

Post Hearing Submissions on the A66 Northern Trans-Pennine Project

Submitted on Behalf of

the Trustees of the Kenneth Thompson Discretionary Will Trust

14th March 2023

1. Introduction

1.1 We are instructed by the Trustees of the Kenneth Thompson Discretionary Will Trust care of PCS Ltd, 2nd Floor, Quay House, South Quay, Douglas, Isle of Man, IN1 5AR in respect of Poundergill on the Cross Lanes to Rokeby section of the Scheme. The Trust is referred to below as 'KTD'.

1.2 We have previously submitted on behalf of KTD written submissions for deadlines 1,2 and 3. We do not propose to repeat those representations, but would stress that the issues raised remain unresolved. In particular we have raised concerns in relation to the extent of land-take, safety, and the scheme design in terms of mitigating the risk of anti-social behaviour.

2. Post Hearing Submissions

2.1 Further to the Compulsory Acquisition 2 (CAH2), and Issue Specific Hearing 3 (ISH3) held on the 1st and 2nd March 2023, please find below a post hearing submission on points raised and/or queries arising from the hearings.

2.2 General Commentary

2.2.1 We have raised through this process substantial concerns as to the lack of detail provided by the Applicant and/or certainty on their part as to the intended design, acquisition areas, future land management, and also the lack of any meaningful attempt to negotiate terms with Landowners & Occupiers.

2.2.2 We note that similar concerns have been raised not only by other Agents but also organisations such as the NFU, Statutory Bodies, and Local Authorities.

2.2.3 The ExA's frustration at the Applicant's lack of progress in reaching agreement with Statutory Bodies was also noted during the hearings, and this must also in part be explained by the paucity of information provided by the Applicant.

2.2.4 We would respectfully ask the ExA to consider at what point these repeated failures on the part of the Applicant (to the continuing detriment of our Clients) compromise the Application to a degree that the timetable should be revisited, or indeed the application withdrawn.

2.3 Clarification r.e. Instructing Parties

2.3.1 Further to the request from the Examining Authority for clarity as to the relevant parties, and representation we can confirm that we have been instructed by the Trustees of the Will Trust to act on behalf of

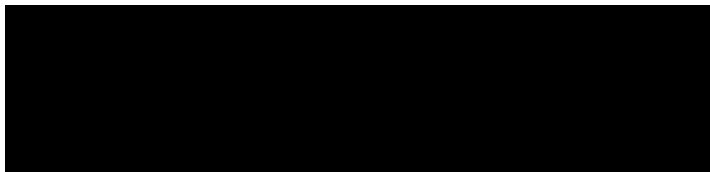
the Trust in relation to the proposed scheme. We are also aware that Mr Simon Nixon of Addisons Chartered Surveyors has been instructed by the Beneficiaries of the Trust (Mark and Andrew Thompson) to represent their interests as beneficiaries.

2.3.2 The property is as we understand is currently occupied by Andrew Thompson.

3. Conclusion

3.1 In conclusion, following CAH2 and ISH3 the lack of detail provided by the Applicant remains of concern, and is clearly impacting the scheme on a wide basis. There also remains a lack of substantive efforts to negotiate on the part of the Applicant.

3.2 We have also provided clarification in regard to the relevant parties and representation in respect of Poundergill.



14th March 2023