC, National Highways and the Project Team to discuss Project development and ongoing actions. Meeting included discussions on SOCGs and PPA updates.
31.03.2022	Online Meeting	Joint Meeting between NYCC, RDC and the Project Team to discuss Project development and ongoing actions.
08.04.2022	Online Meeting	Meeting between NYCC, RDC and the Project Team. The Project team presented the Design Drawings for NYCC and RDC to comment and discuss ahead if finalisation for the DCO.
08.04.2022	Online Meeting	Meeting between NYCC, RDC and the Project Team. The Project team presented the Legislation and Policy Design



Date	Form of	Key topics discussed and key outcomes
	correspondence	
		Statement for NYCC and RDC to comment and discuss ahead if finalisation for the DCO.
08.04.2022	Online Meeting	Meeting between NYCC, RDC and the Project Team. The Project team presented the final Walking Cycling and Horse-Riding proposals for NYCC and RDC to comment and discuss ahead if finalisation for the DCO.
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.
27.07.2022	Online Meeting	Discussion on process for updating SoCG and regular meetings post-acceptance of the DCO.
25.08.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included an update on the EMP, the role of LAs in the DCO examination phase and a discussion of Resourcing for LA inputs.
07.09.2022	Online Meeting	Discussion on process for updating SoCG and regular meetings post-acceptance of the DCO.
21.09.2022	Online Meeting	Discussion on process for updating SoCG and regular meetings post-acceptance of the DCO.
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 a DCO Update and discussions on future meeting topics.
19.10.2022	Online Meeting	Discussion on process for updating SoCG and regular meetings post-acceptance of the DCO.
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 a discussion and update on the DCO following Publication of the Examination Timetable, and an update on De-trunking and Stakeholder Engagement.
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 the freight study being undertaken by National Highways outside of the A66 NTP.
25.11.2022	Online Meeting	An Online All LA Meeting, including representatives from NYCC, to present the Environmental Management Plan and answer questions from attendees.
11.01.2023	Online Meeting	Discussion with NYCC on process for updating the SoCG ahead of Deadline 3.
09.02.2023	Online Meeting	Meeting with NYCC to discuss the outstanding SOCG issues and the process of restructuring the SOCG ahead of Deadline 5.
23.02.2023	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting specifically focused on the EMP and the



Date	Form of correspondence	Key topics discussed and key outcomes
		changes made since examination following comments from Interested Parties.
28.02.2023	Online Meeting	Meeting with NYCCs Lead Local Flood Authority representative to discuss the approach to protected provisions within the A66 DCO and how that would affect the land drainage authority.
03.03.2023	Online Meeting	Meeting with NYCC to discuss the EMP, the changes made since examination following comments from Interested Parties. Aspects of the PDP and landscape specific queries were also discussed.
09.03.2023	Online Meeting	Meeting with NYCC Landscape Architect to discuss SOCG comments related to Landscape design and mitigation within the Project Design Principles document and the EMP.
09.03.2023	Online Meeting	Follow-up meeting with NYCCs Lead Local Flood Authority representative to discuss PADSS comments related to flood risk, surface water and drainage ponds.

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) NYCC and (3) RDC in relation to the issues addressed in this SoCG.



3 Issues

3.1.1 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)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
3-1.1. Moor Lane	NYCC and RDC Stat Con Response: Section 4.0 – 4.1	In response to concerns raised by East and West Layton Parish Council about the connection and use of Moor Lane to the new all movements junction, NYCC consider that if Moor Lane were to be closed to traffic this would force all residents and other road users to use Winston Cross roads to access the A66 and deny users the opportunity to use a far safer all movements interchange as proposed.	We understand that NYCC do not wish to progress with the closure of Moor Lane as requested by East and West Layton Parish Council	Agreed
3-1.2. Scotch Corner Development	NYCC and RDC Stat Con Response: Section 6.0 – 6.3	NYCC & EDC wants to ensure that NH remain involved in discussions around future development plans at Scotch Corner.	We welcome opportunities for both RDC and NYCC to keep NH updated of any plans for further economic growth and development at Scotch Corner.	Agreed
3-1.3. Noise and Vibration - Description of the likely significant effects	NYCC and RDC Stat Con Response: Section 8.18	Section 13.8.21 identifies that the section of carriageway at the A1(M) junction 53 Scotch Corner has the potential to be affected from junction improvements and was not assessed in the Options Selection stage of the EAR. RDC would like confirmation that this junction will be assessed as part of the ESR to protect noise sensitive receptors located nearby.	The Scotch Corner junction has been included within the Project study area and assessed in Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 3.2, APP-055).	Agreed



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
3-1.4. Landscape and Visual Impact - Soil Management and Agricultural Land	NYCC and RDC Stat Con Response: Section 11.8	We generally welcome the proposed methodology and approach set out in the PEI Report Chapter 09 Geology and Soils. However, the PEI Report assessment and report is based on existing data (The Provisional ALC maps Ministry of Agriculture, Fisheries and Food, 1970s). This does not classify land into Grade 3a and Grade 3b to differentiate between the 'best and most versatile' (BMV). A detailed soil survey, assessment and management plan are needed in order to protect and manage site soils, including protection and restoration of ALC best and most versatile land where appropriate.	ES Chapter 9 Geology and Soils (Application Document Reference 3.2, APP-052) contains an Agricultural Land Classification (ALC) Factual Soil Report (Appendix 9.5) this includes findings from soil and ALC surveys.	Agreed
3-1.5. HGV Facilities at Scotch Corner	North Yorkshire CC & Richmondshire DC: Design Drawing Review Session	Can we confirm that the Lorry parking at Scotch Corner is not within scope.	We can confirm that this is not within the scope of this project. We are aware that a separate Team within National Highways are looking at HGV facilities and we will continue to engage with you on opportunities for HGV rest areas in future.	Agreed
3-1.6. NYCC Policies	Legislation and Policy Compliance Statement review session	Has the NYCC Transport Plan and Strategic Transport Prospectus been looked at as part of this assessment: https://www.northyorks.gov.uk/local-transport-plan https://www.northyorks.gov.uk/strategic-transport-prospectus	This has been included within Legislation and Policy Compliance Statement, where relevant.	Agreed
3-1.7. Classification of Roads Plan: Moor	North Yorkshire CC & Richmondshire DC:	Concern for Moor Lane (and other unclassified roads) what standards will these be built to.	The junction at Moor Lane would be built to a NYCC Design	Agreed subject to



