

Durham County Council’s Response to TR010062: Application by National Highways for the A66 Northern Trans- Pennine Project – The Examining Authority’s Further Written Questions and requests for information Issued on Friday 24 March 2023

Durham County Council reference number: 20032071

AQ	Air Quality	Question	Durham County Council Response
AQ 2.2	<p>Outstanding Matters – Durham County Council</p> <p>The Applicant</p> <p>Durham County Council (Durham CC)</p>	<p>In the SoCG between the Applicant and Durham County Council (Durham CC) [REP5- 006], it states that <i>“most items raised by Durham CC and their Consultant have now reached understanding and agreement. There remains a small number of questions relating to the Construction Phase, specifically relating to the section of The Sills between County Bridge and Bowes Road in Barnard Castle which are subject to ongoing discussion.”</i></p> <p>Confirm whether these matters have been progressed and agreed and that they will be able to reach agreement by the end of the Examination period.</p>	<p>Further discussions have been held with the Applicant on these matters. Further information is to be provided to Durham County Council to further aid discussions. In parallel to the specific issue of the construction phase and The Sills, the Council is also undertaking a general review of the EMT, AQDM and CTMP in relation to broader air quality matters. The Council agrees that it is likely we will be able to reach agreement by the end of the Examination period.</p>
GM	General Matters	Question	Durham County Council Response
GM 2.1	<p>SoCGs</p> <p>The Applicant</p> <p>All Relevant Interested Parties</p>	<p>Table 4.1 of the Statement of Commonality for SoCGs [REP5-003] sets out the position of each SoCG between the Applicant and the relevant Interested Party. The Applicant is requested to update the table setting when it expects the final and signed SoCG will be submitted into the Examination.</p>	<p>DCC confirms that the position set out in Table 4-1 and Table 5-1 are correct and highlight outstanding matters which reflect those in the PADS.</p>

		Interested parties who disagree with their respective draft SoCGs are requested to inform the ExA at Deadline 6, Tuesday 04 April 2023.	
GM	Traffic and Access	Question	Durham County Council Response
TA 2.2	<p>Private Means of Access (PMA) and Public Rights of Way (PROW)</p> <p>The Applicant</p> <p>Cumbria CC</p> <p>Durham CC</p> <p>North Yorkshire CC</p>	<p>Durham CC in its PADSS [REP5-041] raise the following, <i>“the question of future maintenance; if they are to become public bridleways then our ongoing maintenance responsibility is to a standard suitable for that level of public use, not to a standard for the private vehicular use. In most cases that works fine in practice, but there are concerns that the Applicant may construct very high standard vehicular access which landowners would expect Durham CC to maintain in the future. The ongoing responsibilities need to be clearly communicated to all parties.”</i></p> <p>Explain the approach to the ongoing maintenance in this scenario and whether this approach has been agreed between the Applicant and the Local Highway Authorities.</p>	<p>Further details are required in respect of what rights of way and private accesses will be the responsibility of National Highways and Durham County Council.</p> <p>Providing a formal bituminous bound surface on a right of way/private access that will fall under the responsibility of Durham County Council to maintain can often raise the expectations of users of Durham’s network that this becomes a standard treatment which is not the case in the vast majority on the Council’s rights of way. In addition, if future repairs were required the Council would not be in a position to undertake like for like repairs given the existing budget pressures without a commuted sum to draw down.</p> <p>Also, having such surfaces could encourage drivers to travel at greater speeds and potentially conflict with other highway users on foot, on bike and on horseback.</p> <p>The Council has no comments to make regarding the construction of any private accesses that will fall under private ownership without having a right of way.</p> <p>Any new access provision parallel to the A66, regardless of whether it is also a private means of access, should be open to all users. The Council considers that the default position should be Public Bridleway status unless there are specific reasons why this is not possible. This should apply regardless of whether there is also a private means of access.</p>