

A66 Northern Trans-Pennine Project

4.5 STATEMENT OF COMMON GROUND WITH WESTMORLAND AND FURNESS COUNCIL (Rev 4)

APFP Regulations 5(2)(q)

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**A66 Northern Trans-Pennine Project
Development Consent Order 202X**

**4.5 JOINT STATEMENT OF COMMON GROUND WITH
WESTMORLAND AND FURNESS COUNCIL**

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A66 Northern Trans-Pennine project ("the Application") made by National Highways Limited ("National Highways") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008.
- 1.1.2 This SoCG seeks to summarise and explain the respective parties' positions on issues but does not seek to replicate in full information which is available elsewhere within the Application documents. All Application documents are available on the Planning Inspectorate website.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it. SoCGs are an established means in the planning process of allowing all parties to identify and focus on specific issues that may need to be addressed during the examination.
- 1.1.4 This SoCG has been prepared by National Highways as the Applicant and provides an accurate record of discussions to date and a summary of the issues that are either agreed, subject to further discussion or not agreed. Previous iterations of the SoCG have been the subject of discussion between the parties to this SoCG.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by the Applicant. It has been shared with Westmorland and Furness Council (W&FC) for comment prior to the submission of the DCO, at DCO submission and in advance of Deadline 8. A number of further issues were highlighted by W&FC just prior to Deadline 8 which are not included within this version of the SoCG. A final position will be agreed on these issues with the Council and a final, signed SoCG will be issued at Deadline 9.
- 1.2.2 Prior to submission at Deadline 8, on 1 April 2023, Cumbria County Council and Eden District Council were replaced as part of Local Government reorganisation by the successor authority Westmorland and Furness Council. Previous revisions of this SoCG have been prepared and discussed with representatives of both Cumbria County Council and Eden District Council prior to the reorganisation. References remain in this SoCG related to the historical engagement with these authorities.
- 1.2.3 The Applicant has set out the detail of the issues raised by W&FC to date and each of the SoCG parties' respective positions. This is intended to assist the Examining Authority in understanding where discussions have reached to date.

1.2.4 National Highways (formerly Highways England) became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State.

1.2.5 W&FC is responsible for the local highway network within Cumbria, including any new local highway arising from the Application (subject to agreement) and is the Local Planning Authority for the area covering the following areas of the A66 Northern Trans-Pennine project: M6 junction 40 to Kemplay Bank, Penrith to Temple Sowerby, Temple Sowerby to Appleby, Appleby to Brough.

1.3 Terminology

1.3.1 In the table in the Issues section of this SoCG:

- “Agreed” indicates area(s) of agreement between the Applicant and W&FC;
- “Not agreed” indicates a final position for area(s) of disagreement between the Applicant and W&FC.

1.3.2 It can be assumed that any matters not specifically referred to in the Issues section of this SoCG are not of material interest or relevance to W&FC, and therefore have not been the subject of any discussions between the parties.

2 Record of Engagement

2.1.1 A summary of the key meetings and correspondence that has taken place between the Applicant and W&FC (prior to the local government reorganisation, references are made to Cumbria County Council (CCC) and Eden District Council (EDC)) in relation to the Application is outlined in table 2.1.

Table 2.1: Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes
05.10.2020	Online Meeting	Meeting between CCC and Project Team to discuss the project and DCO process. Meeting included discussions on what is expected during a DCO, SoCC, Role of the Local Authorities and Drainage.
12.11.2020	Online Meeting	Meeting between CCC, National Highways and the Project Team to discuss updates. Meeting included discussions on SoCC and PPA.
07.12.2020	Online Meeting	Monthly meeting between CCC, EDC, National Highways and the Project Team to discuss the programme and general updates. Meeting included discussions on Draft SoCC, EIA and PPA
23.12.2020	Online Meeting	Meeting between CCC, National Highways and the Project Team to discuss ongoing actions. Meeting included discussions on the Draft PPA and Programme.
11.01.2021	Online Meeting	Meeting between CCC, National Highways and the Project Team for discussions on Heritage. Meeting included discussions on Engagement with Historic England, Geophysics Surveys, LIDAR and Intrusive Surveys.
15.01.2021	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss project updates. Meeting included discussions on PRow Requests, Stakeholder Engagement Communication Strategy and Site Access.
20.01.2021	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss stakeholder engagement. Meeting included discussions on SoCC, Hard to Reach Groups, Locations for Consultation, Consultation Material and Local Publications.
02.02.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Highways Updates. Meeting included discussions on DMRB Standards, Local Roads, Future Workshops, Traffic Modelling and Programme for Statutory Consultation.
05.02.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team to discuss project updates. Meeting included discussions on SoCC, Warcop, Environmental Update and Local Authority Update.
08.02.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on the Evidence Plan, Scheme Overview and the Proposed baselines surveys, modelling and assessment to underpin the HRA.

Date	Form of correspondence	Key topics discussed and key outcomes
09.02.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage Technical Working Group (TWG) (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on the Evidence Plan, Project Overview, Update on Report for Geophysics, Design Development and Archaeological Trenching.
11.02.2021	Online Meeting	Meeting between CCC and the Project Team to discuss highways updates. Meeting included discussions on M6 J40, Kemplay Bank Roundabout, Penrith to Temple Sowerby.
11.02.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on the Evidence Plan, Scheme Overview and Assessment Methodology.
02.03.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Works to be Completed, Watercourse Crossings and Key SW Receptors Overview.
02.03.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Works to be Completed and Key GW Receptors Overview.
12.03.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on the Research Agenda, Designated Funds Opportunities, Discussion of Developing Design at Brougham and Archaeological Trenching.
12.03.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions the Evidence Plan, a scheme-by-scheme Overview, Viewpoint Consultation, Landscape Character Assessment, AONB Management Plan, Area of High Landscape Value.
16.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss project updates. Meeting included discussions on Access for Emergency Services, Adoption Records and Departures.
16.03.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Ornithology Strategy, Bats and Red Squirrels.

Date	Form of correspondence	Key topics discussed and key outcomes
17.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Highways Package A. Meeting included discussions on Kirkby Thore and Crackenthorpe.
18.03.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussion on Site and Proximity to schemes, Biodiversity Survey Strategy and HRA Baseline, Baseline Surveys Strategy and Introduction to SAC fluvial geomorphology.
19.03.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing project updates. Meeting included discussion on Programme, DCO Updates, Design Updates Environmental Updates and Local Authority Updates.
19.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Highways Package B. Meeting included discussions on Kemplay Bank Design, Junction 40 and Technical Approvals Process.
25.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Walking, cycling and horse riding (WCH) facilities for Highways Package B Meeting included discussions on Existing NMU routes, Amendments to routes/proposed alterations and Diversions. It was noted in the meeting that North South Connectivity is an important consideration to CCC.
26.03.2021	Online Meeting	Meeting between CCC and the Project Team to discuss the existing A66 De-trunking and Maintenance. Meeting included discussions on Areas of De-trunking, Process of De-trunking, Maintenance Interfaces, Maintenance Responsibilities and Design Requirements. It was noted in the meeting that CCC would request detailed surveys of any sections they are to adopt ahead of adoption.
29.03.2021	Online Meeting	Meeting between CCC and the Project Team to specifically discuss the Appleby to Brough section of the scheme. Meeting included discussions on Café 66, Warcop and the Eastern tie in.
08.04.2021	Online Meeting	Meeting between CCC and the Project Team to discuss information requests outstanding. Meeting included discussion on Objectivity Connect, GI Licenses and Members Workshop.
13.04.2021	Online Meeting	Meeting between CCC and the Project Team to discuss general updates. Meeting included discussion on GI Licenses and Information for Members Workshop.
14.04.2021	Online Meeting	Meeting between CCC and the Project Team to discuss upcoming member's workshop. Meeting included discussions on Information within Presentation, Workshop Process and Members Engagement.
14.04.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussion on

Date	Form of correspondence	Key topics discussed and key outcomes
		Evidence and Survey Strategy Documents, Environmental Scoping Report, Further options Assessment and Research Framework and Geo Modelling.
23.04.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on Environmental Updates, General Design Updates, Programme and DCO Updates. It was noted in the Meeting that CCC need early warning of actions to understand how it can be resourced under the PPA and Work Packages.
26.04.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Skirsgill within Highways Package B. Meeting included discussions on General Updates, Skirsgill Depot Access and Kemplay Bank Access.
26.04.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Zone of Theoretical Visibility (ZTV), Definition of North Pennine Area of Outstanding Natural Beauty (AONB) Setting, Special Qualities of the Great Bridge and Bowes Conservation Areas.
29.04.2021	Online Meeting	Meeting between the CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Badger Bait Marking, Otter Halt Monitoring, MoRPH, and Air Quality and Affected Road Network (ARN).
06.05.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Progress, Flood Modelling Overview, Survey Updates, DCO Process and Designated Funds.
06.05.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on GW Abstraction, Assessment Area and Attenuation Ponds.
07.05.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on DCO/Consultation Updates, General Design Update, Environmental Update and Local Authority Update. It was noted in the Meeting that WSP will represent both CCC and EDC all though with different leads.
10.05.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on RFI's, Drawing Review Programme and PPA. It was noted in the meeting by the Project Team that CCC/WSP would not have a lot of time to review the drawings and therefore a process is needed to be discussed and agreed.

Date	Form of correspondence	Key topics discussed and key outcomes
14.05.2021	Online Meeting	Meeting between CCC, National Highways and the Project Team to discuss highway design development. Meeting included discussions on Design Updates, Programme, Collaborative Approach to Reviewing Designs and Traffic Modelling. It was noted in the meeting a draft process for CCC/WSP reviewing drawings issued by the Project Team.
18.05.2021	Online Meeting	Meeting between CCC and the Project Team to discuss highway design development. Meeting included discussions on Programme and Progressive Assurance.
20.05.2021	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss actions around Highways Package A. Meeting included discussion on Updates to Kirkby Thore Options, Local Arrangements, Updates to Options at Warcop and Side Roads Strategy and Junctions. It was noted in the meeting that the preferred option at Warcop would take the route north into the AONB.
21.05.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on the DCO/Consultation Update, Environmental Updates and Local Authority Updates.
24.05.2021	Online Meeting	Meeting between CCC/EDC and the Project Team to at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on the M6 Junction 40 Penrith, Kemplay Bank Roundabout, Penrith to Temple Sowerby (east and west), Temple Sowerby to Appleby, Appleby to Brough, Bowes Bypass, Cross Land to Rokeby, Stephen Bank to Carkin Moor and Options Appraisal.
08.06.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting discussions include Research Framework, Option Appraisal, Evidence and Survey Strategy and Geoarchaeological Modelling.
10.06.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Bat Surveys (Overview of methods).
11.06.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on EIA Scoping Report, RFI's, PPA and Enabling Works.
15.06.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Progress, Works to be Completed and Design Options.

Date	Form of correspondence	Key topics discussed and key outcomes
15.06.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Progress, Ongoing Work and Focus Points.
17.06.2021	Online meeting	Meeting between EDC, National Highways and the Project Team for update on the scheme. Meeting included discussions on Llama Karma Kafé, Replacement Football Pitches and the MOD.
18.06.2021	Online Meeting	Meeting between CCC, EDC and the Project Team discussing ongoing actions. Meeting included discussions on General Design Updates and Environmental Updates. It was noted in the meeting that David Haughian will be the new Senior Programme Manager for CCC.
18.06.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions on Design Review Process, Drawings Review, Updates on the Comment Log and the Programme. It was noted in the meeting that WSP will provide a comments log following their review of the drawings.
28.06.2021	Online Meeting	Meeting between the CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on the M6 Junction 40 Penrith, Kemplay Bank Roundabout, Penrith to Temple Sowerby (east and west), Temple Sowerby to Appleby, Appleby to Brough, Bowes Bypass, Cross Land to Rokeby and Stephen Bank to Carkin Moor.
01.07.2021	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss planned public engagement. Meeting includes discussions on Seldom Heard Groups, Proposed Engagement Methods and Statutory Consultation.
02.07.2021	Online Meeting	Meeting between CCC, EDC and the Project Team discussing ongoing actions. Meeting included discussions on DCO /Consultation Updates, Design Updates, Environmental Updates and Local Authority Updates.
08.07.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussion on Proposed Route Alternatives, Site Trout Beck Geomorphology Modelling, HRA Programme and Documentation and Sleastenhow Restoration.
12.07.2021	Online Meeting	Meeting between CCC and the Project Team discussing ongoing actions. Meeting included discussions on Progressive Assurance, Programme, SoCG and PPA.
16.07.2021	Online Meeting	Meeting between CCC, EDC, National Highways and the Project Team discussing ongoing actions. Meeting included discussions on Programme and Key Components and Design Updates.