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
Lane (and other Unclassified Road) junctions to the National Highway	Design Drawing Review Session	Issues previously where the access is to a high standard before hitting a smaller, unclassified road. This may need to be a departure to make this a narrow road.	Standard rather than to DMRB to address this concern. This was the position agreed prior to submission of the DCO and will be integrated into the detailed design of the scheme.	continued dialogue post DCO on the detailed design.
3-1.8. Active Travel and Improving connections to local communities	NYCC and RDC Stat Con Response: Section 2.6 – 2.12, 2.13-2.15	NYCC & EDC want to ensure walking, cycling and horse riding are fully considered to minimise severance, improve resilience, and increase amenity on the de-trunked section of A66.	Information on the Project's walking, cycling and horse-riding proposals are included within the Walking, Cycling and Horse-riding Proposal Report (Application Document Reference 2.4, APP-010). National Highways have also responded on this matter in Section 4.10 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018). For further detail on the Applicant's position please see Appendix A	Agreed subject to continued dialogue post DCO on the detailed design.
3-1.9. Maximising social and economic benefits	NYCC and RDC Stat Con Response: Section 2.16 – 2.17	NYCC & EDC wants to ensure the investment in the A66 benefits local communities and economies (helping the Levelling Up agenda).	We are very supportive of opportunities to improve job opportunities, encourage the development of apprentices and work with local authorities to maximise economic development throughout the construction period. The Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), REP3-004) includes a commitment to develop a Skills and Employment Strategy,	Agreed



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
			which will be the responsibility of the Principal Contractor.	
			For further detail on the Applicant's position please see Appendix A	
3-1.10. Climate Change Officer RDC	NYCC and RDC Stat Con Response: Section 7.0 – 7.1	From a sustainable travel point of view, it is essential that safe crossing points are provided for pedestrians, cyclists and horse riders to ensure that journeys on foot, by bike and on horseback remain attractive options to and from communities to the north and south of the A66. Also, that provision is made for any public transport vehicles making routes across the A66 to be able to do so safely.	Enhancement measures have been incorporated into the design to develop an east-west active travel connection which utilises the de-trunked sections of the A66 during operation. National Highways have also responded on this matter in Section 4.10 and 4.19 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018). For further detail on the Applicant's position please see Appendix A	Agreed
3-1.11. Comments from the Richmondshire Climate Action Partnership	NYCC and RDC Stat Con Response: Section 7.2	The main concerns are the crossing points on the sections dualled previously which are not up to the standard proposed now by National Highways in the upgrading of the remaining A66 single carriageway to dual carriageway section.	We would refer to the opportunity to bid for designated funds for potential works that fall outside of the scope of this Project. We will continue to engage with the Local Authorities on this issue.	Agreed
3-1.12. Noise and Vibration - Construction Noise	NYCC and RDC Stat Con Response: Section 8.4 - 8.5	RDC would like to see further details on proposed diversion route study areas from the main scheme, where full carriageway closures overnight (23:00-07:00) are required. Further clarification on the construction phases of the project is required, including proposed start and end dates for each phase with the proposed working hours. Additional information on the likelihood of out of hours working taking	Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 3.2, APP-055) has been undertaken in accordance DMRB LA 111. We can confirm a study area of 300m from closest construction activity has been applied.	Agreed



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
		place. Whether it would be a regular aspect of the project, or only if the scheme fell behind schedule. Details of the proposed locations of any infrastructure support compounds or depots is also required, to enable RDC to assess the suitability of the proposed locations. For further detail on the Local Authorities position please see Appendix A	The Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), APP-019) confirms that a Construction Traffic Management Plan is developed for the specific scheme (or part of the scheme) being sought for approval, which addresses proposals for traffic management including, if required any temporary diversions, their duration and the number required. National Highways have reviewed and commented on the Local Impact Report in Section 4.18 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018). For further detail on the Applicant's position please see Appendix A	
3-1.13. Noise and Vibration - Noise	NYCC and RDC Stat Con Response: Section 8.12	Paragraph 13.5.7 of the ESR has identified two NIAs along the current route corridor within the district of Richmondshire, namely, DEFRA Important Area 10437 (Stephen Bank to Carkin Moor) and 10127 (Gatherley Moor Farm). RDC does not agree with the assumption that there are only two locations along the route corridor within the district of Richmondshire that are considered an NIA therefore more indepth information would be required in the ES showing further information as to how the NIAs have been classified and identified.	National Highways have reviewed and commented on the Local Impact Report in Section 4.18 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018). For further detail on the Applicant's position please see Appendix A	Agreed



