

Deadline 6 Submissions relating to the

A66 Northern Trans-Pennine Project

Submitted on Behalf of George F White LLP Clients

4th April 2023

1. Introduction

1.1 We are instructed to submit these representations on behalf of the following Clients:

Bowes and Romaldkirk Charity Estates
Brogden Family
Hammond Family
Henshaw Family
J Heron
D and I Heron
J and M Heron
S and C Heron
D and M Heron
Kenneth Thompson Discretionary Will Trust
McSkimming Family
A Hobson
F Hayllar
G S Harrison
J Manners
J Richmond
M Carruthers
P Moss
P White
S W Harrison
T Foster
Stead Family
Taylor Family
W Austen Richardson Ltd

1.2 Further to previous representations submitted on behalf of our Clients, we now provide a reply to the Applicant's Post Hearing Submissions provided at Deadline 5.

2. Comments on Applicant's CAH2 Post Hearing Submission¹

2.1 General Commentary

2.1.1 We note the Applicant's comments in relation to drainage and the general undertakings that they provide in the Environmental Management Plan (EMP). Our Clients being intimately acquainted with their land and current drainage arrangements have repeatedly requested more specific details in respect of the drainage schemes for their land. This is understandable given the impact that it can have on their livelihood, and their personal experience of previous works to the A66 which have led to long-running drainage problems.

2.1.2 Our experience of many similar schemes is that irrespective of general undertakings in the EMP, it is unlikely that the Contractors appointed by the Applicant to construct the road will have the necessary experience with agricultural drainage to design and implement a suitable scheme. This is why we have requested further details, and also that an experienced agricultural drainage firm be engaged to deal with this element of the scheme.

¹ TR10062-001541

2.1.3 We note the Applicant's comments in respect of Private Means of Access and Public Rights of Way; but remain unclear which of the proposed routes will be which. This has a substantial impact on our Clients and would ask for clarity on this at the earliest opportunity.

2.1.4 Although the Applicant has provided reasons as to why they do not agree, we maintain that the safety risks associated with combining heavy and/or agricultural traffic and recreational activities on dual use tracks should be avoided wherever possible.

2.1.5 In terms of negotiations to date, and the Applicant's Compulsory Acquisition Status of Negotiations Schedule², we feel it necessary to make the following points further to our previous representations on the lack of any attempt to negotiate.

- i) The majority of our Clients have now received 'offers' from the Applicant either to purchase the land outright or to enter into an Option Agreement, although there a number who are still waiting to receive offers.
- ii) Although rates per acre have been put forward, we are still unclear as to the precise areas that the Applicant requires making it impossible to properly consider the Offers. We note that this problem has also been raised by other Agents acting for Landowners along the scheme route.

² TR10062-001535

- iii) The Applicant has to date been unable to provide a draft agreement for the intended Option. Again, without a full understanding of the proposed Agreement and its terms, there is not an offer capable of acceptance.
- iv) An Option Agreement which may or may not be exercised still leaves Land Owners in-limbo when it comes to planning for the future of their businesses.

2.2 Heron and Henshaw

2.2.1 We have provided submissions for Deadline 6 under separate cover on behalf of the Heron Family and Mr & Mrs Henshaw.

2.3 Taylor

2.3.1 As set out at 2.4 of the Post Hearing Submission dated 14th March 2023 submitted on behalf of Messrs Taylor, they are not suggesting that the location of the drainage pond be moved; but rather that the rights of way be consolidated to minimise the impact on them as Land Owners and cost to the scheme.

2.4 Carruthers

2.4.1 The Applicant suggests within their post hearing submission that customers visiting Mr Carruthers' café can currently only access it from the eastbound carriageway. This is incorrect; at present cars travelling in either direction can access the café and its car park. We submit that this is a critical point in the context of our

request that access to the westbound carriageway be provided via the nearby underpass.

2.5 Foster

2.5.1 We note the Applicant's comments and would be grateful for early sight of the accommodation works strategy to understand the proposed arrangements for livestock movements and water. As all parties will appreciate, Mr Foster's primary concern is the welfare of his livestock.

2.5.2 Clarity is also required in respect of how landlocked fields and buildings are going to be dealt with.

2.6 Hobson

2.6.1 We note the Applicant's comments in respect of their methodology and best practice in terms of noise and vibration; but would point out that there will still be a considerable impact on the site and Mr Hobson's established Camping & Caravan Site.

2.6.2 In respect of the Applicant's note explaining that they would not fund planning work intended to mitigate Mr Hobson's loss without taking a charge over his property; our understanding is that the Applicant's logic for this is that they do not want to pay more compensation than the site is worth. Planning costs are estimated to be in the region of £10,000, and the site is clearly worth substantially more than that. It is therefore the position of

Mr Hobson that the proposed charge would be an unnecessary and unreasonable additional burden on his land.

2.7 Manners

2.7.1 Within our Deadline 5 submission dated 14th March 2014 we include at 2.4.1 a plan showing how the relevant Land Owners north of the A66 have alternative accesses to the A67 negating to the need for the proposed overbridge.

2.7.2 As set out at 2.3 of the Deadline 5 submission, we also request that the Applicant provides visualisations in respect of the proposed bridge.

2.8 Richardson

2.8.1 We note the Applicant's comments and would welcome the opportunity to discuss turning arrangements for the proposed slurry store at the earliest opportunity.

3. Conclusion

3.1 In conclusion, we welcome the further information or offers of engagement from the Applicant; but there remains a significant number of areas where there is simply not sufficient information to fairly assess the scheme or its impact on Land Owners.



4th April 2023