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Our Ref: Job-0000804
Your Ref:
Date: 4th April 2023

A66dualling@planninginspectorate.gov.uk

Dear Sir or Madam

APPLICATION BY NATIONAL HIGHWAYS FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE A66 NORTHERN TRANS-PENNINE PROJECT

I refer to the above matter and write on behalf of the Heron Family¹ jointly with Michael Hargreaves on behalf of the Brough Hill Fair Community Association to raise concerns in respect of the conduct of the Applicant and their Contractors in relation to the proposed relocation of the Brough Hill Fair and specifically Health and Safety Risk Assessments carried out at the proposed relocation site and adjoining ██████████ in ██████████

Within our previous representations we have raised before the ExA concerns that the Applicant had not carried out a risk assessment in respect of the site currently owned by the MOD adjacent to ██████████ which they are promoting for the relocation of the Brough Hill Fair.

The Applicant has subsequently appointed a surveyor from AMEY to provide one and who met with the Heron Family, Billy Welch of the Brough Hill Fair Community Association on behalf of the Gypsy and Traveller Community, and Rachel Smith & Bernice Sanders from National Highways on the 23rd

¹ Mr J Heron, ██████████; Mrs D and Mr I Heron, ██████████; Mr J and Mrs M Heron, ██████████; Mr S and Mrs C Heron, ██████████; Mr D and Mrs M Heron, ██████████

March. Whilst we have not yet had sight of the report prepared for the Applicant, we feel it necessary to raise a number of concerns at this juncture:

- i) The surveyor from AMEY was unnecessarily rude and abrasive furthering exacerbating the [REDACTED] that this matter is causing to the Heron Family and Gypsy and Traveller Community.
- ii) What was presented prior to the meeting as a fact finding exercise to allow the surveyor an understanding of what was happening on [REDACTED] actually appeared to be an exercise in dismissing concerns, and did not include any substantive review of the operations at [REDACTED]
- iii) The meeting was cut short because of the conduct of the surveyor even after the representatives from National Highways requested that he limit his input to objective fact-finding; with Rachel Smith and Bernice Sanders feeling it necessary to return to [REDACTED] [REDACTED] after he had left in order to continue discussing the health and safety concerns being raised by the Heron Family and Billy Welch.
- iv) The Surveyor appointed by the Applicant did not appear to have an adequate level of knowledge to assess the risks presented at the subject location. He was uninformed on very basic agricultural terminology, machinery and operations including for example a lack of understanding as to what silage, mixer wagons or silos are.
- v) He also did not understand, appreciate or want to understand Gypsy culture which appeared offensive and rude.

At the meeting, Billy Welch highlighted how their enjoyment of the Fair and their culture is based around being outdoors and as such children may be more likely to roam or explore the site rather

than staying inside. The reality of this must be considered when assessing the risks posed by the proposed location or any alternative.

It is imperative that the scheme does not create unnecessary or additional risks to the Travelling Community, the Heron Family or Third Parties. We therefore ask that the Examining Authority to require the Applicant to commission for the benefit of this process a comprehensive and independent risk assessment not only of their proposed site but also of reasonable alternative sites, including that offered by the Heron Family.

We would also like to understand who is liable if the risks raised by the Gypsy community and the Heron Family occur once construction is completed and in the future.

Yours faithfully



Caroline Horn MRICS FAAV
For and on behalf of George F. White LLP as Agent for the Heron Family



Michael Hargreaves BA BTP MRTPI

On Behalf of and for the Brough Hill Fair Community Association