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
3-1.14. Noise and Vibration - Potential Impacts	NYCC and RDC Stat Con Response: Section 8.13 & 8.16	The potential noise and vibration impacts identified within Section 13.4 of the ESR are broadly considered acceptable. However, Section 13.6.1 of the ESR identifies potential impacts from noise at sensitive receptors should be considered within a 25m radius. Construction traffic using diversionary routes during night-time hours is likely to be a major factor when considering adverse impacts on sensitive properties, therefore it is recommended that this distance is revised to consider sensitive properties at a greater distance where appropriate. For further detail on the Local Authorities position please see Appendix A	It is noted that within NYCC and RDC's responses to the Applicant's Responses to the Relevant Representations Part 4 of 4 (REP2-035, No.122-9) that it states that "The assessment of noise and vibration levels in the relevant chapter of the ES can be broadly agreed with. It is important that all aspects of the scheme are considered fully. Further assessment of the adequacy of dealing with these effects will form part of the Local Impact Report." National Highways have reviewed and commented on the Local Impact Report in Section 4.18 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018). National Highways will work with RDC to develop the approach to diversionary routes and in particular noise mitigation measures as part of the development of the EMP. As per 3-1.12 the CTMP will identify whether any night-time diversions are required, the nature and duration of these. The project direction is to avoid full closures of the A66 wherever possible.	Agreed



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
			For further detail on the Applicant's position please see Appendix A	
3-1.15. Construction Traffic	A66, NYCC & RDC: Technology and Operations Meeting (26.01.2022)	Keen to establish if there any smart measures that could be used to influence construction traffic, such as vehicle tracking and monitoring, would be supported and would not want to miss the opportunity to build or embed this into the construction ethos. NYCC would be looking to take a hypercautious approach to construction traffic.	This will be a matter for discussion with the Principal Contractor prior to commencement of works in 2024.	Agreed subject to continued dialogue with the Delivery Integration Partners post-DCO
3-1.16. GA Drawings: Browson Bank Farm Balancing Pond and Access Track	North Yorkshire CC & Richmondshire DC: Design Drawing Review Session (08.04.2022)	Given the proposed balancing ponds are split between NYCC and National Highways, who will maintain the access?	These are currently shown as a private means of access in National Highways ownership with rights to NYCC to access the smaller pond. This can be discussed and agreed with NYCC at detailed design.	Agreed subject to continued dialogue post DCO on the detailed design.
3-1.17. GA Drawings: Layby Locations and HGVs Facilities	North Yorkshire CC & Richmondshire DC: Design Drawing Review Session (08.04.2022)	Are the locations of the laybys fixed and what was the methodology for this? We know there is a need for HGV facilities locally, and there is a need to proactively encourage appropriate places for HGVs to stop overnight.	The location of laybys has been made following the recommendations of Road Safety Audit as identified in Section 9.2 of the Transport Assessment (Application Document Reference 3.7, APP-236). National Highways have also responded on this matter in Section 4.12 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018). For further detail on the Applicant's position please see Appendix A	Agreed



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
3-1.18. Classification of Roads Plan	North Yorkshire CC & Richmondshire DC: Design Drawing Review Session (08.04.2022)	NYCC are happy with the C1108 and the extension of Warrener Lane, but we will seek to confirm with the team to ensure we are happy with this convention prior to those appearing on the schedules.	We will continue to seek confirmation on this matter as part of detailed design	Agreed subject to continued dialogue post DCO on the detailed design.
3-1.19. Traffic Regulation Order (Speed Limits) Plans: Warrener Lane Speed Limit	North Yorkshire CC & Richmondshire DC: Design Drawing Review Session (08.04.2022)	Warrener Lane would that new stretch be at 50mph and will this leave us with an issue as to when the old road is at a 60mph. It is possible that the 50mph limit could start at the new pond access to the west and finish at the eastern end after the new WCH Infrastructure.	We will continue to seek confirmation on this matter as part of detailed design.	Agreed subject to continued dialogue post DCO on the detailed design.
3-1.20. Biodiversity	North Yorkshire County Council and Richmondshire District Council – Relevant Representations – RR- 122 – 02 September 2022	The DCO application includes an ecological impact assessment, with associated figures and appendices. The authority has not yet had the chance to review all of these technical documents in detail and will provide comments through the Local Impact Report. The ES identifies that a residual adverse effect remains in relation to barn owl during the operational phase of the development. The authority wishes to work with the applicant to identify appropriate mitigation to minimise the residual effect as far as possible.	Barn Owl assessments are detailed within Chapter 6 Biodiversity of the Environmental Statement (Document Reference 3.2, APP-049) and section 4.16 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018). National Highways will continue to investigate potential mitigation measures having regard to highway design standards and will continue to engage with NYCC and RDC on this point. For further detail on the Applicant's position please see Appendix A	Agreed



Table 3-2: Record of Issues - Under Discussion Issues

Appendix B includes issues which were stated as under discussion at the time of DCO submission (related to Statutory consultation and/or pre-application discussions) but are no longer considered to be relevant as the issues are either addressed in the DCO documents or outstanding issues are now recorded under relevant representations.

Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
3-2.1. De-trunking of existing A66	NYCC and RDC Stat Con Response: Section 2.3 – 2.5 NYCC and RDC DL4 response	NYCC & RDC wants to ensure that the existing A66 is de-trunked at an acceptable standard. At deadline 4 NYCC and RDC stated: 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. 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. Acceptance of the de-trunking commuted sum will be required to be signed off by the	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. 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). We will continue this discussion to agree the strategy for detrunking. It has been agreed that a de-trunking agreement will be produced to reflect matters agreed with the Local Authorities. Maintenance of the de-trunked section after handover will be the responsibility of the Local Roads Authority, National Highways	Under discussion. A de-trunking meeting is due to be held in late March 2023.