Date	Form of correspondence	Key topics discussed and key outcomes
23.07.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions on Work Packages and the Comments Log. It was noted in the meeting that the Project Team are just needing high-level comments from CCC/WSP due to time constraints.
29.07.2021	Online Meeting	Meeting between CCC and the Project Team to discuss watercourse culverts. Meeting included discussions on Culverts, Flood Risk and Flood Modelling.
30.07.2021	Online Meeting	Meeting between CCC, EDC and the Project Team discussing ongoing actions. Meeting included discussions on Programme, DCO Consultation Process, Design Updates, Environmental Updates and Local Authority Updates.
03.08.2021	Online Meeting	Meeting between CCC and the Project Team for a design review. Meeting included discussions on Junction 40 and Kemplay Bank. It was noted in the meeting that CCC had concerns over the impact of the design to the access to Skirsgill Depot (allocated future employment site).
06.08.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions on the Design Review Process. It was noted in the meetings that CCC /WSP were now reviewing higher-level comments than detailed.
10.08.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Ornithology, Bats, Mammals, Terrestrial Inverts, River Corridor Survey and Macrophytes, Aquatic Inverts, Fish Surveys, White-clawed surveys and Key PEI Report Findings.
11.08.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Study Area, Key Findings from the PEIR, Potential Impacts, Design Mitigation and Enhancement and Potential Significant Effects.
12.08.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Updates on Surveys, HRA Documentation Programme, HRA Screening Summary and Scheme Details.
13.08.2021	Online Meeting	Meeting between CCC, National Highways and the Project Team to discuss highway design development. Meeting included discussions on Programme, DCO Consultation Process, Design Updates, Environmental Updates and Local Authority Updates.
18.08.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application

Date	Form of correspondence	Key topics discussed and key outcomes
		Document Number 3.4)). Meeting includes discussions on Key PEI Report Findings and a scheme-by-scheme review.
20.08.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions Comments Log and Statutory Consultation.
26.08.2021	Online Meeting	Joint LA Meeting between CCC, NYCC, EDC, National Highways and the Project Team. Meeting included discussions on Project Updates, Programme, Consultation, PPA, Ways of Working and Terms of Reference.
08.09.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Traffic Regulation Orders. Meeting included discussions on Side Road Orders and Data held by CCC.
10.09.2021	Online Meeting	Meeting between CCC and the Project Team to discuss Progressive Assurance. Meeting included discussions on NMU Movements and Design Updates.
20.09.2021	Online Meeting	Meeting between CCC and the Project Team to discuss departures. Meeting included discussions on De-trunking, Agreeing Departure Process, Diversion Routes and Funding. It was noted in the meeting that CCC are looking to develop their own De-trunking Strategy.
23.09.2021	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on PPA, Route Wide Considerations and SOCGs.
08.10.2021	In person meeting	Introduction meeting with new NH Senior Project Manager and update on current issues and concerns (not attended by EDC)
26.10.2021	Online Meeting	Meeting between CCC and the Project Team to discuss highway design development. Meeting included discussions on Appleby Junction Arrangements.
02.11.2021	Microsoft Teams	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on Feedback to Statutory Consultation, Updates on research Framework, Geoarchaeological Modelling and Surveys.
02.11.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on PEIR Recap, Feedback from Stat Con and an Update on Ongoing Works.
02.11.2021	Online Meeting	Meeting of the Water TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on PEIR Recap, Feedback from Stat Con and Update on Ongoing Works.
03.11.2021	Online Meeting	Meeting of the Habitats Regulations Assessment TWG with CCC/EDC in attendance. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1:

Date	Form of correspondence	Key topics discussed and key outcomes
		Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Survey/Assessment Updates, Response to Feedback and Requests for Specific Design Elements.
11.11.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Habitats, Reptiles, Ornithology, Bats, Mammals, Freshwater Ecology and Feedback following Statutory Consultation period.
25.11.2021	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on Programme, A66 Updates, Summary of Statutory Consultation Responses, Local Authority Updates, Experiences with DCOs and Stakeholder/Communications Update.
26.11.2021	Online Meeting	Meeting with CCC to discuss consultation responses.
01.12.2021	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Key Findings from Stat Con, LVIA Update and the Landscape Design Approach.
03.12.2021	Online Meeting	Meeting between CCC, EDC and National Highways and the Project Team to discuss Project Updates. Meeting included discussions on Local Authority Updates, Identification of Topics for Future Meetings, Public Open Space Updates and Design Updates. It was noted in the meeting that CCC will be going through a restructure in 2022 and therefore communication might become difficult.
09.12.2021	Online Meeting	Meeting between CCC and the Project Team on Progressive Assurance. Meeting included discussions on Design Updates at Appleby and Kirkby Thore, Public Open Space, Long Marton and Kemplay Bank Western End.
14.12.2021	Online Meeting	Meeting between CCC, WSP, EDC, Project Team and National Highways to discuss Walking Cycling and Horse-riding principles across the schemes. Meeting included discussions on Scope of Works, Designated Funds and Barriers to Connectivity.
16.12.2021	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on Terms of Reference, A66 Updates, Stakeholder/Comms Updates, Local Authority Updates and SOCGs.
10.01.2022	Online Meeting	Meeting between CCC, EDC, WSP, Project Team and National Highways to discuss comments relating to Parking and Traffic Modelling. Meeting included discussions on Junction 40 Traffic Count, Pedestrian Movements, Skirsgill Depot, Kirkby Thore, Center Parcs, Eamont Bridge and Parking in Penrith

Date	Form of correspondence	Key topics discussed and key outcomes
13.01.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways to discuss comments relating to Population and Human Health. Meeting included discussions on Scope, Methodology, Key themes and Responses to Consultation. It was noted in the meeting the CCC would like to see more information of how visitors to the Fairs are considered and the impact on rat-running on locals.
14.01.2022	Online Meeting	Discussion with CCC/EDC, Project Team and National Highways to discuss the supplementary consultation.
17.01.2022	Online Meeting	Discussion with CCC/EDC, Project Team and National Highways to discuss the supplementary consultation.
18.01.2022	Online Meeting	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussion on Geoarchaeological Modelling Exercise, Survey Updates and Design Updates.
18.01.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways for the first session to discuss the Approach to Project Design Principles. Meeting included discussions on Environmental Mitigation, BNG and Project Design Report.
19.01.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways to discuss comments relating to Technology and Operations. Meeting included discussions on Existing Technology, Retained Proposed Technology, Response to Statutory Consultation, Engagement with Cumbria Police. It was noted in the meeting that CCC want further information about how speed limits are to be enforced.
20.01.2022	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on LVIA Update and a Scheme Update.
24.01.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways for the second session to discuss the Approach to Project Design Principles. Meeting included discussions on BNG, Trout Beck, Roman Road and AONB.
26.01.2022	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on Surveys, Construction Mitigation Methods, Species Specific, Design Mitigation, Scheme-by-scheme mitigation.
26.01.2022	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Ecological Impact Assessment TWG. (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on

Date	Form of correspondence	Key topics discussed and key outcomes
		Surveys, Construction Mitigation Methods, Species Specific, Design Mitigation, Scheme-by-scheme mitigation.
31.01.2022	Online Meeting	Meeting between CCC/EDC and the Project Team at the regular Landscape TWG (Matters discussed at the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting included discussions on LVIA Update and a Scheme Update.
22.02.2022	Online Meeting	Meeting Between CCC, EDC, WSP, Project Team and National Highways for discussion around Diversionary Impacts during Construction and Traffic Modelling. Meeting included discussions on General Updates and Feedback on Traffic Modelling. It was noted in the meeting that CCC/EDC do not believe the traffic model accurately the issues at Junction 40.
24.02.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on A66 Updates, Stakeholder/Comms Updates and Local Authority Updates.
10.03.2022	Online Meeting	Discussions with CCC/EDC as part of the Heritage TWG (Matters discussed in the Technical Working Groups are included within ES Appendix 1.1: Evidence Plan (Application Document Number 3.4)). Meeting includes discussions on Delivery Partners, Research Framework, Delivery Plan and Survey Updates.
11.03.2022	Online Meeting	Meeting between CCC, EA, National Highways and the Project Team discussing Water Modelling and joint working. Meeting included discussions on Warcop, Culverts, Drainage Ponds, Designated Funds and Community Engagement.
11.03.2022	Online Meeting	Meeting between CCC, EDC and the Project Team to discuss project updates. Meeting also included discussions on SOCGs, Junction 40 Modelling, WCH Provision at Junction 40 and Kemplay Bank, Penrith to Eamont Bridge and Programme.
17.03.2022	Online Meeting	Meeting between CCC and the Project Team on Progressive Assurance. Meeting included discussions on Project Speed, Designated Funds, EMP, WCHAR Access at Junction 40.
24.03.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on EMP and the DCO Process.
30.03.2022	In Person	Meeting at A66 Project Hub with NH Project Director and CCC leadership team – regular meetings to take place going forward
07.04.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing ongoing actions. Meeting included discussions on SOCGs, Work Packages, Opposition Groups, Consultation Report. It was noted in the meeting that the LA's would appreciate an early version of the Consultation Report due to the short time frame they have to respond to it.

Date	Form of correspondence	Key topics discussed and key outcomes
20.04.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team
03.05.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team
12.05.2022	In Person	Meeting between EDC and the Project Team for a site walk around Wetheriggs Park to understand impacts of development.
10.05.2022	Online Meeting	Meeting between CCC, Cumbria Fire and Rescue and the Project Team discussing Skirsgill Depot
24.05.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team.
10.06.2022	In Person	Meeting at Skirsgill Depot to discuss CCC owned land parcels
23.06.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on enabling works and TCPA applications.
19.07.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team.
01.08.2022	Online Meeting	Online meeting jointly with CCC and EDC to discuss approach, full review to be scheduled for w.c. 29 August and to schedule topic specific sessions to discuss content. EDC request for presentation of material on particular topics as a result of consultation.
15.08.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on resources for the LAs and requested documents for PINS.
31.08.2022	Online Meeting	Meeting between CCC, EDC, Project Team and DIPs to discuss future engagement. Meeting included discussion on enabling works and how the DIPs will engage with the LAs.
16.09.2022	In Person	Meeting at A66 Project Hub - CCC follow up meeting with NH Project Director and CCC leadership team
22.09.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on PADSS, PPAs and the separate National Highways freight study.
26.09.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on priority topics and Wetheriggs Country Park.
24.10.2022	Online meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included Accommodation Strategy.
27.10.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on priority topics.
28.10.2022	Online meeting	CCC follow up meeting with NH Project Director and CCC leadership team.

Date	Form of correspondence	Key topics discussed and key outcomes
07.11.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on priority topics.
21.11.2022	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on priority topics.
24.11.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on enabling works and TCPA applications.
08.12.2022	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team.
12.12.2022	Online Meeting	Joint meeting between EA, CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss Flooding issues along the scheme.
22.12.2022	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting included discussions on HGV study and future engagement.
05.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing Wetheriggs Country Park masterplan.
10.01.2023	Online meeting	Potential impacts on the Gypsy and Traveller community.
11.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing flooding and drainage. Meeting included discussions on future joint projects.
12.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing Biodiversity Net Gain. Meeting included discussions on the requirements for DCO and maximising delivery.
12.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing Socio-Economics
13.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing design and connectivity.
13.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing landscape and design principles.
13.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing noise and air quality.
16.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing traffic modelling.
16.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing carbon
18.01.2023	Online Meeting	CCC leadership meeting with NH Project Director focused on funding
20.01.2023	Email Correspondence	Email from representative of Cumbria County Council and Eden District Council on the draft of the SoCG confirming their position on issues considered within the SoCG.

Date	Form of correspondence	Key topics discussed and key outcomes
30.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing issues outlined in the SOCG. Meeting included discussions on priority topics.
31.01.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing Wetheriggs Country Park masterplan.
01.01.2023	In Person	Meeting at Skirsgill Depot with the NH delivery partners
09.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing archaeology.
09.02.2023	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team to discuss accommodation and skills plan
10.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing the EMP and carbon.
13.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing active travel.
15.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing noise and air quality.
16.02.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing traffic modelling.
09.03.2023	Online Meeting	CCC follow up meeting with NH Project Director and CCC leadership team – main topics discussed were progression of PADSS/SoCGs post Deadline 5 and review of other regular meetings
09.03.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing Wetheriggs Country Park masterplan.
09.03.2023	Online Meeting	Meeting between CCC, EDC and the Project Team discussing traffic modelling.
14.03.2023	Online Meeting	Meeting between CCC, EDC, NH and the NH delivery partners to discuss detailed design stage.
16.03.2023	Online Meeting	Meeting between CCC, EDC, Project Team and NH to discuss issues which remain from the Lead Local Flood Authority.
17.03.2023	Online Meeting	Meeting between CCC, EDC, Project Team and NH to discuss outstanding issues within the PADS and SOCG and how they are progressing.
17.03.2023	Online Meeting	Meeting between CCC, EDC, Project Team and NH discussing transport modelling in technical detail.
23.03.2023	Online Meeting	Joint meeting between CCC, NYCC, DCC, EDC, RDC, Project Team and National Highways to discuss all Authority matters. Meeting specifically focused on changes to the DCO.
27.03.2023	Online Meeting	Meeting between CCC, EDC, Project Team and NH discussing ongoing actions within the SOCG and how the document is being rationalised.
05.04.2023	Online Meeting	Meeting between W&FC, Project Team and NH to discuss outstanding issues within the PADS and how they are progressing.

Date	Form of correspondence	Key topics discussed and key outcomes
05.04.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways and National Highways delivery partners to discuss the design of local roads for Schemes 1 to 6.
11.04.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways and National Highways delivery partners to discuss the process of and continued engagement into detailed design.
17.04.2023	Online Meeting	Meeting between W&FC, Project Team and NH discussing transport modelling in technical detail as a follow on from the 17.03.2023.
19.04.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways discussing Wetheriggs Country Park masterplan.
21.04.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways discussing noise impact at Kirkby Thore.
21.04.2023	Online Meeting	Meeting between W&FC, Project Team and NH discussing transport modelling in technical detail looking at MOVA.
21.04.2023	Online Meeting	Meeting between W&FC, Project Team and NH to discuss outstanding issues within the PADS and how they are progressing.
24.04.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways discussing the process of signing off the SOCGs ahead of DL 8.
28.04.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways to discuss remaining environmental issues of air quality and red squirrel mitigation
03.05.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways
11.05.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways discussing the process of signing off the SOCGs ahead of DL 8.
12.05.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways to discuss drainage comments raised in the Deadline 7 PADSS
15.05.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways to discuss designated funds applications for Wetheriggs Country Park masterplan.
15.05.2023	Online Meeting	Meeting between W&FC, Project Team and National Highways to finalise the SoCG for completion and submission at Deadline 8.

