

**Principle Area of Disagreement Summary Statement**

**North Yorkshire Council**

**Deadline 7 Submission:**

The principle issue in question	The brief concern held by North Yorkshire Council which will be reported on in full in WR / LIR	What needs to; <ul style="list-style-type: none"> <li>• change, or</li> <li>• be included, or</li> <li>• amended</li> </ul> so as to overcome the disagreement	HOW WILL THIS BE ADDRESSED
Highway Design	Improvements made between the Stephen Bank to Carkin Moor section have the potential to deliver significant benefits to journey times that will free up the existing A66 to support all local users and journeys. The Council expects that clear and effective junction configurations should be developed, not just on the newly dualled section but also the existing junctions on the route. We consider that the scheme should see greater junction safety and legibility.	To be developed through ongoing detailed design consultation with the Applicant's principal contractor using the Applicants Project Design Principles document [REP3-040 & 041].	Detailed highway design principles have now been set out across the project.

<p>Highway Design</p>	<p>The Council requires a clear strategy for the establishment of alternative/diversion routes. It is therefore important that detailed consideration is given to official diversion and “rat-run” routes to support both the construction and operational period of the route and that, where necessary, upgrades are delivered on the local road network to support this. Currently within the DCO submission there are no traffic management details included for the scheme.</p>	<p>Development of a full traffic management and construction traffic management plan is needed</p>	<p>The Council will engage in the Traffic Management Forums as they take place to aid development of the diversion strategy and the second iteration of the CTMP.</p>
<p>Highway Design</p>	<p>The scheme should seek to improve north-south connectivity where the existing PRow network has been severed by the A66 in the past. The Council supports an offline route strategy for walking and cycling between M6 and A1(M) as an important endeavour for this scheme, that will bring a meaningful benefit for local communities and other road users. In particular we consider that the scheme should seek to support delivery of a Scotch Corner to Penrith “off A66” route suitable for walking and cycling. This would include</p>	<p>The continued development of the walking, cycling and horse riding strategy is required. The Applicant must commit to the provision of the east-west route.</p>	<p>Unlikely to be resolved by the close of the Examination.  Further discussion required with the Applicant and user groups as part of detailed design</p>

	enhancements along the de-trunked section of the A66.		
Highway Design	<p>A clear and detailed strategy is required for the section of the A66 that is to be “de-trunked”. It is assumed that any “de-trunked” sections of the existing A66 do not include a maintenance backlog, and that commuted sums will be provided by National Highways to support future up keep. We also consider that transferred sections of the route should be subject to enhancements where these are considered to best reflect their new role, for example improved junction arrangements or the introduction of improved facilities for non-motorised users.</p>	<p>The principles of the de-trunking document for all relevant asset types needs to be finalised, for inclusion in the Legal Side Agreement.</p>	<p><b>PLEASE NOTE THAT AT DEADLINE 5 THIS SECTION WAS PUT INTO THE AREAS NOT CONSIDERED A PRINCIPLE AREAS OF DISAGREEMENT. This has been re-inserted to highlight how the issue is being taken forward.</b></p> <p>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, the Applicant has committed to providing dates for this handover.</p> <p>The Applicant notes that where appropriate warranty and defects liability will be in accordance with appropriate contracts.</p> <p>There is concern that any delay may result in side agreements not being signed before the end of the Examination.</p>

<p>Highway Design - Drainage</p>	<p>A drainage review should consider the combining of drainage ponds to reduce costs / land take, along with rationalising of the maintenance of the drainage ponds to be owned by the Council. The current drainage strategy submitted as part of the DCO, gives concern to NYCC, over the existing flooding of the A66 which is to be de-trunked and therefore the responsibility of the Council. This issue remains unresolved.</p>	<p>Continued work on the drainage strategy submitted with the DCO application, through liaison with the Council, to update the strategy as part of the second iteration of the EMP.</p>	<p>Acceptance of the second iteration of the EMP</p>
<p>Landscape and Visual</p>	<p>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.</p>	<p>The development of the design principles.</p> <p>Inclusion of illustrations.</p> <p>These issues need to be picked up and secured through further iterations of the draft Environmental Management Plan (dEMP)</p>	<p>Through detailed discussions following the hearing on Environmental Matters the Authority is satisfied that through the Project Design Principles document and the second iteration of the EMP, there will be sufficient scope to understand and influence the detailed design stage of the project.</p>
<p>Landscape and Visual</p>	<p>The Applicant states that the Structures have undergone an aesthetic review to ensure they</p>	<p>Evidence of the review should be provided as part of ongoing development of the dEMP</p>	<p>Through detailed discussions following the hearing on Environmental Matters the</p>

	<p>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.</p>		<p>Authority is satisfied that through the Project Design Principles document and the second iteration of the EMP, there will be sufficient scope to understand and influence the detailed design stage of the project.</p>
<p>Landscape and Visual</p>	<p>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.</p> <p>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.</p>	<p>Continued work with the applicant to develop the landscape strategy secured through the dEMP and DCO</p>	<p>Through detailed discussions following the hearing on Environmental Matters the Authority is satisfied that through the Project Design Principles document and the second iteration of the EMP, there will be sufficient scope to understand and influence the detailed design stage of the project.</p>

Local Planning Authority	Work is ongoing to understand the scope and timing of additional Town and County Planning Act application to run alongside the DCO application. The Authority welcomes these discussions.	Continued discussions to understand the scope of TCPA applications	<p>This will be addressed through development of the CTMP.</p> <p>NYC has expressed concern with the position of the proposed main compound at Moor Lane. Whilst the red line of the scheme is sufficient to cover the compound NYC understood the compound would be to the south of the road until late 2022 when contractors informed the Council of the preferred position. A TCPA application is expected to bring the works forward ahead of DCO determination. The issue may raise local concerns with residents in East Layton and it will be vital that these concerns are picked up in the CTMP, particularly if the TCPA application is refused.</p>
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Areas Previously in the PADDs now not considered Principle Areas of Disagreement

Highway Design	A clear and detailed strategy is required for the section of the A66 that is to be “de-trunked”. It is assumed that any “de-trunked”	The continued development a clear de-trunking strategy is required.	Likely
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	sections of the existing A66 do not include a maintenance backlog, and that commuted sums will be provided by National Highways to support future up keep. We also consider that transferred sections of the route should be subject to enhancements where these are considered to best reflect their new role, for example improved junction arrangements or the introduction of improved facilities for non-motorised users.	Continued discussion as to commuted sums and enhancements is required	
Ecology	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.	Continued work with the applicant and development of the dEMP	Likely
Ecology	In relation to Biodiversity Net Gain, the authority welcomes the use of the metric and whilst it is not yet mandatory we would advocate for 10% net gain across area based, linear and river habitats.	Continued work with the applicant and development of the dEMP	Likely
Cultural Heritage	Various measures have been taken to limit the impact of the proposal on the Scheduled Monument at Carkin Moor by restricting the width	Continued work to develop the mitigation strategy	Likely

	of the easement and limiting the amount groundwork. The Cultural Heritage chapter states that a Historic Environment Mitigation Strategy will be produced within the EMP. This strategy will set out the methodology for recording both known and unknown heritage assets of archaeological interest.		
Noise and Vibration	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.	Continued work to develop mitigation strategies within the dEMP	Likely