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
		new North Yorkshire Council as the successor to NYCC.	have committed to providing dates for this handover.	
		NYCC also stated at DL4 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 [APP033]. 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 Applicant for a period of 12 months from the completion of the highways works as is standard practice for the construction of new highway.	National Highways note that where appropriate warranty and defects liability will be in accordance with appropriate contracts. This will be the subject of a detrunking meeting in late March 2023.	
3-2.2. Landscape Design and Improvements at Scotch Corner	A66, NYCC and RDC Approach to Project Design Principles (25.01.2022)	It would be good to demonstrate the qualitative landscape design around Scotch Corner to see some improved quality in this area as part of the Scheme.	The scope of works for the Scheme are bound by the impact of the road works being undertaken, and overall improvements of the landscape quality in this area are likely to	Under discussion. We are seeking to arrange a landscape discussion to address residual concerns



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
			be out of scope. However, we will continue discussions with NYCC and RDC into detailed design around the matter.	regarding landscape design.
3.2-3. Landscape and Visual	North Yorkshire County Council and Richmondshire District Council – Relevant Representations – RR- 122 – 02 September 2022	Landscape and Visual Improvements The Authority is satisfied that the DCO Application includes an adequate Landscape and Visual Impact Assessment (LVIA) subject to inclusion of selected illustrations (elevations, cross sections and photomontages) to help explain significant effects and illustrate key features of the scheme in a wider context (such as the proposed overbridges). The Application should also include an explanation of the design principles in order to demonstrate good design. The Applicant states that the Structures have undergone an aesthetic review to ensure they comply with the overarching design aspirations (ES 10.9.4). Reference is also made to a Project Design Principles document (PDP) (Application Document 5.11). However, this review or PDP document are not clear or evident in the Application.	The Project Design Principles document (Document Reference 5.11, APP-302) is available as part of the DCO Application and sets out the underpinning principles on which the mitigation is based. Interested Parties will have an opportunity to comment on this document during the examination and National Highways will consider comments made. In addition, National Highways will continue to engage on these matters with NYCC and RDC as will be recorded in this Statement of Common Ground. Annex B1 of The Environmental Management Plan (EMP) (Document Reference 2.7, APP-021) contains an outline Landscape and Ecological Management Plan (LEMP). The EMP requires that the LEMP is developed in further detail in consultation with various stakeholders, including the local planning authorities. Compliance with this process is secured	Under discussion. A meeting was held on 9th March to address residual concerns regarding landscape design. Further meetings are proposed with a view to resolve these residual comments.



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
		It is acknowledged that illustrative layouts of the key mitigation principles are shown on the visual Environmental Mitigation Maps (Application Document 2.8). However, these are illustrative layouts not intended to be secured by the DCO (ES 2.7.4). The Authority would wish to see an outline landscape strategy (incorporating mitigation) secured through the DCO and would welcome an opportunity to continue to work with the Applicant on detailed aspects of the landscape and visual mitigation, to ensure an appropriate response. The Authority would also wish to see further information and clarification for long-term maintenance and management of proposed landscape mitigation including responsibilities and how landscaping is secured as a permanent element of the scheme through the Order.	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. The Project Design Principles (PDP) (Document Reference 5.11, APP-302) outlines key landscaping design considerations with Theme A outlining key principles to promote landscape integration and landscape character amongst others. The detailed design of the Project must be carried out so as to be compatible with the PDP, which is secured in article 54 of the DCO, if made.	
3-2.4. Earthworks	NYCC and RDC Stat Con Response: Section	We have concerns about the large scale of earthworks currently shown on plans which seems very 'engineered' and lacks more natural grading into the existing landform. We also have concerns	We will continue discussion with RDC and NYCC on the matter of attenuation ponds into the detailed design stage post-DCO. The Project Design Principles (Application Document	Under discussion. We are seeking to arrange a landscape discussion to address residual concerns



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
		about the scale and frequency of drainage retention ponds with the Stephen Bank to Carkin Moor section, which are numerous and seem excessive. Effort should be made to reduce the scale and frequency of these elements of the scheme and for sensitive design to protect local character and setting.	Reference 5.11, APP-302) confirms a number of landscape principles, including principle L117: New ponds and associated landforms must reflect the character, scale, and shape of the prevailing local topography, avoiding the use of geometric shapes and steep, uniform bank profiles and are to be sensitive to the subtleties of local landforms and context.	regarding landscape design.
3-2.5 Environmental Management Plan	DL4 response	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 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. The Councils consider	A session was held with North Yorkshire on 3 March 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. 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 various interested parties, National Highways has amended the	It is National Highways understanding that this matter can be considered to be agreed between the parties but this remains under discussion until confirmed by NYCC.



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
		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. 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 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. The Councils are also concerned that there are no provisions in relation to the approval 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	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' Issue Specific Hearing 3 (ISH3) Post Hearing Submissions (including written submissions of oral case) (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. As also stated in the posthearing submission made by National Highways in 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	



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
		amendments to the third iteration EMP it wishes.	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.	
			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 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	



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
			amendments to the DCO in this regard.	
3-2.6 Diversions	DL4 response	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. 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 vehicles. 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	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 is developed in consultation with NYCC, which will include (amongst other requirements) the following: Details of proposed traffic management measures, including phasing plans, route restrictions and speed limits. Details of planned carriageway and local road closures, including proposed stakeholder and community engagement protocols in advance of closures. Details of proposed diversion routes, durations of use and proposals for encouraging compliance with designated diversion routes (with consideration for potential noise impacts). The CTMP will include, amongst other commitments, the	Under discussion



Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
			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.	
			It is understood that these matters including rat running and diversions are the subject of dialogue between the authorities and National Highways Delivery Integration Partners (DIPs) and will be discussed at a meeting on 14 March 2023.	

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

Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status
There are no issues that are currently not agreed.				