2.1.2 This is an accurate record of the key meetings and other forms of consultation and engagement undertaken between (1) National Highways, (2) Cumbria County Council and (3) Eden District Council prior to local government reorganisation on 1 April 2023, in relation to the issues addressed in this SoCG.

2.1.3 From 1 April 2023, this record reflects the consultation and engagement undertaken between (1) National Highways and (2) Westmorland and Furness Council in relation to the issues addressed in this SoCG.

3 Issues

Tables 3-1 and 3-2 provide a summary of the issues raised between the parties and the status. Details of historical positions which are no longer relevant, (as the issues are either addressed in the DCO documents or outstanding issues are now recorded under relevant representations) are provided in the Deadline 5 SoCG and not repeated in this document.

Table 3-1: Record of Issues – Agreed Issues

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
3-1.1 North-South Connectivity - Skirsgill.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	Skirsgill Depot: routes accessing from the west by motorised vehicle can be increased by 2km, as the secondary access from the M6 slip road will be removed. To mitigate this impact, it is recommended that the M6 slip road access to Skirsgill Depot is retained (we believe this has now been reinstated so this point could be removed)	In respect of concerns regarding the access from Skirsgill depot to the M6 southbound on-slip, we have amended our design to retain the existing access.	Agreed
3-1.2 North-South Connectivity – Llama Karma Kafé and Sewage Works.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	The former Llama Karma Kafé & Sewage Works: right turns from/into these sites will be prohibited resulting in an approximate 5km detour. NH to clarify the future use of this site.	Planning permission has been granted by Eden DC for the use of the Llama Karma Kafé as a Project Hub. Any future use would require a further planning application should there be a subsequent change of use.	Agreed.
3-1.3 Environmental Mitigation – Air Quality	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164) WP9	Air quality (NO2) exceedances are expected on Ullswater Road. The PEI Report is not clear on whether these are new exceedances or just deteriorating exceedances. Eden District Council is statutorily obliged to put measures in place to address these.	The predicted air quality exceedance in the PEI Report on the property on the corner of Ullswater Road was a new exceedance. Further detailed modelling has been undertaken as part of the Environmental Impact Assessment, as new baseline traffic data has been provided. Further detail on the Applicant's position has been included in the Deadline 5 SoCG.	Agreed Commentary on outstanding air quality matters is included at Table 3-2.

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
3-1.4 North-South Connectivity – Appleby Bypass.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>SECTION E – APPLEBY BYPASS</p> <p>At the western end of the Appleby bypass, where the proposed realignment of the A66 will tie-in to the existing bypass, a footway/cycleway connection exists between the westbound merge slip road and the old alignment of the A66 towards Crackenthorpe Hall. This needs to be maintained and improved to LTN 1/20 standards as a segregated facility to maintain active travel linkages between Crackenthorpe and Appleby (review against WCH proposals).</p>	We believe this relates to footpath U3589 which connects under the existing A66. This section of the A66 will form part of the de-trunked network and we are seeking to agree an appropriate standard with Local Authorities for de-trunked sections of the A66.	Agreed - This will be covered within the separate de-trunking agreement being progressed.
3-1.5 North-South Connectivity – Brougham Castle to Temple Sowerby Design.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>SECTION B – BROUGHAM CASTLE TO TEMPLE SOWERBY BYPASS</p> <ul style="list-style-type: none"> The footpath from Center Parcs that joins the existing A66 opposite an existing layby terminates at the A66, with no existing provision for pedestrians along the A66. The nearest continuation for pedestrians is an unnamed road approximately 350m to the west. The proposals do not make any provision for this footpath (the WCH proposal may have addressed this?). <p>The byways and footpaths to the north of the A66 close to Hornby Hall are severed for pedestrians, cyclists and horse riders (check against WCH proposals)</p>	A shared cycle/footway parallel to the dual carriageway has been proposed within the scheme extents between Penrith and Temple Sowerby. All existing Public Rights of Way (PRoW) will remain.	Agreed
3-1.6 North-South Connectivity - Severance.	Response to National Highways' Statutory Consultation – A66	There should be no loss of North-South connectivity (severance) as a result of the Scheme.	National Highways are committed to restoring any north-south connections that may occur as a result of the	The parties agree that this is resolved within the remit of the scope of the Project but will

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
	Northern Trans Pennine Project (pages 163-164)		project to prevent the severance of communities. Further detail on the Applicant's position has been included at Appendix A (3-2.2 General Design Comments)	be subject to continued detailed design development post making of the DCO. W&FC would wish to retain this point in relation to ensuring this principle is retained in the detailed design.
3-1.7 Environmental Mitigation – Water Environment	WP16	The Councils' response to the S42 Consultation stated the assessment of the effects upon the water environment that had been presented within the PEI Report were satisfactory given the status of the design of the A66 NTP. However, there were fundamental aspects of the design and subsequently the assessment that were absent and had not been fully considered that needed to be provided within the ES. Further detail on the Local Authority position is set out at in the Deadline 5 SoCG.	Further detail on the Applicant's position has been included in the Deadline 5 SoCG (3-1.7 Environmental Mitigation – Water Environment).	The parties agree that the assessment as submitted meets the technical requirements. Discussions are continuing on the acceptability of the proposals as outlined in table 3-2.
3-1.8 Schools and College engagement	Approach to Sustainable Design (Session 1) 18/1/2022	To engage the local community and younger generations the IPT should engage with schools and colleges and have students possibly attend on site surveys to further their learning.	We welcome the possibility of further engagement with schools and colleges within the local community in order to promote, not only awareness of the project, but also further education of students through practical means. We can confirm there is no issue outstanding between the parties and engagement will continue throughout the project.	Agreed

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
3-1.9 Co-location of technology	Technology and Operations 19/1/2022	The Councils would like to see co-locating of technology where possible to make maintenance more efficient and safer.	The designs of the routes have been planned out in line with National Highways Design Manual for Roads and Bridges (DMRB). This can be explored as part of the detailed design post-DCO.	Agreed - The parties agree that this is resolved subject to continued detailed design development throughout the DCO process.
3-1.10 Variable Messaging System (VMS) warning and provision	Technology and Operations 19/1/2022	Concerns raised by CCC/EDC over the lack of VMS provisions across the route and would like to see a better warning system with CCC/EDC given more access to warnings.	<p>The Project aims to maintain the current provision of VMS on the A66. Our design drawings include the replacement of one existing VMS sign and the provision of two additional signs, one at the Center Parcs Junction and one prior to Kemplay Bank.</p> <p>We can commit to working with CCC/EDC to investigate the feasibility of informing Host Local Authorities of incidents and messaging on the A66 VMS.</p>	Agreed - The parties agree that this is resolved subject to continued investigation of the feasibility post making of the DCO.
3-1.11 Use of digital technology and resilience.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>There are opportunities to utilise digital technology across the A66 to improve the resilience of the route, specifically in relation to adverse weather/flooding and accident alerts.</p> <p>Within the Councils' Technology WP4 there are clear recommendations setting out how the scheme can be enhanced through the provision of technology on the A66. The Councils would expect guarantees from NH that the recommendations/opportunities identified in the work package are included in the scheme design and principles documents</p>	<p>We have received the CCC work package paper on technology.</p> <p>The parties agree that this is resolved subject to continued design development opportunities to further develop the approach to technology as part of the detailed design which will continue after the submission and post-approval of the DCO (should it be granted).</p>	Agreed

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
		<p>for the scheme to be acceptable to the Councils. It is not accepted that this matter can simply be left to the detailed design stage.</p>		
3-1.12 Decommissioning/ Retaining of Technology	A66 De-trunking and return of Assets 27/1/2022	CCC would like to explore the potential value of retaining some of the technology on the de-trunked sections that would help with their operation. This includes the speed camera at Kirkby Thore.	We welcome further engagement post DCO with CCC and EDC as we seek to cover what existing technology can remain in situ when de-trunked.	Agreed - The parties agree that this is resolved subject to continued design development post DCO examination.
3-1.13 North-South Connectivity - Warcop.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	Warcop: Connectivity from Warcop towards the east will be reduced as the current right turn provision will be prohibited resulting in a 2km detour.	<p>There will be east and west connectivity at Warcop. Whilst there will be a slight increase in journey times to access the A66 eastbound, this will contribute to the safe operation of the A66 and there is no overall loss of connectivity.</p> <p>We will continue to engage with the Councils on this issue and seek agreement that its proposals represent the optimal solution and that any adverse effects of the scheme associated with connectivity from Warcop towards the east have been appropriately mitigated.</p>	Agreed.
3-1.14 North-South Connectivity - Langrigg.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	Langrigg: Accessing Langrigg from the A66 west will result in a 3.6 km detour.	For access into Langrigg from the west, users would leave the A66 at the Warcop junction and travel on the existing A66, there would be no significant increase in journey lengths or time to access the Langrigg junction.	Agreed
3-1.15 North-South	Response to National Highways'	There is a footpath that crosses the existing bypass as an uncontrolled	Connections across the existing bypass or existing roads into Appleby	Agreed

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
Connectivity - Appleby.	Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>crossing point. The footpath links the minor road leading east out of Appleby, also part of NCN 68 with the B6542, to the south of Appleby. This crossing is not to current standards and should be grade separated.</p> <p>Existing roads leading into Appleby from either side of the town do not have facilities for active travel modes. These routes should be upgraded to LTN 1/20 standards to provide segregated facilities for cyclists and pedestrians.</p>	<p>are outside of the scope of the A66 NTP.</p> <p>These issues are also set out at paragraph 6.6 of the Council's LIR and are addressed in the Applicant's Comments on Local Impact Report (REP2-018), at paragraph 2.5.8.</p>	
3-1.16 Level of detail in the DCO		<p>CCC/EDC have raised the issue that they are wanting to see a greater amount of detail ahead of the DCO application. The concern is details left to the Detailed Design Stage maybe removed without CCC/EDC being able to input.</p> <p>It is understood CCC and EDC have a concern regarding lack of detail regarding some key elements of the scheme but are seeking to address this by addressing further comments to the EMP and seeking controls over further details as part of the design process.</p>	<p>As part of Project Speed, to ensure all works can be accommodated within the Red Line Boundary, a reasonable worst-case scenario has been used to establish a baseline. Therefore, taken into the DCO are high-level considerations which will be narrowed down at detailed design when more detailed assessments can be undertaken.</p> <p>We commit to continuing engagement with the Host Local Authorities post DCO examination to address any continuing concerns regarding the level of detail in the DCO.</p> <p>National Highways are willing to consider any specific changes to the EMP which may address residual concerns.</p>	Agreed - the parties accept further engagement on the detailed design will be post DCO examination.

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
<p>3-1.17 North-South Connectivity – Appleby bypass to Brough Design.</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>SECTION F – APPLEBY BYPASS TO BROUGH BYPASS</p> <ul style="list-style-type: none"> There is a need to ensure the proposed underpass to the east of Café 66 is of a suitable specification to cater for equestrians and pedestrians, with suitable segregation. As the route deviates south of the current alignment a number of PRow are re-routed under the A66 in order to re-join the existing A66. At Warcop, to the east of the station, a local road and footpath that currently join to the A66 are severed, making these links unusable. <p>At Warcop and Brough, local roads are diverted to cross the new A66 alignment, with the provision for walking, cycling and horse-riding to be confirmed. These are important links for providing a network of PROW routes and ensuring the new road does not sever connectivity.</p> <p>The Council's in their DL2 submission – Response to Comments on Relevant Representations (REP2-030) for issues associated with Walking Cycling and Horse Riding (pages 7-8) refer to the comments in paragraph 6 (including paragraphs 6.1 to 6.14) of the Local Impact Report (REP1-019) which are still applicable. They state no new information has been shared with the Councils.</p>	<p>A shared cycle/footway parallel to the dual carriageway has been proposed within the scheme extents between Appleby and Brough. All existing PRow will remain.</p> <p>The WCH proposals east of Café 66 allow for an accommodation underpass for local farm access which would give pedestrians a segregated crossing of the dual carriageway.</p> <p>We assume this refers to the existing track to the west of the Bivouac site and the footpath (372020) which runs to the south of the Bivouac site. No works are proposed to the PRow in this location. The road will be stopped up where it meets the new A66 dual carriageway.</p> <p>Provision for PRow routes at Warcop and Brough are set out in detail in the WCH proposals. In relation to Brough, bridleway 309003 and Footpaths 309004 and 329001 terminate at the existing A66. The proposals include a grade-separated junction at this location for traffic accessing the A66. This would allow for an underpass to give pedestrians a segregated crossing of the dual carriageway. This would allow onward journeys north and south of the A66. In addition, a shared cycleway/footway is proposed on the north side of the dual carriageway to facilitate onward journeys eastwards</p>	<p>Agreed - The parties agree that this is resolved subject to continued design development post DCO examination.</p>

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
			<p>into Brough and westwards towards Warcop.</p> <p>Section 5 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018) sets out National Highways current position on Active Travel (including Appleby Horse Fair). Paragraphs 2.5.12 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018) states that "additional infrastructure may be required to tie into the local road network at, for example Coupland Beck" and confirms that NH will, " seek to use designated funds within RIS3" for this.</p>	
<p>3-1.18 Workforce accommodation strategy</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>The Councils have submitted an accommodation strategy principles document to NH to ensure that the workforce accommodation is suitable and can result in legacy benefits, but have yet to receive a response.</p> <p>The Councils in their DL2 submission - Response to Comments on Relevant Representations (REP2-030) set out their current position in relation to workforce accommodation (at page 38). They state: "The Councils refer to comments in paragraph 9 of the Local Impact Report (REP1-019) which remain applicable. No new information has been shared with the Councils."</p>	<p>The Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), REP3-004) includes a commitment to develop a Skills and Employment Strategy, which will be the responsibility of the Principal Contractor (PC).</p> <p>The EMP also has a "Construction Worker Travel and Accommodation Plan" listed as a subsidiary plan.</p> <p>Further detail on the Applicant's position is set out in the Deadline 5 SoCG.</p>	<p>Agreed - W&FC would wish to retain this point but the parties accept the need for further engagement post DCO examination.</p>

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
3-1.19 Brough Hill Fair	Population and Human Health 13/1/2022	CCC/EDC are concerned of the impact of the scheme on the operation of Brough Hill Fair and the land where it is hosted.	<p>We undertook supplementary consultation to seek views on options for the re-provision of land for the Brough Hill Fair. Following this consultation, the bivouac site was taken forward within the DCO for the re-provision of the Fair.</p> <p>National Highway's current position on Brough Hill Fair is set out at Agenda Item 5 and Appendices 5 to 9 inclusive, of Deadline 1 Submission – 7.3 Issue Specific Hearing 2 (ISH2) Post Hearing Submissions (REP1-009).</p>	Agreed - National Highways can commit to continuing to engage with the Authorities in relation to the operation of the fair.
3-1.20 Land Take	Relevant Representations	From a property and land perspective, the Council has significant concerns about the land National Highways is planning to acquire on a permanent basis at Skirsgill and Kemplay Bank due to the serious detrimental effect this will have on the Council's ability to provide essential services.	Since Deadline 5, the Applicant has held further discussions with the Council with regard to proposed land acquisition and land use at Skirsgill depot. The Applicant has reviewed its proposals and the need for permanent land take and land use at the depot, and in order to satisfy the Council that its operational land will not be affected by the Project, the Applicant has agreed to enter into a side agreement with the Council to reflect the position agreed through negotiations to date. The Applicant will keep the ExA updated as to progress.	Agreed, subject to completion of the necessary side agreement.
3-1.21 Environmental Mitigation – Socio Economics		A summary of the potential socio-economic impacts (both positive and adverse) which WSP have identified as impacts that could arise from the Project are outlined below. Further assessment	We recognise that discussions in relation to socio-economic opportunities are ongoing between W&FC and the DIPs. Dialogue on this	Agreed. National Highways met with the Local Authorities and Members on 3 February and 15

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
		<p>of these aspects is required to ensure that the effects of the Project are adequately presented alongside the DCO application, under the following headings:</p> <ul style="list-style-type: none"> • Employment Creation • Business and Property Impacts • Regeneration and Land Value Uplift • Better Connectivity (wider socio-economic benefits) <p>In particular the Councils expect to see a Skills and Supply Chain Strategy produced by NH.</p>	<p>will continue post submission of the DCO.</p> <p>The Environmental Management Plan (EMP) (Application Document Reference 2.7 (Rev 2), REP3-004) includes a commitment to develop a Skills and Employment Strategy, which will be the responsibility of the Principal Contractor.</p>	<p>February to discuss the approach to socio-economic matters such as the use of local supply chains, apprenticeships and skills and employment opportunities.</p> <p>It has been agreed that these discussions will continue as part of the detailed design development with the DIPS post conclusion of the DCO examination.</p>
3-1.22 De-trunking	<p>Pre-application discussions</p> <p>Deadline 4 Response (REP4-023)</p>	<p>The condition of proposed de-trunked sections of the A66 needs to be provided at an acceptable standard to the Highway Authority prior to adoption.</p> <p>At Deadline 4 CCC & EDC stated ((REP4-023): The Council is aware of its statutory duties, under the Highways Act 1980, that will apply to new, altered or diverted de-trunked highway after the scheme is open to traffic. This would include winter maintenance. The scope of the phased maintenance requirements and associated timescales have not been set out in detail within the Construction Traffic Management Plan [APP- 033].</p> <p>Therefore, the Council requires a legal side agreement to clarify this and for the agreement to align with the Applicant's</p>	<p>We are committed to ensuring de-trunked sections are acceptable in terms of standard to Local Authorities. We can confirm this has been discussed with the Local Authorities as part of the pre-application process. National Highways have also responded on this matter in Section 4.8 of the Applicant's Comments on Local Impact Report (Document Reference 7.9, REP2-018).</p> <p>The parties agreed to work towards a timescale for completion of the de-trunking agreement and are content that the de-trunked areas are contained within the DCO boundary as submitted. The scope of required works and transfer of structures has</p>	<p>Agreed subject to completion of the de-trunking agreement.</p>

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
		<p>own contractual arrangements with its contractors; any construction defects would remain the responsibility of the Applicant for a period of 12 months from the completion of the highways works as is standard practice for the construction of new highway.</p> <p>De-trunking works will be designed in accordance with a combined A66 NTP Rural Design Guide applicable across all LHA's. However, discussions are ongoing regarding applying the guide to specific parts of the network.</p> <p>The Councils have provided the Applicant with informal written responses to each de-trunking asset proposal received from the Applicant. Formal discussions are now underway to resolve any outstanding technical issues and highlight those that should be resolved through legal side agreements to be completed as soon as possible and in any event by the end of the Examination.</p>	<p>been agreed except for two remaining structures which are still under discussion; Crackenthorpe Retaining Wall and Walk Mill High.</p> <p>Maintenance periods after de-trunking will be the subject of discussion as part of the de-trunking agreement.</p>	
3-1.23 Diversions and construction impacts	CCC & EDC PADSS at Deadline 5	<p>Diversions routes are not suitable without mitigation and fall outside the DCO boundary. The Applicant proposes these will be addressed in the next iteration of the EMP.</p> <p>The Councils' assessment of diversion routes [REP1-019 appendix] indicates that all will require mitigation and six are unsuitable without significant mitigation outside the Order limits. Particular concerns remain in respect of the A685 at</p>	<p>We recognise that diversions during construction are of concern to Local Authorities. We have issued technical notes in relation to Clifford Road (discussed below), Eamont Bridge (which demonstrates the A66 NTP does not contribute further to congestion at Eamont Bridge) and Kirkby Stephen. At Kirkby Stephen, at a local level the Project is forecast to displace trips from the congested A685</p>	<p>Agreed subject to continued dialogue with the DIPS post DCO approval and the establishment of Construction Traffic Management Forums.</p>

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
		<p>Kirkby Stephen, as well as other local roads, such as Ullswater Road and Clifford Road in Penrith, where various physical constraints will give rise to congestion and delay during construction, as well as impacts on local residents in terms of congestion, noise and air quality.</p> <p>HGVs - lack of clarity on diversions and impacts during construction.</p> <p>M6 diversion routes do not appear to have been considered adequately as part of the impact assessment. There are also concerns about the diversion routes around and through Penrith where there is already a significant traffic issue</p> <p>i.e. serious congestion occurs at Kemplay Bank during closures of the M6.</p>	<p>through Kirkby Stephen to the B6260 through Appleby in Westmorland, around (90 PCUs per hour) within the PM peak.</p> <p>We would also note that the EMP (Application Document Reference 2.7 (Rev 2), REP3-004) confirms that no part of the project can start until a Construction Traffic Management Plan (CTMP) is developed.</p> <p>The CTMP will include, amongst other commitments, the following commitment for diversion routes to be discussed with the Local Highway Authority in advance of required closures. National Highways consider that this matter is agreed in so far as possible at this stage and with commitment to the further engagement as cited above.</p>	
3-1.24 Traffic Modelling	A technical note has been prepared by WSP on behalf of W&FC dated 12 April 2023 identifying remaining traffic modelling matters.	A technical note has been prepared by WSP on behalf of W&FC. This note has been subject to discussion with National Highways with a view to resolving outstanding traffic modelling matters. This note outlines outstanding issues and these and the response from National Highways is included at Appendix A	<p>National Highways have responded to the matters raised in the technical note prepared by WSP. The table with National Highways' responses is included at Appendix A.</p> <p>These responses have been discussed with WFC and their Consultant WSP and accepted, subject to ongoing dialogue with NH and their DIPS within the Detailed Design development.</p>	Agreed with W&FC as part of the traffic modelling discussions. Discussions will continue as part of the detailed design development with the DIPS post conclusion of the DCO examination.

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
3-1.25 Land Take	Relevant Representations	Negotiations on the purchase of land owned by EDC is underway but there are a number of unresolved issues yet to be agreed which need to be the subject of discussion in the Examination.	National Highways will continue to engage with W&FC on these matters which will be covered within a side agreement.	Agreed
3-1.26 Environmental Matters	CCC/EDC Deadline 5 Submissions	<p>WSP on behalf of CCC/EDC have provided a note of issues in relation to the Environmental Statement and suggested amendments to the Environmental Management Plan (EMP). These matters cover comments on the following topic areas:</p> <ul style="list-style-type: none"> • Air Quality • Construction compounds • Biodiversity (including Landscape and Ecological Management Plans) • Cultural Heritage • Climate • Landscape and Visual • Noise and Vibration • Road Drainage and Environment 	<p>National Highways have reviewed the note prepared by WSP and provided a response to matters at Deadline 6. This is provided at Appendix B to track outstanding issues.</p> <p>Further meetings have been held on 21 April to discuss noise issues and no residual issues remain between the parties.</p> <p>A meeting was held on 28 April to discuss air quality matters. A further air quality meeting was held on 3 May between air quality consultants for both National Highways and W&FC where broad agreement on the approach was raised subject to preparation of additional verification material which was issued 5 May.</p>	Agreed
3-1.27 Traffic Modelling & Junction designs at Skirsgill Depot.	W&FC Deadline 7 PADSS	The most recent modelling provided by the Applicant (April 2023) of Junction 40 shows no blocking back to the proposed access for Skirsgill Depot. Therefore, the safety implications of the proposed design will be related mainly to the horizontal and vertical visibility for drivers on the mainline and accessing/egressing Skirsgill Depot. Therefore, we will rely on the outcome of the Road Safety Audit which will identify	National Highways will continue to engage with W&FC in relation to the detailed design to address the issues raised. This will include maintaining access during construction.	Agreed

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
		<p>key concerns, and representatives from the Council request to be present on site when this is undertaken.</p> <p>Skirsgill Depot access There is a concern that the private means of access to be constructed by the Applicant to access the compound (currently employment land) will impact the Council's ability to access Skirsgill as an operational highways depot which needs to be available 24 hours per day, 7 days per week, 365 days per year. The Council is awaiting wording from the Applicant to be inserted into the side agreement to address this issue.</p>		
3-1.28 Land adjacent to Skirsgill Depot	Approach to Sustainable Design (Session 1) 18/1/2022	<p>It is the preference of the Council that the temporary construction compound is not reinstated to agricultural fields after use as the area will be the site of the new employment allocation.</p> <p>This is subject to commercial negotiations with W&FC.</p>	We acknowledge the allocation for future employment sites adjacent to Skirsgill Depot. We continue to discuss future plans for Skirsgill with W&FC and will agree the end surfacing of the compound as part of the lease agreement for the site.	Agreed
3-1.29 Drainage	Drainage submissions in Deadline 7 PADSS	The Council requires details of all proposals which impact upon flood risk and needs to have discussions with the Applicant to resolve any concerns. The Applicant needs to ensure the inclusion of Natural Flood Management and other mitigation measures to align with Environment Agency/ Lead Local Flood Authority works. It is essential that natural flood management is considered and	National Highways have worked with the Environment Agency and Lead Local Flood Authorities to agree the approach flood modelling and to flood mitigation that has been included within the DCO scheme. This has been reviewed and is considered to address flood risk measures that result from the A66NTP scheme.	Agreed

Issue	Document References (if relevant)	W&FC position / CCC and EDC position (where relevant)	National Highways Position	Status
		<p>engagement with the Cumbria Innovation and Flood Resilience Project team takes place, particularly in relation to the Warcop area, Lowgill Beck and Broom Rigg.</p> <p>Discussion is required on the flood modelling to ensure that the Applicant and the Council can reach agreement on the approach, which should then inform the drainage designs.</p>	<p>National Highways note the request for Natural Flood Management measures to address measures on a Whole Catchment Approach and National Highways and their DIPS will continue to engage with W&FC through Detailed Design. Noting the measures are not required to mitigate the impacts of the A66 NTP.</p>	

Table 3-2: Record of Issues – Not Agreed Issues

Issue	Document References (if relevant)	W&FC Position / CCC & EDC Position (where relevant)	National Highways Position
<p>3-2.1 North-South Connectivity - Brougham Castle and Eamont Bridge.</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>Brougham Castle: movements between Brougham Castle and the A66 eastbound will no longer be possible and will be required to route to the A6 via the B6262. There is insufficient data available in the Local Traffic Report to be able to quantify the number of users that will be impacted, however this all movement junction is used as a diversion route during flood events at Eamont Bridge. Measures to cater for this provision should be secured as part of the A66 NTP, as there are little to no alternatives to connect to the A6 south if Eamont Bridge is closed due to flood events.</p>	<p>In relation to Eamont Bridge closures, the objectives of the scheme include: removing right turns across the carriageway as part of improving safety on the route. When Eamont Bridge is closed, traffic heading eastbound will need to turn west and use the Kemplay Bank roundabout to access the east bound carriageway. The scheme aims to reduce crossing manoeuvres on the A66 including right turns into and out of priority junctions with the aim of improving road safety. It is accepted that in some instances this will result in slightly longer routes for some traffic using side roads on the A66, such as during a flooding event in Eamont Bridge traffic need to travel east to the Centre Parcs junction before travelling west to the diversionary route through Brougham.</p> <p>We will continue to engage with the Councils on this issue and seek agreement that its proposals represent the optimal solution.</p> <p>The Council's issues on Brougham Castle and Eamont Bridge are also set out at paragraphs 4.11-4.13 of the Council's LIR and are addressed in the Applicant's Comments on Local Impact Report (REP2-018), at paragraphs 2.3.8-2.3.10.</p>
<p>3-2.2 Environmental Mitigation - BNG</p>	<p>WP10</p>	<p>The Councils would expect NH to minimise the impacts on biodiversity and achieve minimum 10% BNG as close as possible to where the impact occurs.</p> <p>The Councils would encourage NH to review Cumbria Local Nature Recovery Strategy – to identify potential projects to offset impacts. NH should refer to the biodiversity work package (WP10) for potential BNG opportunities.</p> <p>The Councils in their DL2 submission – Response to Comments on Relevant Representations</p>	<p>Biodiversity net gain is not currently a requirement for Nationally Significant Infrastructure Projects; however, we are committed to maximising biodiversity delivery achieved by the Project.</p> <p>The environmental mitigation design has been developed to ensure mitigation is provided for adverse impacts on protected species and replacement habitats are provided for those lost, achieving a minimum of no net loss. Impacts and proposed mitigation are detailed within Chapter 6 (Biodiversity) of the ES (Document Reference 3.2, APP-049) and underpinned by detailed assessments within separate appendices (appendix 6)</p>