4 Appendices

4.1.1 Appendix A: Further Historical Context to Discussions



Table A-1: Matters from Rev1 SoCG superseded by DCO Submission and Relevant Responses

Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position
3-1.1. Moor Lane	In response to concerns raised by East and West Layton Parish Council about the connection and use of Moor Lane to the new all movements junction, NYCC consider that if Moor Lane were to be closed to traffic this would force all residents and other road users to use Winston Cross roads to access the A66 and deny users the opportunity to use a far safer all movements interchange as proposed.	We understand that NYCC do not wish to progress with the closure of Moor Lane as requested by East and West Layton Parish Council. It is National Highways' understanding that this issue is resolved and may be treated as agreed between the parties.
3-1.2. Scotch Corner Development	NYCC & EDC wants to ensure that NH remain involved in discussions around future development plans at Scotch Corner.	We welcome opportunities for both RDC and NYCC to keep NH updated of any plans for further economic growth and development at Scotch Corner. It is National Highways understanding that this issue is resolved and may be treated as agreed between the parties.
3-1.3. Noise and Vibration - Description of the likely significant effects	Section 13.8.21 identifies that the section of carriageway at the A1(M) junction 53 Scotch Corner has the potential to be affected from junction improvements and was not assessed in the Options Selection stage of the EAR. RDC would like confirmation that this junction will be assessed as part of the ESR to protect noise sensitive receptors located nearby.	The Scotch Corner junction has been included within the Project study area and assessed in Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 3.2, APP-055). It is National Highways understanding that this issue is resolved and may be treated as agreed between the parties.
3-1.4. Landscape and Visual Impact - Soil Management and Agricultural Land	We generally welcome the proposed methodology and approach set out in the PEI Report Chapter 09 Geology and Soils. However, the PEI Report assessment and report is based on existing data (The Provisional ALC maps Ministry of Agriculture, Fisheries and Food, 1970s). This does not classify land into Grade 3a and Grade 3b to differentiate between the 'best and most versatile' (BMV). A detailed soil survey, assessment and management plan are needed in order to protect and manage site soils, including protection and restoration of ALC best and most versatile land where appropriate.	ES Chapter 9 Geology and Soils (Application Document Reference 3.2, APP-052) contains an Agricultural Land Classification (ALC) Factual Soil Report (Appendix 9.5) this includes findings from soil and ALC surveys. It is National Highways understanding that this issue is resolved and may be treated as agreed between the parties.
3-1.5. HGV Facilities at Scotch Corner	Can we confirm that the Lorry parking at Scotch Corner is not within scope.	We can confirm that this is not within the scope of this project.



Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position
		We are aware that a separate Team within National Highways are looking at HGV facilities and we will continue to engage with you on opportunities for HGV rest areas in future.
3-1.6. NYCC Policies	Has the NYCC Transport Plan and Strategic Transport Prospectus been looked at as part of this assessment:	We will review these documents and seek to include within Legislation and Policy Compliance Statement, where relevant.
	https://www.northyorks.gov.uk/local-transport-plan https://www.northyorks.gov.uk/strategic-transport-prospectus	It is National Highways understanding that this issue is resolved and may be treated as agreed between the parties.
3-1.7. Classification of Roads Plan: Moor Lane (and other Unclassified Road) junctions to the National Highway	Concern for Moor Lane (and other unclassified roads) what standards will these be built to. Issues previously where the access is to a high standard before hitting a smaller, unclassified road. This may need to be a departure to make this a narrow road.	The junction at Moor Lane would be built to a NYCC Design Standard rather than to DMRB to address this concern. This was the position agreed prior to submission of the DCO and will be integrated into the detailed design of the scheme.
3-1.8. Active Travel and Improving connections to local communities	NYCC & EDC wants to ensure walking, cycling and horse riding are fully considered to minimise severance, improve resilience, and increase amenity on the de-trunked section of A66.	Information on the Projects walking, cycling and horse-riding Proposal are included within the Walking, Cycling and Horse-riding Proposal Report (Application Document Reference 2.4, APP-010). Between Stephen Bank to Carkin Moor 4.8.1 there are five existing locations where WCH routes either terminate or cross the A66. These five locations consist of four bridleways and four footpaths.
		A new shared bridleway/footway in the verge of the de-trunked A66, running the entire length of the scheme, is proposed to connect the existing bridleways and footpaths together.
		Improvements are also proposed at both Hutton Magna and West Layton to enable north-south connections to be maintained across the A66 carriageway via underpasses.
		We will continue to engage with the Councils on these issues and seek agreement that its proposals represent the optimal



Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position
		solution and that active travel arrangement have been appropriately included with its proposals.
		National Highways have also responded on this matter in Section 4.10 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018).
3-1.9. Maximising social and economic benefits	NYCC & EDC wants to ensure the investment in the A66 benefits local communities and economies (helping the levelling up agenda).	We are very supportive of opportunities to improve job opportunities, encourage the development of apprentices and work with local authorities to maximise economic development throughout the construction period. The Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), APP-019) 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:
		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.
		Developing a workforce with the right skills.
		We will continue to engage with the Councils on these issues and seek agreement regarding the measures proposed to maximise social and economic benefits.
		National Highways have also responded on this matter in Section 4.14 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018).
3-1.10. Climate Change Officer RDC	From a sustainable travel point of view, it is essential that safe crossing points are provided for pedestrians, cyclists and horse riders to ensure that journeys on foot, by bike and on horseback remain attractive options to and from communities to the north	Enhancement measures have been incorporated into the design to develop an east-west active travel connection which utilises the de-trunked sections of the A66 during operation.



Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position
	and south of the A66. Also, that provision is made for any public transport vehicles making routes across the A66 to be able to do so safely.	The assessment has also considered how accessibility is impacted during both construction and operation of the Project, to ensure key facilities and services are accessible.
		Information on the Projects walking, cycling and horse riding proposals are included within the Walking, Cycling and Horse riding Proposal Report (Application Document Reference 2.4, APP-010). Between Stephen Bank to Carkin Moor 4.8.1 there are five existing locations where WCH routes either terminate or cross the A66. These five locations consist of four bridleways and four footpaths.
		A new shared bridle/footway in the verge of the de-trunked A66, running the entire length of the scheme, is proposed to connect the existing bridleways and footpaths together.
		Improvements are also proposed at both Hutton Magna and West Layton to enable north-south connections to be maintained across the A66 carriageway via underpasses.
		National Highways have also responded on this matter in Section 4.10 and 4.19 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018).
3-1.11. Comments from the Richmondshire Climate Action Partnership	The main concerns are the crossing points on the sections dualled previously which are not up to the standard proposed now by Highways England in the upgrading of the remaining A66 single carriageway to dual carriageway section.	We continue to engage with the Local Authorities on this issue. We would refer to the opportunity to bid for designated funds for potential works that fall outside of the scope of this project.
3-1.12. Noise and Vibration - Construction Noise	RDC considers a study area of 300m from the closest construction activity, as defined in DMRB LA 111 guidance, to be sufficient to capture any noise sensitive receptors. RDC would like to see further details on proposed diversion route study areas from the main scheme, where full carriageway closures	Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 3.2, APP-055) has been undertaken in accordance DMRB LA 111.We can confirm a study area of 300m from closest construction activity has been applied.
	overnight (23:00-07:00) are required. Any diversion of vehicles, particularly heavy goods vehicles in this rural environment are likely to cause major disruption and/or	The Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), APP-019) confirms that no part of the project can start until a Construction Traffic



Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position
	disturbance to residents residing along diverted routes and must be considered carefully.	Management Plan (CTMP) is developed which will include (amongst other requirements) the following:
	Given the rural nature of the environment along the proposed route, any change in traffic flow associated with construction,	Details of proposed traffic management measures, including phasing plans, route restrictions and speed limits.
	which will involve an increase in the percentage of HGV's, is likely to lead to an increased impact on sensitive receptors identified in the study area.	Details of planned carriageway and local road closures, including proposed stakeholder and community engagement protocols in advance of closures.
	Any forecasts based on traffic speed, flow, and percentage HGV increase, which could all lead to an increase in noise levels along the route must be addressed within the ES.	Details of proposed diversion routes, durations of use and proposals for encouraging compliance with designated diversion routes (with consideration for potential noise)
	Further clarification on the construction phases of the project is required, including proposed start and end dates for each phase	impacts). The CTMP will include, amongst other commitments, the
	with the proposed working hours. Additional information on the likelihood of out of hours working taking place. Whether it would	following commitments during construction of the Project:
	be a regular aspect of the project, or only if the scheme fell behind schedule. Details of the proposed locations of any	Diversion routes to be discussed with the Local Highway Authority in advanced of required closures.
	infrastructure support compounds or depots is also required, to enable RDC to assess the suitability of the proposed locations.	Specific mitigation measures to be developed for diversion routes in relation to noise and vibration, such as monitoring of usage of diversion routes, use of multiple diversion routes for different closures to reduce exposure of individual receptors.
		Chapter 2 (The Project) of the ES (Application Document Reference 3.2, APP-045) confirms that the planning of the construction phase of the Project is ongoing, and specific details of methodologies will not be finalised until the detailed design is complete. Where construction methodologies are not yet fixed, the EIA considers the full range of approaches that could be taken or considers the worst case for environmental effects. For Stephen Bank to Carkin Moor, a 48-month construction period (proposed to start in 2026) is assumed, with a compound location North of A66 close to Moor Lane, accessed off Moor
		Lane. Most construction works will be undertaken during standard day
		working hours of 07:30 until 18:00 Monday to Friday, and 07:30



Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position
		until 13:00 on Saturdays. In some instances, it may be essential to undertake works at night or on Sundays and Bank Holidays due to traffic management restrictions, with additional traffic management or closures required for works such as road connections or interface points, bridge beam lifts and deck pours.
		Where work is required outside of the core working hours, the Principal Contractor(s) will liaise with the relevant Local Authority to agree the procedures for notifying local residents and any site-specific constraints that need to be applied. This process is set out in the Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), APP-019).
		It is noted that within NYCC and RDC's responses to the Applicant's Responses to the Relevant Representations Part 4 of 4 (REP2-035, No.122-9) that it states that "The assessment of noise and vibration levels in the relevant chapter of the ES can be broadly agreed with. It is important that all aspects of the scheme are considered fully. Further assessment of the adequacy of dealing with these effects will form part of the Local Impact Report."
		National Highways have reviewed and commented on the Local Impact Report in Section 4.18 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018) and will continue to engage with NYCC and RDC to seek to agree matters.
3-1.13. Noise and Vibration - Noise	Paragraph 13.5.7 of the ESR has identified two NIAs along the current route corridor within the district of Richmondshire, namely, DEFRA Important Area 10437 (Stephen Bank to Carkin Moor) and 10127 (Gatherley Moor Farm).	We note the comments in relation to Noise Important Areas (NIAs). NIAs are locations in England where the top 1% of the population that are affected by the highest noise levels are located, according to the results of the strategic noise mapping
	RDC does not agree with the assumption that there are only two locations along the route corridor within the district of Richmondshire that are considered an NIA therefore more in-	undertaken by Defra, under the terms of the Environmental Noise (England) Regulations 2006. We have used the strategic mapping undertaken by Defra for the definition of the NIAs.
	depth information would be required in the ES showing further	It is noted that within NYCC and RDC's responses to the Applicant's Responses to the Relevant Representations Part 4 of



Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position
	information as to how the NIAs have been classified and identified.	4 (REP2-035, No.122-9) that is states that "The assessment of noise and vibration levels in the relevant chapter of the ES can be broadly agreed with. It is important that all aspects of the scheme are considered fully. Further assessment of the adequacy of dealing with these effects will form part of the Local Impact Report."
		National Highways have reviewed and commented on the Local Impact Report in Section 4.18 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018) and will continue to engage with NYCC and RDC to seek to agree matters.
3-1.14. Noise and Vibration - Potential Impacts	The potential noise and vibration impacts identified within Section 13.4 of the ESR are broadly considered acceptable. However, Section 13.6.1 of the ESR identifies potential impacts from noise at sensitive receptors should be considered within a 25m radius. Construction traffic using diversionary routes during night-time hours is likely to be a major factor when considering adverse impacts on sensitive properties, therefore it is recommended that this distance is revised to consider sensitive properties at a greater distance where appropriate. Section 13.6.7 of the ESR acknowledges that vibration generated by the construction of the project has the potential to adversely affect vibration-sensitive receptors and that, in line with DMRB LA 111, a construction vibration assessment will be undertaken at the preliminary design stage. Although RDC agrees with his approach, RDC would like to be involved in the preliminary discussions surrounding the methodology of this assessment and the identification of vibration-sensitive receptors. RDC agrees with the description of the likely significant effects outlined in section 13.8 of the ESR. However, it is noted that there is no reference of possible diversion routes and their potential impacts on noise and vibration sensitive locations. It is	 Chapter 12 (Noise and Vibration) of the ES (Application Document Reference, 3.2, APP-055) confirms that as required by DMRB LA 111 a diversion route study area of 25m from the kerb line of all diversion routes will be adopted where the Project requires full carriageway closures during the night-time period (23:00-07:00) to enable construction works to take place. However, the Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), APP-019) 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. Details of planned carriageway and local road closures, including proposed stakeholder and community engagement protocols in advance of closures. Details of proposed diversion routes, durations of use and proposals for encouraging compliance with designated diversion routes (with consideration for potential noise impacts).



Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position
	recommended that this issue is covered in greater detail in the ES.	The CTMP will include, amongst other commitments, the following commitments during construction of the Project:
		Diversion routes to be discussed with the Local Highway Authority in advanced of required closures.
		Specific mitigation measures to be developed for diversion routes in relation to noise and vibration, such as monitoring of usage of diversion routes, use of multiple diversion routes for different closures to reduce exposure of individual receptors.
		We would therefore seek to work with RDC to develop the approach to diversionary routes and in particular noise mitigation measures as part of the development of the EMP.
		It is noted that within NYCC and RDC's responses to the Applicant's Responses to the Relevant Representations Part 4 of 4 (REP2-035, No.122-9) that it states that "The assessment of noise and vibration levels in the relevant chapter of the ES can be broadly agreed with. It is important that all aspects of the scheme are considered fully. Further assessment of the adequacy of dealing with these effects will form part of the Local Impact Report."
		National Highways have reviewed and commented on the Local Impact Report in Section 4.18 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018) and will continue to engage with NYCC and RDC to seek to agree matters.
3-1.15. Construction Traffic	Keen to establish if there any smart measures that could be used to influence construction traffic, such as vehicle tracking and monitoring, would be supported and would not want to miss the opportunity to build or embed this into the construction ethos. NYCC would be looking to take a hypercautious approach to construction traffic.	This will be a matter for discussion with the Principal Contractor prior to commencement of works in 2024.



Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	
3-1.16. GA Drawings: Browson Bank Farm Balancing Pond and Access Track	Given the proposed balancing ponds are split between NYCC and National Highways, who will maintain the access?	These are currently shown as a private means of access in National Highways ownership with rights to NYCC to access the smaller pond. This can be discussed and agreed with NYCC at detailed design.	
3-1.17. GA Drawings: Layby Locations and HGVs Facilities	Are the locations of the laybys fixed and what was the methodology for this? We know there is a need for HGV facilities locally, and there is a need to proactively encourage appropriate places for HGVs to	The location of laybys has been made following the recommendations of Road Safety Audit as identified in Section 9.2 of the Transport Assessment (Application Document Reference 3.7, APP-236).	
	stop overnight.	All responses to the RSA recommendations were taken through a decision log process with the Overseeing Authority. The Overseeing Authority is National Highways for the trunk road network and is the Local Highway Authority for local roads and the old de-trunked A66, where it will be adopted.	
		We will continue to engage with Local Authorities along the route in relation to any forthcoming opportunities for HGV rest areas.	
		National Highways have also responded on this matter in Section 4.12 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018).	
3-1.18. Classification of Roads Plan	NYCC are happy with the C1108 and the extension of Warrener Lane, but we will seek to confirm with the team to ensure we are happy with this convention prior to those appearing on the schedules.	We will continue to seek confirmation on this matter.	
3-1.19. Traffic Regulation Order (Speed Limits) Plans: Warrener Lane Speed Limit	Warrener Lane would that new stretch be at 50mph and will this leave us with an issue as to when the old road is at a 60mph. It is possible that the 50mph limit could start at the new pond access to the west and finish at the eastern end after the new WCH Infrastructure.	We will continue to seek confirmation on this matter.	
3-1.20. Biodiversity	The DCO application includes an ecological impact assessment, with associated figures and appendices. The authority has not yet had the chance to review all of these technical documents in	Barn Owl assessments are detailed within Chapter 6 Biodiversity of the Environmental Statement (Document Reference 3.2, APP-049). The residual impact identified upon Barn Owls was	