Issue	Document References (if relevant)	W&FC Position / CCC & EDC Position (where relevant)	National Highways Position
		<p>(REP2-030) set out their current position in relation to Biodiversity Net Gain (at pages 39-40).</p> <p>They state:</p> <p>“The Council’s refer to comments in paragraph 10 (including paragraphs 10.18 to 10.21) of the Local Impact Report (REP1- 019) which remain applicable. No new information has been shared with the Councils”.</p>	<p>within Volume 3 of the ES (Document Reference 3.4, APP-154 – APP-175).</p> <p>We have sought to address the Council’s issues of concern with respect to BNG, and discussions will continue with the Councils.</p> <p>National Highways confirm that the current position on the provision of biodiversity net gain is set out in the Applicant’s Comments on Local Impact Report (REP2-018), at section 2.13. Furthermore, the Applicant has documented additional detail on this point in the 7.30 ISH3 Post Hearing Submissions (including submissions of oral case), submitted at Deadline 5 of the Examination.</p>
<p>3-2.3 Appleby Fair – Traffic Management</p>	<p>CCC & EDC PADSS at Deadline 5</p>	<p>The Councils' Appleby Horse Fair Traffic Management Plan will require updating in consultation with the Applicant as a consequence of Project.</p> <p>The Applicant's CTMP [APP-033] will need to develop proposals to address provision for the Appleby Horse Fair traffic.</p> <p>Connections to existing routes used by travellers and designated stopping places will need to be maintained across the proposed dual carriageway to enable their continued use. The Councils expect the Applicant to confirm how non-motorised traffic will be discouraged from using the A66, in particular how horse drawn traffic can effectively access Appleby Horse Fair via alternative routes. Route risk assessment to ensure the local network can accommodate safe passage of horse drawn vehicles there is continuity of alternative provision on the local network.</p>	<p>The Applicants CTMP will include for both Appleby and Brough Hill Horse Fairs during the Construction period. This document will be discussed with both W&FC and representatives of the Communities during its development. Which will enable W&FC to update their Appleby Horse Fair Traffic Management Plan during the Construction period should this be required.</p> <p>The Applicant will continue to engage with both W&FC and representatives of the Communities on the planned opening of the A66NTP to enable W&FC to update their Appleby Horse Fair Traffic Management Plan should this be required.</p> <p>The de-trunking of the existing A66 is covered under Section 3.1.24.</p> <p>Amendment to or upgrade of facilities on existing roads is not within the scope of the A66 NTP. The Applicant has identified to W&FC that this may be an opportunity to pursue through the NH Designated Funds route.</p>

Issue	Document References (if relevant)	W&FC Position / CCC & EDC Position (where relevant)	National Highways Position
		<p>There is a need to discuss the provision of stopping places for Appleby Horse Fair traffic on local and detrunked roads that will be used in preference to the A66.</p> <p>The Councils expect the Applicant to provide either direct funding to provide stopping places on the detrunked sections or ensure the work is undertaken by its contractors prior to being detrunked.</p>	
<p>3-2.4 Walking, Cycling and Horseriding links full East-West route</p>	<p>W&FC PADSS at Deadline 7</p>	<p>The Council will need an assurance that a connection to the proposed new WCH route at Coupland Beck will be delivered and a plan indicating how it will be delivered should be provided. To be resolved during detailed design discussions and a commitment to a continuous east-west route made</p>	<p>The connection at Coupland Beck is along one of the existing dualled sections of the A66 which are not within the scope of the NTP. Paragraphs 2.5.12 of the Applicant's Comments on Local Impact Report (LIR) (REP2-018) states that "additional infrastructure may be required to tie into the local road network at, for example Coupland Beck" and confirms that NH will, "seek to use designated funds within RIS3" for this. National Highways will continue to engage with W&FC regarding opportunities for designated funds.</p>
<p>3-2.5 Red Squirrel mitigation</p>	<p>CCC/EDC Deadline 5 Submissions</p>	<p>WSP on behalf of CCC/EDC have provided a note of issues in relation to the Environmental Statement and suggested amendments to the Environmental Management Plan (EMP). This included comments on red squirrel mitigation. With regard to Species, the Councils request that red squirrel mitigation include grey squirrel control and suggest that the cost of Animex wildlife bridges would be more effectively used in supporting red squirrel elsewhere in the district.</p>	<p>In response to the Councils' concerns relating to the use of the Animex wildlife bridge (or equivalent) as part of the proposed mitigation specified to connect red squirrel habitats severed by the Project, evidence does exist to suggest the success in reducing isolating/fragmentation impacts on mammals species (White, IC., Hughes, S.A., 2019); however there is no evidence base as yet to suggest the success of Animex wildlife bridges on the scale required for the A66 so the use of the bridge as part of the mitigation proposals for the A66 will act as a pilot scheme to inform further research in this area.</p> <p>The applicant will continue to liaise with WFC and their Consultants through the detailed design. In addition, the second iteration EMP will include detailed design information relating to the proposed red squirrel crossings enabling W&FC to provide further input/consultation with regards to the</p>

Issue	Document References (if relevant)	W&FC Position / CCC & EDC Position (where relevant)	National Highways Position
			<p>proposals to address the severance to red squirrel habitats caused by the Project.</p> <p>The Applicant notes that actions taken to mitigate the severance of red squirrel habitats may enable further grey squirrel incursion. The applicant will continue to work with the Council and other relevant parties, including Penrith Red Squirrel Group, to how this might be addressed both during detailed design and during the operational phase; including exploring potential opportunities through the Designated Funds route for actions proposed by the Council and other relevant parties outside of the Project scope and boundaries.</p>
<p>3-2.6 HGV parking and service provision across the route</p>	<p>Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)</p>	<p>There is a need for National Highways to identify measures to ensure adequate HGV parking and service provision is provided across the A66 corridor.</p> <p>Further detail on the Local Authority position is set out in the Deadline 5 SoCG.</p>	<p>The Applicant can confirm that laybys have been proposed in the DCO design in accordance with Design Manual for Roads and Bridges (DRMB) standards; and National Highways have engaged with the W&FC and other Councils and industry bodies to discuss concerns regarding the forecast future demand for HGV facilities within the wider region as part of National Highways preparing an Inter-regional Strategic Freight Study.</p> <p>The Freight study has been submitted to National Highways by their Consultant and National Highways is considering the impact and potential actions to be undertaken. The results of the study will be released mid-summer 2023 and further engagement will be undertaken with W&FC on the outcomes of the study within their boundaries including next steps and potential delivery routes of the recommendations, given this will require other Authorities and third-party involvement.</p>
<p>3-2.7 Public Open Space (Wetheriggs Country Park)</p>	<p>Approach to Sustainable Design (Session 1) 18/1/2022</p>	<p>Changes to the Public Open Space (POS) are to be put forward to the local community for further engagement to determine whether they would want either compensatory land or enhancements to the existing POS.</p>	<p>We have met with W&FC to discuss the issues in relation to Wetheriggs Country Park and acknowledge the need to improve the connection between the existing open spaces and the new proposed open space.</p>

Issue	Document References (if relevant)	W&FC Position / CCC & EDC Position (where relevant)	National Highways Position
		<p>We have concerns about the impact on the area, both in terms of the overall impact on the country park, on its users, and on the ability of the residual area to support formal sports pitches as it does at present.</p> <p>Further details on the Local Authorities' position are set out in the Deadline 5 SoCG.</p>	<p>The existing football pitch at Wetheriggs Country Park is not within the red line for the DCO and will not be required for the construction of the A66 NTP.</p> <p>We are aware from consultation of the concerns regarding United Utilities (UU) Infrastructure in Wetheriggs Country Park. We are engaging and will continue to engage with UU on the movement of infrastructure to construct the Kemplay Bank scheme.</p> <p>National Highways have agreed to a Work Package with W&FC on the creation of a masterplan for Wetheriggs Country Park via the Designated Funds route as this is outside of the A66 NTP scope. The Council will be leading the preparation of the masterplan with their appointed consultants. National Highways will continue to engage with EDC on this masterplan and work with W&FC regarding the preparation of subsequent designated funds bids for detailed design and implementation of the masterplan should this be the chosen route by W&FC to take this forward.</p>
3.2.8 Environmental Matters - Noise	Environmental Matters – Noise	W&FC and WSP, consultants to W&FC have advised verbally on 15 May 2023 that there are additional opportunities in respect of noise which will be shared with National Highways.	National Highways consider that all noise queries have been effectively responded to and the project provides appropriate noise mitigation measures. National Highways will continue to work with W&FC through detailed design.
3-2.9 Cycling, walking and equestrian connectivity – route corridor.	Response to National Highways' Statutory Consultation – A66 Northern Trans Pennine Project (pages 163-164)	<p>The Councils have assessed and proposed a corridor route for active travel which would be achievable and should be delivered by NH as part of the A66 NTP Project. The line of the continuous corridor is described below.</p> <ul style="list-style-type: none"> Enhanced facilities for crossing M6 junction 40 and Kemplay Bank roundabouts aligning with the latest guidance set out in LTN 1/20. Utilising existing links between Kemplay Bank to Brougham Castle. 	<p>The Applicant notes that there are significant improvements to improve connectivity and reduce severance proposed within the DCO scheme such as improvements at both Junction 40 and Kemplay Bank.</p> <p>Some of the WCH enhancements proposed by W&FC to the de-trunked sections are not within the scope of the project. However, further enhancements may be considered during detailed design as part of the de-trunking process where feasible.</p>

Issue	Document References (if relevant)	W&FC Position / CCC & EDC Position (where relevant)	National Highways Position
		<ul style="list-style-type: none"> • Use of the Project’s access/farm tracks to link Brougham Castle to Center Parcs on a parallel lightly trafficked route. • Use of existing local roads between Center Parcs junction and Temple Sowerby. • Use of the de-trunked A66 between Temple Sowerby, Kirkby Thore, Crackenthorpe and on to Appleby (with suitable infrastructure amendments). • An off-highway route running parallel to the A66 between Appleby and Warcop. • Use of the de-trunked A66 between Warcop and Brough (with suitable infrastructure amendments); and <p>Alternative route: utilising the disused railway line.</p> <p>The de trunked sections are within the Order Limits and therefore scope of the project.</p> <p>W&FC would welcome working together on designated fund applications where the alignment of the WCH route navigates away from the de-trunked sections or the new A66, such as through towns or other country roads, to enable the full east west route to be delivered coherently within the same timescales so as not to leave gaps in the WCH network on scheme opening.</p> <p>National Highways must commit through a side letter to provide assurance that the full east-west route will be provided, including beyond the Order Limits.</p>	<p>We have also discussed with the Councils some localised opportunities to work together on ‘designated funds’ opportunities to address particular issues on the existing A66 where sections may be de-trunked. These particular requests are outside of the scope of the A66 NTP. We would welcome the possibility of submitting joint applications wherever possible.</p> <p>In relation to LTN1/20 a 3m path and 2m verge have been proposed i.e. 5m of overall width to provide a path. The detail of which will be undertaken at detailed design.</p> <p>The current position on the issues raised on Active Travel (including the Appleby Horse Fair) is as set out at section 2.5 of the Applicant’s Comments on Local Impact Report (LIR) (REP2-018)</p>

APPENDICES

Appendix A: Traffic Modelling Technical Note and National Highways Response

VISSIM BASE MODELS COMMENTS

Note	WSP Comment (05/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Signal Configuration	<ul style="list-style-type: none"> • Some of the configuration of the PCMOVA signalisation appears to have been modelled incorrectly. • The signal specification sheets and further clarification on the following points are needed to confirm whether the signalisation in the model is representative of current conditions: <ul style="list-style-type: none"> ➢ Checks to ensure the phase information has correctly been defined in imported MOVA datasets for the A66 / A6 Kemplay Bank Roundabout ➢ Clarity on how many of the EP links are being used and for what purpose in all MOVA datasets ➢ Checks on whether any special conditioning between individual signal controllers (as included in the controller specifications) needs to be included in the MOVA datasets and PCMOVA linker file ➢ Checks that all SINKS and stop line loops are correctly coded in the Vissim model and PCMOVA linker file 	<p>Risk: impacts of scheme could be misrepresented at the junctions with a negative impact on queuing.</p>	<p>Internal review of MOVA junction operation (including input files) with signal engineers.</p>	<p>Due to unavailability of MOVA data resulting from upgrades to the MOVA setup at the existing junctions, the latest MOVA files could not be used to develop the VISSIM model. Therefore, the model has been calibrated to observed conditions using the MOVA setup used to develop the original 2017 model, calibrated and validated to observed conditions in 2017 by a previous consultant.</p> <p>The Base model will be revised post examination following review of latest MOVA datasets to ensure the VISSIM model accurately reflects observed local conditions, and to enable finessing of the MOVA set up to ensure efficient operation of the proposed design.</p> <p>Given that: the base model currently validates well to observed journey times; both the VISSIM model and LINSIG models agree that there is capacity for the junction to accommodate forecast Friday flows in 2044; and that changes to the MOVA setup would generally improve the future year performance then we consider the risk that the current model currently significantly misrepresents junction capacity to be small.</p> <p>No further action considered necessary.</p>

Note	WSP Comment (05/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Turning count calibration/ validation	<ul style="list-style-type: none"> No turning count validation analysis has been presented. 	<p>Risk: could impact lane allocations and storage utilisation on approaches to the junctions, impacting on land take.</p>	<p>Please provide analysis to show that the base models meet the required TAG M3.1 guidelines for turning count validation, even if the data isn't fully independent of that used in the model build process. This should be classified by vehicle type to ensure each lane's storage utilisation is accurately represented.</p>	<p>Turn count analysis is now included within Appendix F (LMVR) and discussed/referenced within the updated LMVR.</p> <p>No further action considered necessary.</p>
Sensitivity testing	<ul style="list-style-type: none"> September flows are identified to be average whilst August is the busiest month (LMVR paragraph 3.1.2). Models are based on September traffic flows. 	<p>Risk: significant operational issues with higher traffic flows are not identified.</p>	<p>Test August traffic flows in LinSig before examination and in Vissim after examination.</p>	<p>It is noted that August traffic is heavier than September traffic on from Monday to Thursday.</p> <p>When considering Junction 40 exclusively, August Friday traffic is marginally lower than September Friday during the peak hour (13:00-14:00) based on available permanent ATC data. However, ATC data shows that August system wide traffic peaks between 10:00 and 11:00 on Friday. Based on this analysis, an August test has been undertaken using an uplift factor of 1.02 between these two selected hours. This is considered very precautionary. This is discussed in the updated TFR and Appendix E (TFR) provides further analysis on this.</p>

Note	WSP Comment (05/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Traffic Assignment Calculations	<ul style="list-style-type: none"> The general approach and analysis undertaken (as described in the LMVR) is appropriate. However, the calculations cannot be fully verified without the raw data and some of the data processing being provided. No analysis on the ANPR capture rate is provided. It is also unclear how <i>“the ANPR has been adjusted to match the average ATC flow”</i> (LMVR Appendix A (page 51 of pdf provided)). It is possible that some of the ATC surveys are not identifying the true demand on some input arms due to being placed close to the junctions (LMVR Appendix A, Fig.1). The link flow and journey time validation presented is also compared against data collected near to the junctions so would not pick up on this. Therefore, traffic demand leading to oversaturated conditions/increasing queue lengths may not be fully considered in the vehicle inputs. For example, this could be a reason for some of the WB queues known to occur on the A66 E arm of Kempley Bank roundabout not appearing in the Base IP model. 	<p>Risk: the vehicle volumes entering the model might not be fully representative, potentially underestimating queuing and delay impacts.</p>	<p>Please provide some spreadsheet data and accompanying narrative to explain how the traffic flow input data was calculated.</p> <p>Please provide some additional evidence that the vehicle input flows in Vissim accurately represent the demand for each of the 8 input arms.</p>	<p>Evidence is provided in Appendix G (LMVR) that shows:</p> <ul style="list-style-type: none"> the ANPR data capture rate that the ATCs used within the model development are representative of the flows measured by permanent ATC counters installed at this location <p>It is acknowledged that no adjustments to input demands have been made to account for queueing traffic, however as the models have been developed with extensive warm up and cool down periods, and that there is no significant observed queueing at the start or end of these periods then the input demand to the model should be representative of that observed.</p> <p>No further action considered necessary.</p>

Note	WSP Comment (05/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Center Parcs traffic flow separation	<ul style="list-style-type: none"> Friday IP – The LMVR states 25% of surveyed flows have been assigned to a separate vehicle type 'Car2' (paragraph 2.2.9). Initial analysis of vehicle inputs on Base IP model shows a range of values from 13.4% to 21.9% of Car2's proportion of total vehicle input, across all input links and time periods. Total vehicle input does however closely align with the total columns from Table 2 and Table 3 of Appendix A of LMVR. Center Parcs traffic ("Car2") (described & queried above) has frequently been assigned lower speed distributions at desired speed decisions and reduced speed areas. 	<p>Risk: the proportion of cars driving more cautiously than general traffic might not be fully representative, potentially over or underestimating queuing and delay impacts.</p>	<p>Please provide further information in the LMVR to why this separation was undertaken and why "25% of the existing car flows was assumed to be headed to/from Centre Parcs" (LMVR paragraph 2.2.9).</p> <p>Please provide further information or calculations to how this 25% was applied to the vehicle inputs and routing decisions inputted into the Vissim model.</p> <p>Please provide further information to why vehicles heading to/from Center Parcs would be expected to drive more cautiously than general traffic and how the lower speed distributions were identified.</p>	<p>Appendix C (LMVR) contains a comparison of total cars on Thursday and Friday throughout the model period. The uplift in cars between Thursday and Friday as a proportion of total car traffic on a Friday varies considerably. This proportion is considered to provide an indication of the traffic that is associated with Center Parcs on a Friday. Outside of the peak hour, the proportion is as high as 39% when comparing car matrix totals for each 15-minute interval but is close to 0% in other intervals. During the peak hour, the proportion of additional car traffic reaches 22% (13:30 to 13:45). Therefore, using an overall factor of 25% for 'Car2' was considered a fair and precautionary estimate to use for total car traffic associated with Center Parcs.</p> <p>No further action considered necessary.</p>
Static vehicle routing decisions – vehicle classification	<ul style="list-style-type: none"> The static vehicle routing decisions, derived from the ANPR turning counts, are applied indiscriminately across all vehicles types/classes. 	<p>Risk: could impact lane allocations and storage utilisation on approaches to the junctions, impacting on land take.</p>	<p>Either the static routing decisions should be assigned by vehicle type and the base models revalidated or some analysis should be provided to ensure that the indiscriminate application of turning movements does not have a significant impact of the model operation. This analysis could include the classified turning movement validation mentioned above.</p>	<p>Appendix C (LMVR) shows observed turning count proportions by vehicle type.</p> <p>No further action considered necessary.</p>

Note	WSP Comment (05/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
<p style="text-align: center;">Reduced speed areas</p>	<ul style="list-style-type: none"> Paragraph 2.3.16 of the LMVR states that: <i>“Reduced speed area of 5m length with 17km/hr speed was introduced in front of every signal head for both M6(J40) and Kemplay bank Roundabout within the calibration process, to represent the saturation flows at the signals. In addition to this, the desired speed decisions for Centre Parcs traffic have been reduced to 10km/hr”</i>. Reduced speed areas of 40mph have also been included by the lay-bys on the A66 between the two roundabouts. Whilst the need for reduced speed areas is recognised, the speed distributions used seem excessively low. 	<p>Risk: journey time comparisons between the modelled scenarios may be inaccurate, affecting the conclusions drawn regarding the impact of the Proposed Scheme.</p>	<p>Please provide further justification to why the reduced speed areas are assigned such low speed distributions or make amendments in the models to reflect more typical driving behaviour.</p>	<p>The reduced speed areas were implemented such that base model reflected the observed journey times.</p> <p>The additional desired speed decisions for Centre Parcs traffic was required as delays on a Friday on the A66 West approach to Kemplay Bank approach exceeded those observed on a Thursday despite similar traffic flow levels. Such desired speed decisions were therefore placed on the other Kemplay Bank and Junction 40 approaches to illustrate an even-handed approach, given that the reduced speed areas are being used to define non-local drivers general unfamiliarity with the area.</p> <p>No further action considered necessary.</p>

Note	WSP Comment (05/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
<p>Journey time calibration/ validation</p>	<ul style="list-style-type: none"> Many of the routes across the 3 time periods have an observed-modelled difference of greater than 15%, up to a maximum of 47%. Whilst it is noted that none of these differences are greater than an absolute difference of 1 minute, additional narrative on some of the larger relative differences would be welcomed. Some of the start vehicle travel time measurements are positioned only a short distance upstream or slightly downstream of the corresponding stop-line and therefore will not capture some of the journey time spent queuing. Further details of how cycle time and saturation flows have been considered to match journey times (LMVR paragraph 5.5.5) would be useful, especially in relation to PCMOVA and existing signal data and configuration sheets. All changes made to calibrate the base models should be justified by observed conditions. Any journey time data used to calibrate the model shouldn't be presented as a validation statistic. 	<p>Risk: the LMVR journey time validation analysis is overestimating how accurately the base models are representing observed traffic conditions. This could then lead to unrealistic modelling of the forecast scenarios.</p>	<p>Please provide further explanation of some of the major differences between observed and modelled journey times. This should consider the precise locations of the observed and modelled routes in relation to the junctions and possible queuing.</p> <p>Please provide some documentation of the calibration process, eg what supporting data has been used to change cycle times (if paragraph 5.5.5 has been interpreted correctly).</p>	<p>The LMVR has been updated to discuss some of the larger variations.</p> <p>Such narrative will be updated once the base model is revised post examination following review of latest MOVA datasets.</p> <p>Video footage has been analysed to gain an indication of cycle times and green times on key approaches at Junction 40 and Kemplay Bank. A table containing this data is provided in Appendix E (LMVR).</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>

Note	WSP Comment (05/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Link flow calibration	<ul style="list-style-type: none"> It slightly unclear to the extent of comparison against “independent observed flows” (LMVR paragraph 5.3.5) given that the ATC and ANPR data was used in the model build process. An explanation of why some of differences between modelled and observed link flows give a GEH>5 would be useful to be confident that any errors or issues are not carried forward to the forecast models. Specifically considering OGV2 flows in all time periods and car flows on M6 slip roads in IP. 	Low risk impact on junction operation	Provide some additional narrative on the given comments would be helpful.	<p>The word 'Independent' has been removed from the LMVR. The LMVR will be further updated once the MOVA file issue has been rectified.</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>
Static vehicle routing decisions – U-turns omitted	<ul style="list-style-type: none"> U-turns are not coded into the static vehicle routing decisions. The number of vehicles making a U-turn at roundabouts is very small but non-zero on the A66 West arm of J40. These movements are necessary to access some destinations so any quantification of their impact on base/forecast model operation would be helpful. 	Likely to be negligible	Consider modelling or assessing the impact of vehicles making U-turns at the roundabouts.	<p>Noted. U turns will be included in the updated base model with the latest MOVA datasets</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>
Public Transport Lines	<ul style="list-style-type: none"> The ‘5km/h’ initial speed distribution (uniform distribution between 2.49pmh & 3.73mph) is selected for all public transport lines which is unrealistically slow without justification. However, desired speed distributions are placed close to the start of the entry links so the only impact on the models is away from the junctions. 	Likely to be negligible	Consider updating the initial speed distribution of public transport lines in subsequent modelling.	<p>Noted. This will be updated when updating the base model when it is updated with the latest MOVA datasets</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>

Review of A66 M6 J40 Kemplay Bank Forecast Vissim Models & TFR

Note	WSP Comment (13/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Base Model Comments	<ul style="list-style-type: none"> Any changes made to the base model in response to the comments given in Appendix A should be carried forward to the forecast models where applicable. Network coding likely to require attention include (but are not limited to) the PCMOVA configuration, linking & location of detectors and the desired speed distributions of some reduced speed areas unless justification can be provided that these alterations are not required. Any changes should necessitate rerunning all base and forecast models so a fair comparison of output results can be made. 	<p>Risk: the forecast models are not representative of the future network operation – affecting the conclusions drawn regarding the impact of the Proposed Scheme and required land take.</p>	<p>Make the required network changes upon review of Appendix A and rerun all base and forecast models so a fair comparison of output results can be made.</p>	<p>Agreed. Any changes made to the base models will be carried forward to improve the forecast models. This will be undertaken as part of detail design.</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>
Vehicle Travel Time Measurements	<ul style="list-style-type: none"> Some of the start vehicle travel time measurements are positioned only a short distance upstream of the corresponding stop-line. Therefore most of the additional journey time caused by queuing to reach the stop-line is not captured which gives the potential for some of the journey time comparison analysis presented in the TFR to be misleading. It is recognised that some vehicle travel time measurements have been placed to match the positioning of the ANPR cameras for journey time validation – however, there is no reason that the comparison between modelled scenarios cannot utilise more strategically placed routes. 	<p>Risk: increases to journey time as a result of the Proposed Scheme and associated traffic growth are not fully considered in the TFR analysis and conclusions.</p>	<p>Either exclude/comment on journey time route comparisons in the TFR where the routes are not able to show the full extent of operational issues/delays; or move the vehicle travel time measurements to upstream of the back of any anticipated queues and present the updated journey time analysis in the TFR.</p>	<p>The TFR will be updated when the design model is updated to include longer journey time routes that include sections on the approach to stoplines where vehicles queue. Such information will be used to optimise the future performance of the scheme</p>

Note	WSP Comment (13/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
<p style="text-align: center;">Traffic Assignment Forecasting</p>	<ul style="list-style-type: none"> The general approach and analysis undertaken (as described in the TFR) is appropriate. However, the calculations cannot be fully verified without the raw data and some of the data processing being provided. It would also be helpful for the TFR to include how well calibrated the A66TM is near the study area, the growth factors applied to each input arm and any changes to the turning movement proportions from the base models. 	<p>Risk: the vehicle volumes entering the model might not be fully representative, potentially over or underestimating queuing and delay impacts.</p>	<p>Please provide some spreadsheet data and accompanying narrative to fully explain how the forecast traffic input and assignment was determined.</p>	<p>Growth Factors and resulting turn flows are provided in Appendix A (TFR). These have been calculated by applying the A66TM growth factors to the uplifted base turn flows (where ANPR to ATC factors are below 1.0, a factor of 1.0 has been used – this is also explained in the updated LMVR).</p> <p>Where there is a larger flow on Friday compared to Thursday on the A66 East Arm, the difference in trip end totals at this location is frozen i.e. not growthed. This is on the basis that Center Parcs is currently operating at capacity and therefore no additional traffic growth should be anticipated. Appendix C (TFR) contains Thursday IP flows used to calculate this difference. This was considered a fair and proportionate approach to the calculation of future Friday traffic.</p> <p>Appendix B (TFR) provides a summary of the Validation of A66TM in the area around Junction 40 and Kemplay Bank.</p> <p>No further action considered necessary.</p>