Table Reference / Topic	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	
	detail and will provide comments through the Local Impact Report. The ES identifies that a residual adverse effect remains in relation to barn owl during the operational phase of the development. The authority wishes to work with the applicant to identify appropriate mitigation to minimise the residual effect as far as possible.	identified under the assumption that a departure from highway design standards was not possible to allow planting within the usual 4.5m offset for shrubs, 7m for trees with a girth of less than 450mm and 9m for larger trees. Therefore, the assessment was undertaken on a worst case basis. National Highways continues to investigate potential mitigation measures having regard to highway design standards and will engage with NYCC and RDC on this point.	
		National Highways have also responded on this matter in Section 4.16 of the Applicant's Comments on Local Impact Report (Document Reference 7.9 REP2-018).	
3-2.1. De- trunking of existing A66	NYCC & RDC wants to ensure that the existing A66 is detrunked at an acceptable standard.	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.	
		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).	
3-2.2. Landscape Design and Improvements at Scotch Corner	It would be good to demonstrate the qualitative landscape design around Scotch Corner to see some improved quality in this area as part of the Scheme.	The scope of works for the Scheme are bound by the impact of the road works being undertaken, and overall improvements of the landscape quality in this area are likely to be out of scope. However, we will continue discussions with NYCC and RDC into detailed design around the matter.	
3.2-3. Landscape and Visual	Landscape and Visual Improvements The Authority is satisfied that the DCO Application includes an adequate Landscape and Visual Impact Assessment (LVIA) subject to inclusion of selected illustrations (elevations, cross sections and photomontages) to help explain significant effects and illustrate key features of the scheme in a wider context (such		
	as the proposed overbridges). The Application should also include an explanation of the design principles in order to demonstrate good design.	continue to engage on these matters with NYCC and RDC as will be recorded in this Statement of Common Ground. Annex B1 of The Environmental Management Plan (EMP) (Document Reference 2.7, APP-021) contains an outline	



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	The Applicant states that the Structures have undergone an aesthetic review to ensure they comply with the overarching design aspirations (ES 10.9.4). Reference is also made to a Project Design Principles document (PDP) (Application Document 5.11). However, this review or PDP document are not clear or evident in the Application. It is acknowledged that illustrative layouts of the key mitigation principles are shown on the visual Environmental Mitigation Maps (Application Document 2.8). However, these are illustrative layouts not intended to be secured by the DCO (ES 2.7.4). The Authority would wish to see an outline landscape strategy (incorporating mitigation) secured through the DCO and would welcome an opportunity to continue to work with the Applicant on	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. The Project Design Principles (PDP) (Document Reference 5.11, APP-302) outlines key landscaping design considerations with Theme A outlining key principles to promote landscape integration and landscape character amongst others. The detailed design of the Project must be carried out so as to be compatible with the PDP, this is secured in article 54 of the DCO, if made.
	detailed aspects of the landscape and visual mitigation, to ensure an appropriate response. The Authority would also wish to see further information and clarification for long-term maintenance and management of proposed landscape mitigation including responsibilities and how landscaping is secured as a permanent element of the scheme through the Order.	
3-2.4. Earthworks	We have concerns about the large scale of earthworks currently shown on plans which seems very 'engineered' and lacks more natural grading into the existing landform. We also have concerns about the scale and frequency of drainage retention ponds with the Stephen Bank to Carkin Moor section, which are numerous and seem excessive. Effort should be made to reduce the scale and frequency of these elements of the scheme and for sensitive design to protect local character and setting.	We will continue discussion with RDC and NYCC on the matter of attenuation ponds into the detailed design stage post-DCO. The Project Design Principles (Application Document Reference 5.11, APP-302) confirms a number of landscape principles, including principle LI17: New ponds and associated landforms must reflect the character, scale, and shape of the prevailing local topography, avoiding the use of geometric shapes and steep, uniform bank profiles and are to be sensitive to the subtleties of local landforms and context.



Appendix B: Matters from Rev1 SoCG superseded by DCO Submission and National Highways' responses to Relevant Representations

Table A-2: Matters from Rev1 SoCG superseded by DCO Submission and Relevant Responses

Issue	Document References (if relevant)	North Yorkshire County Council and Richmondshire District Council Position	National Highways Position	Status	Date
A-2.1. Futureproofing	NYCC and RDC Stat Con Response: Section 2.18 – 2.19	NYCC & EDC want to ensure that adequate strategic charging infrastructure is considered and implemented to cater for electric vehicles on or close to the A66.	We welcome your comments regarding future provision for electric vehicle charging across the A66. Whilst this is not currently within the scope of the A66 NTP, this is a matter which we are actively considering as part of the future for the strategic road network (as part of the Net Zero Highways plan: https://nationalhighways.co.uk/net zerohighways/).	The consideration of this matter is outside of the scope of the Project.	24.01.2023
A-2.2. Scotch Corner General Arrangement Plans	North Yorkshire CC & Richmondshire DC: Design Drawing Review Session	The A1(M) northbound off slip road can be congested and we want to be certain this won't be an issue going forwards.	The proposed additional lane at Scheme 10 (Junction 53 Scotch Corner) would widen the existing Middleton Tyas Lane approach at Scotch Corner roundabout from one lane to two lanes. This additional lane should provide for a higher quantum of traffic to exit the junction / roundabout during each green signal period. This is further detailed within the Transport Assessment (Document Reference 3.7, APP-236).	The NYCC and RDC Relevant Representations (RR-122) make no reference to the proposals at Scotch Corner. It is believed that this comment is now superseded upon receipt of the Scheme Design at DCO Submission Stage.	24.01.2023