Note	WSP Comment (13/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Journey Time Increases	<ul style="list-style-type: none"> Tables 13-15 of the TFR show a significant increase in journey times along some routes without being commented upon. 	<p>Risk: scheme disbenefits are not fully reported.</p>	<p>Please provide some narrative in the TFR to highlight the fact that some routes are predicted to have a longer journey time in 2044 than observed in 2022.</p>	<p>Text included in updated TFR to highlight routes that have a longer journey time in 2044 compared to 2022.</p> <p>The locations highlighted will be considered further at detailed design stage when the signals are finessed.</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>
Model stability	<ul style="list-style-type: none"> A measure of the deviation from the mean, such as standard deviation, in each model run should be presented to show the stability between model runs (TFR Tables 10-12). 	<p>Low risk of variation between runs leading to unreliable results.</p>	<p>Include standard deviation calculations in TFR Tables 10-12 to show there is sufficient stability between model runs.</p>	<p>Noted. This will be included when the TFR is updated following the design model update as part of detailed design.</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>
Incorrect pedestrian input	<ul style="list-style-type: none"> The vehicle composition for the vehicle input on Link 92 (Skirsgill Lane) is incorrectly assigned a pedestrian composition in the IP scenarios. This leads to pedestrians on the vehicle links of the southern part of the A6 contributing to the low average speeds displayed in the TFR Figure 4-3 & 4-6. 	<p>Low risk as all pedestrians are routed south on the A6 away from the Proposed Scheme.</p>	<p>Assign a motor vehicle composition to the vehicle input on Link 92 in all subsequent modelling.</p>	<p>Noted. This will be updated when updating the base model for detailed design.</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>
Low lane change distance	<ul style="list-style-type: none"> The lane change distance on Link 10015 (M6 NB entry slip) is set as 25.0m. This is unrealistically small and leading to merging difficulties and vehicle being removed from the network at the end of Link 180. 	<p>Low risk as merging problems do not impact on any output measurements collected.</p>	<p>Increase the lane change distance on Link 10015 in all subsequent modelling.</p>	<p>Noted. This will be updated when updating the base model for detailed design.</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>

Review of A66 M6 J40 Kemplay Bank Forecast LinSig Models & TFR

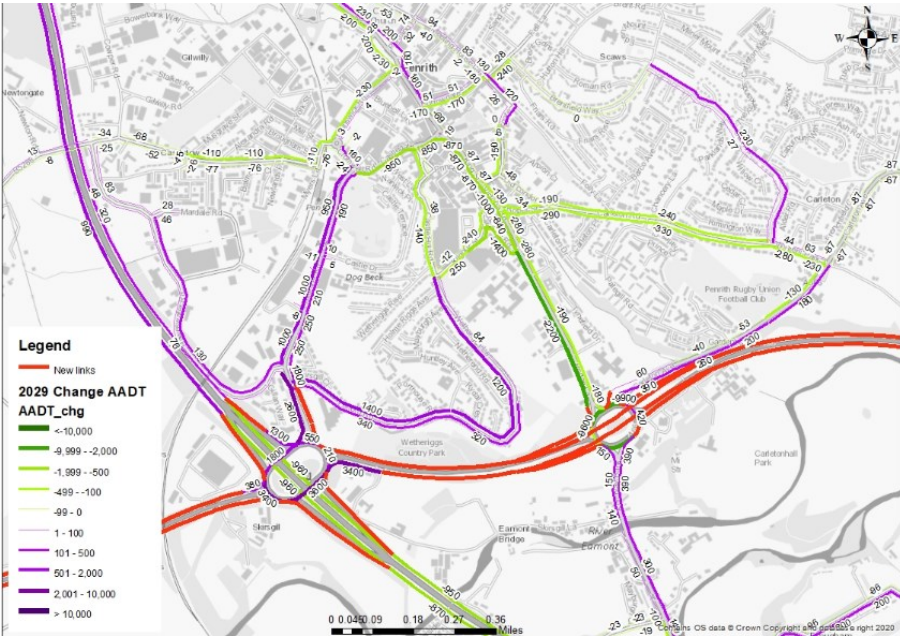
Note	WSP Comment (13/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Lane Lengths	<ul style="list-style-type: none"> Some of the lane lengths on the circulatory and exit arms with pedestrian crossings appear to be too short as they should be measured stop-line to stop-line if a custom lane length is not assigned to the upstream connector. Specific arms that appear to have too short lane lengths include Arm 8, 9, 12, 14 & 15. Whilst the lane lengths being too short won't positively affect (reduce) the queue profile on any individual lanes, it may affect the traffic profiles and signal coordination between the nodes of the roundabout. This impact cannot be quantified easily and therefore the correct lane lengths should be entered. 	<p>Risk: the profile of traffic arriving at some stop-lines may be incorrect leading to operational issues not currently detected.</p>	<p>Please amend incorrect lane lengths or apply accurate custom lane lengths to the connectors.</p>	<p>The LinSig model has been updated with revised lane lengths and a 75 second cycle time in the 2029 scenario. The revised model is provided in Appendix F1 (TFR) with accompanying summary report in Appendix F2 (TFR).</p> <p>No further action considered necessary.</p>
Signal Timings Coordination	<ul style="list-style-type: none"> No explanation is given regarding the strategy applied to coordinate the signal timings across the stage streams/through the roundabout. This should represent the expected operation under MOVA as closely as possible where routes with the highest traffic flows are prioritised. Whilst incorrect coordination would reduce the overall junction performance on ground, there is a chance it could provide benefits on some arms in isolation and therefore LinSig would display smaller-than-realistic queue profiles and not pick up on related operational issues. 	<p>Risk: the queue and traffic profiles on some arms might not display the blocking-back operational issues that could occur.</p>	<p>Please provide some documentation of how the signal coordination between stage streams was developed to ensure the LinSig model is realistic of the proposed operation on site.</p>	<p>In the absence of detailed MOVA datasets the signal timings have been adjusted using the optimisation tools within LinSig to minimise the internal queues. This will be considered further during detail design</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>

Note	WSP Comment (13/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Signal Optimisation	<ul style="list-style-type: none"> The signal timings seem to have been optimised for PRC within LinSig although full details of the process undertaken would be helpful. The cycle time is 60s for the 2029 DS scenario and 75s for the 2044 DS scenario. 75s cycle time is unusually long for two-stage roundabout junctions between an entry arm and a circulatory arm. 	<p>Risk: the roundabout would operate less efficiently than modelled and therefore the PRC values reported in the TRF is an overestimate.</p>	<p>Please provide details of any steps taken to optimise the signal timings.</p> <p>Please provide some reasoning that a 75s cycle time would likely occur on site in the 2044 forecast peak periods or other justification for using this cycle time.</p>	<p>Video footage from the day of the survey has been analysed to gain an indication of cycle times and green times on key approaches at Junction 40 and Kemplay Bank. A table containing this data is provided in Appendix E (LMVR).</p> <p>No further action considered necessary.</p>
Traffic Assignment Forecasting	<ul style="list-style-type: none"> See corresponding comments made in Appendix B as the same traffic demand has been applied in LinSig as in Vissim for the forecast models. 	<p>Risk: the vehicle volumes entering the model might not be fully representative, potentially over or underestimating queuing and delay impacts.</p>	<p>Ensure any updated traffic demand forecast matrices made upon review of Appendix B are applied to the LinSig models.</p>	<p>Further information on traffic demand is provided. Growth factors and resulting turn flows are provided in Appendix A (TFR).</p> <p>Appendix B (TFR) provides a summary of the validation of A66TM in the area around Junction 40 and Kemplay Bank.</p> <p>No further action considered necessary.</p>
Cruise Times/Speeds	<ul style="list-style-type: none"> The cruise speeds are entered as 50km/h on all connectors. Whilst this uniform approach might be accurate, no justification for this has been provided. 	<p>Risk: the profile of traffic arriving at some stop-lines may be incorrect leading to operational issues not currently detected.</p>	<p>Please provide some evidence that the mean cruise speeds entered are giving realistic cruise times between stop-lines.</p>	<p>No further information is available to base this on. A cruise speed of 50km/h (31mph) was considered reasonable for the assessment.</p> <p>No further action considered necessary.</p>

Note	WSP Comment (13/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Signal Configuration	<ul style="list-style-type: none"> The general signal configuration of the stage sequences, intergreen matrix, signal timings and any phase delays appear to have been set up correctly; however, no documentation of the process is supplied to confirm this. 	<p>Risk: the LinSig model does not reflect the likely future operation.</p>	<p>Please provide the existing controller specification, or documentation of the process undertaken, to ensure the modelled signal configuration is reasonable and realistic.</p>	<p>Noted. To be provided/checked at detailed design stage.</p> <p>This will be addressed in detailed design engagement by the DIPS.</p>
Internal Blocking	<ul style="list-style-type: none"> One of the limitations of LinSig is that it does not model the impacts of blocking-back to any upstream arms. No analysis of the queue profiles has been provided in the TFR. 	<p>Risk: blocking-back between arms could significantly increase queues on multiple entry and circulatory arms leading to other operational issues not currently detected.</p>	<p>Once any changes to the model based on other comments have been made, please provide some analysis of the significance of any queues observed to block-back to any other arms or connectors.</p>	<p>Updated TFR (section 4.7.6) includes a commentary on blocking back in the LinSig model and how this impacts upstream arms.</p> <p>No further action considered necessary.</p>
Saturation Flows	<ul style="list-style-type: none"> The saturation flow has been entered as 1900 PCU/hr on all lanes. 	<p>Risk: the saturation flow is overestimated on some arms which could lead to longer queues and an overestimate of the roundabout's overall capacity.</p>	<p>Please provide some justification that a saturation flow of 1900 PCU/hr is realistic, or apply a more conservative estimate as a sensitivity test.</p>	<p>When treated as a nearside lane, RR67 formulae used in LinSig shows that a saturation flow of 1900 PCU/hr is equivalent to a lane width of 2.85m (2040 PCU/hr for a non-nearside lane for width of 2.85m). Given that all existing and proposed lane widths will be significantly in excess of 2.85m, 1900 PCU/hr is considered a reasonable and precautionary approach.</p> <p>No further action considered necessary.</p>

Note	WSP Comment (13/04/23)	Potential Impacts	Suggested Action	Response / Subsequent action for detailed design post examination
Phase ordering	<ul style="list-style-type: none"> It is normal convention for the circulatory arm phase to be lettered before the entry arm phase at a signal-controlled roundabout with the circulatory arm stage reverting to green when no traffic is detected. Whilst entering the entry arm phases first, as applied in this model, has no impact on the model operation, it would be useful to know if this ordering matches an existing signal configuration. It should also be ensured that any deviation from existing configuration or convention doesn't cause any confusion if the model is used for any future signal design work. 	Negligible risk to modelling.	Consult with signal engineers if model is used to inform more detailed design work.	Noted. This will be updated for detail design. This model was inherited from the previous consultants. This will be addressed in detailed design engagement by the DIPS.

Appendix B: Environmental Issues Note and National Highways Response

Topic	Issue raised ¹	Applicant's Response
<p>Air quality</p> <p>Traffic modelling</p> <p>Design, engineering and construction</p>	<p>Technical Note (prepared by WSP) setting out areas within the Environmental Statement where the assessment is considered insufficiently detailed for the Councils to identify nature/degree of impacts upon assets they are statutorily obliged to protect, based upon comments in the LIR. The note also identifies where amendments to the EMP would provide greater clarity, assurance and comfort to the Councils.</p> <p>With regard to air quality, traffic and verification, and monitoring, the Councils raise concern on the potential Impact of additional or redistributed traffic on Castlegate proposed AQMA arising from uncertainty over the modelled impact. Concern raised that the AQ verification adjustment factor based on insufficient and/or incorrectly located monitoring sites.</p> <p>With regard to construction compound locations, the Councils suggest re-wording of paragraph B4.8.1 of the AQDMP as air quality and dust control measures need to be specific to the activities at each specific compound.</p>	<p><u>Traffic data screening</u></p> <p>Rather than providing tabulated traffic data, a map has been provided below to visually present the changes in traffic flow across the Penrith area, which is hopefully more helpful than a table. This shows that predicted two-way AADT movements on Ullswater Road and Clifford Road will exceed the DMRB LA 105 screening threshold (1000 AADT). Improvements (reductions) in AADT can be seen along Victoria Street with volumes exceeding the thresholds. These roads have therefore been included in the air quality modelling. There are also predicted reductions in AADT below the screening thresholds in the central Penrith area (shown in green), and small increases in AADT further north (shown in purple). These changes were below the DMRB LA 105 screening thresholds and have therefore not been included in the air quality modelling.</p> 

Topic	Issue raised ¹	Applicant's Response
		<p><u>Alternative Precautionary Traffic Screening Criteria</u></p> <p>The use of the IAQM/EPUK land use planning guidance has not been used for this assessment as the scheme is a National Highways scheme which dictates that the screening thresholds in LA 105 must be used.</p> <p>As previously set out, Ullswater Road and Clifford Road are predicted to experience increases in the AADT and have been included in the Assessment. Castlegate and King Street/Victoria Road are predicted to experience a decrease in traffic flows within the Project in place, as are the other roads located in the centre of Penrith. A small number of additional roads in the centre of Penrith can be seen to experience a predicted increase in vehicle flows however these are also below the EPUK/IAQM criteria of 500 AADT for non-AQMAs and therefore would not have been scoped into the assessment in any case. Overall, no changes to the conclusions of the assessment are anticipated if the EPUK.IAQM criteria had been employed.</p> <p><u>Verification site exclusion</u></p> <p>Between March - May 2021 the Applicant's Project team contacted Eden District Council to engage on the assessment approach, including to discuss the location of the monitoring sites in Castlegate however limited information was received. A call was held with an officer in April 2021 however the air quality representative at EDC did not attend and therefore the locations of these sites could not be confirmed.</p> <p>These wider monitoring sites are located more than 200m from the edge of the air quality Affected Road Network, and therefore as per the standards outlined in DMRB LA 105 it was not considered appropriate for these sites to be included in the verification exercise in any case.</p> <p>Overall if these sites had been included in model verification it is considered unlikely that this would change the overall conclusions of the assessment. Therefore, an updated verification factor has not been produced.</p> <p><u>Ullswater Road</u></p> <p>Further monitoring was not undertaken beyond 4 months as no exceedances of air quality objectives were identified.</p> <p>The additional data could not be used formally in the assessment verification due to programme constraints, however since the submission of the ES a detailed review of</p>

Topic	Issue raised ¹	Applicant's Response
		<p>the data was undertaken, in relation to the gathered data and its use for comparison against the formal verification. Overall, the factor using scheme specific monitoring had a high level of agreement to the verification factor reported in the ES, both resulting in verification factors <1. It was therefore clear there would be no material changes to the conclusions of the assessment.</p> <p><u>Construction compound locations</u></p> <p>Environmental Management Plan Annex B4 (APP-024), Paragraph B4.8.1 - The point made by CCC/EDC is accepted, and the Applicant agrees that an amendment is appropriate. The wording as suggested, however, would require an update to the EMP (and necessary approvals that would be subsequently required) and it is the Applicant's view that this would overly complicate the process and introduce unnecessary delays to implementing remedial action. Alternative wording has been suggested by the Council that ensures reasonable measures would be agreed with the Local Authority and implemented, This amendment has been included within an updated version of Annex B4 Air Quality and Dust Management Plan and has been submitted to the examination at Deadline 6.</p>
<p>Biodiversity Landscape Environmental Management Plan</p>	<p>The Councils seek updates to wording within the LEMP to ensure adequate mitigation for species, TPOs and trees and to confirm representation on the Biodiversity Working Group.</p>	<p>Environmental Management Plan Annex B1, Paragraph B1.1.3 - The amendment proposed is accepted, and the change has been included within an updated version of Annex B1 Landscape and Ecological Management Plan, and has been submitted to the examination at Deadline 6.</p> <p>Environmental Management Plan Annex B1, Paragraph B1.2.3 - The intent was that the organisations listed in Paragraph 1.2.4 would be invited to join the working group or be consulted with during the development of the ecological and landscape design. An amendment has been made to Paragraph 1.2.4 to make it clear that local authorities will be invited to be part of the working group. This amendment has been included within an updated version of Annex B1 Landscape and Ecological Management Plan, and has been submitted to the examination at Deadline 6.</p> <p>Environmental Management Plan Annex B1, Paragraph B1.5.23 - Schedule 3 to the DCO contains a list of TPO trees which are subject to powers in the DCO. Any works to these trees is included in the environmental assessment and mitigation included as applicable. In addition, the EMP contains a commitment within the Register of Environmental Actions and Commitments (Table 3.2) at commitment ref D-LV-01 that an Arboricultural Impact Assessment will be undertaken at the detailed design stage. The intent of this paragraph was to ensure that records are kept up to date regarding</p>

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		<p>TPOs that may be located outside the Order Limits, to ensure appropriate protection is implemented for any trees immediately outside the Order Limits. The wording of Paragraph B1.5.23 has been amended to more clearly reflect this position, and include for consultation with the local authority at the detailed design stage. This amendment has been included within an updated version of Annex B1 Landscape and Ecological Management Plan, and has been submitted to the examination at Deadline 6.</p> <p>Environmental Management Plan Annex B1, Paragraph B1.7.6 - National Highways understands why the amendment has been proposed, but because species rich grassland has been used widely within the environmental mitigation scheme (as a more biodiverse alternative to standard grassland), the commitment would be very onerous and not necessarily appropriate for all areas intended to be species-rich grassland. Alternative wording has been proposed within the revised Annex B1, committing that this approach will be implemented for key areas included as ecological mitigation specifically. The second iteration EMP will include information about how the habitat type will be implemented, and there will therefore be an opportunity at this stage for CCC/EDC to request that more is done with this regard if the proposals are deemed to be insufficient.</p> <p>Environmental Management Plan Annex B1, Paragraph B1.7.14 - The amendment proposed is accepted, and the change has been included within an updated version of Annex B1 Landscape and Ecological Management Plan, and has been submitted to the examination at Deadline 6.</p> <p>Environmental Management Plan Annex B1, Paragraph B1.16.1 – The suggested amendment is accepted in its intent, however an alternative proposed wording has been suggested by National Highways. This is to clarify the intent of the paragraph regarding the commitment that replacement specimen trees shall be like for like in relation to species, and that planting shall utilise as large a stock size as is practicable/appropriate for that species to ensure its successful establishment. The proposed amendment has been included within an updated version of Annex B1 Landscape and Ecological Management Plan, and has been submitted to the examination at Deadline 6.</p> <p>Environmental Management Plan Annex B1, Paragraph B1.21.15 – Key existing underpasses are located at the following locations: Scheme 01/02 (NGR NY52432926), Scheme 01/02 (NGR NY51582849), Scheme 04/05 (NGR NY62292619) and Scheme 6 (NGR NY72091792). Enhancement where practicable will be maintaining or creating good habitat connectivity with existing landscape</p>

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		<p>features such as hedges and ditches, in addition to planting as close to the underpasses as possible. This has been illustrated in the Environmental Mitigation Maps (Document Reference 2.8, APP-041) alongside appropriate mammal fencing to direct badger to the proposed underpasses/tunnels, where appropriate. This has been secured in the Environmental Management Plan (Document Reference 2.7, REP3-005, Table 3.2, D-BD-05) a revised version of which has been submitted at this Deadline 6. Regarding ownership and future control of the land on and surrounding the existing underpasses, this would need to be reviewed on a case-by-case basis once further details have been provided in the second iteration of the EMP through further consultation with the Councils.</p> <p>Environmental Management Plan Annex B1, Paragraph B1.21.29 - The amendment proposed is accepted, and the change has been included within an updated version of Annex B1 Landscape and Ecological Management Plan, and has been submitted to the examination at Deadline 6.</p>
Biodiversity	<p>With regard to County Wildlife Sites and Ancient Woodland, the Councils seek further information on how the mitigation hierarchy has been applied and request that the LEMP be updated to demonstrate same.</p>	<p>The only areas of Ancient Woodland and County Wildlife Site included within the Order Limits are included to allow for drainage to connect to existing outfalls. In all cases the sites have been avoided as far as possible, and it is anticipated that the works can be undertaken with minimal disturbance to the habitats. This is set out in the Environmental Statement at Chapter 6 Biodiversity (APP-049) pages 6-77, 6-78 and 6-81. The potential disturbance of ancient woodland is also controlled through the Project Design Principles (PDP, REP3-040) at principle 08.10. This principle clearly sets out that the works should aim to avoid impact on the ancient woodland (by tying the outfall in as far upstream as possible), and if it cannot then it should minimise disturbance. To ensure the same controls apply to the potential works within County Wildlife Sites the following Principles have been added to the PDP and has been submitted to the examination at Deadline 6:</p> <p>0102.11</p> <p>The small encroachment into Skirsgill Wood County Wildlife Site (CWS) is required for essential drainage upgrades/connections in the event that the existing outfalls cannot be used at detailed design. Investigation to utilise the existing outfalls to avoid the requirement for drainage connection works within the CWS will be undertaken during detailed design in the first instance. Where this is not <u>reasonably</u> practicable, drainage connections/upgrades will be designed to minimise disturbance to the site. The Council and key representatives responsible for these sites will be consulted relating to proposed drainage connection works at this site.</p>

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		<p>0405.17</p> <p>The small encroachment into Chapel Wood CWS is required for essential drainage upgrades/connections in the event that the existing outfalls cannot be used at detailed design. Investigation to utilise the existing outfalls to avoid the requirement for drainage connection works within the CWS will be undertaken during detailed design in the first instance. Where this is not <u>reasonably</u> practicable, drainage connections/upgrades will be designed to minimise disturbance to the site. The Council and key representatives responsible for these sites will be consulted relating to proposed drainage connection works at this site.</p>
Biodiversity	With regard to Habitats, the Councils request confirmation that the accumulation of road salts has been considered in the assessment.	<p>The report 'Improved Determination of Pollutants in Highway Runoff' (WRc 2008) summarises an extensive research project funded jointly by National Highways (Highways Agency then) and the Environment Agency and is a comprehensive UK study of pollutants in road runoff. It also considered the toxicological effects of different runoff concentrations based on in-field and laboratory work. The combined dataset (both the chemistry of the runoff and its effects on aquatic species) form the basis for HEWRAT (Highways England Water Risk Assessment Tool), which is the tool National Highways require designers to use for the assessment of the risk from highway runoff to water quality and aquatic ecology and has been approved for use by the Environment Agency. A list of "significant pollutants" that pose a risk of short-term acute impacts and/or long term chronic impacts on ecosystems was agreed between the Highways Agency and the Environment Agency following the WRc 2008 report. De-icing salt (reported as chloride (Cl⁻)) was not regarded as one of the significant pollutants and is therefore not assessed by HEWRAT.</p> <p>High concentrations of de-icing salt only occur in the runoff in winter when river flows are typically higher, such that the salt concentrations will be reduced through dilution in the receiving watercourse. The application of de-icing salt therefore represents a low risk to aquatic ecology due to higher river flows giving greater dilution during the winter when salt is applied and is not considered to give rise to likely significant effects.</p> <p>Although HEWRAT does not assess de-icing salt, for the contaminants it does consider whether toxicological thresholds would be exceeded in the receiving watercourse when that watercourse is near to its lowest flow rate, i.e. when dilution of highway runoff is limited. Specifically, HEWRAT uses the 'Q95' which is the flow rate in the watercourse which is exceeded 95% of the time. It is noted that concentrations of de-icing salt (reported as chloride (Cl⁻)) in road runoff varies seasonally, with concentrations in 'winter' (January to March) an order of magnitude higher than in</p>

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		<p>'summer' (June to October). Notably, the values reported and shown in the chart are the end-of-pipe concentrations, i.e. before any dilution in the receiving watercourse.</p> <p>The Freshwater Annual Average Environmental Quality Standard (EQS) for chloride is 250 mg/l. The freshwater EQS is also a threshold for in-river (diluted) concentrations, not the undiluted end-of-pipe concentrations reported by WRc 2008. However, no other EQS is available for comparison with the WRc data. Comparing the freshwater annual average EQS with the monthly median values presented in WRc 2008 shows the EQS is exceeded only in January, February and March. In the months where river flows are usually at their lowest (July to September), the maximum recorded chloride concentration is below the EQS.</p>
Biodiversity	<p>With regard to Species, the Councils request that red squirrel mitigation include grey squirrel control and suggest that the cost of Animex wildlife bridges would be more effectively used in supporting red squirrel elsewhere in the district.</p> <p>The Councils are awaiting confidential species reports.</p>	<p>In response to the Councils' request that red squirrel mitigation include grey squirrel control, consultation with the Penrith Red Squirrel Group has been undertaken to discuss the inclusion of grey squirrel control as part of the Project. The following proposed text has been included within an updated version of Annex B1 Landscape and Ecological Management Plan, and has been submitted to the examination at Deadline 6:</p> <p>'Grey Squirrel Control'</p> <p>Grey squirrels – Further consultation will be undertaken at detailed design with the Councils and relevant parties including Penrith Red Squirrel Group to determine whether appropriate grey squirrel control can be appropriately incorporated as part of the red squirrel mitigation for the Project.</p> <p>In response to the Councils' concerns relating to the use of the Animex wildlife bridge (or equivalent) as part of the proposed mitigation specified to connect red squirrel habitat severed by the Project, evidence does exist to suggest the success in reducing isolating/fragmentation impacts on mammals species (White, I.C., Hughes, S.A., 2019²); however there is no evidence base as yet to suggest the success of Animex wildlife bridges on the scale required for the A66 so the use of the bridge as part of the mitigation proposals for the A66 will act as a pilot scheme to inform further research in this area. It should also be noted that the second iteration EMP will include detailed design information relating to the proposed red squirrel crossings, and there will</p>

² White, I.C., Hughes, S.A., (2019) 'Trail of a bridge for reconnecting fragmented arboreal habitat for hazel dormouse *Muscardinus avellanarius* at Briddlesford Nature Reserve, Isle Wight, UK' Conservation Evidence **16**, 6-11.

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		<p>therefore be an opportunity at this stage for CCC/EDC to provide further input/consultation if concerns remain regarding these proposals.</p> <p><u>Confidential species reports</u></p> <p>The requested confidential species reports, data and figures were issued to the Councils in December 2022 and reissued in March 2023.</p>
Cultural Heritage	<p>The Councils request further detail on the categorisation of each mitigation area referring to the A428 Black Cat to Caxton Gibbet and A303 schemes. If this isn't possible the Councils would require a commitment from National Highways that secures such an assessment which would be submitted to the Councils (or other relevant Local authority) for approval prior to the submission of any Site Specific Written Scheme of Investigation (SSWSI).</p> <p>The councils suggest re-wording of paragraph B3.1.12 of the Outline HMS to reflect more appropriately both the chronological obligations of all parties for leading to the approval of a SSWSI.</p> <p>The Councils request that Paragraph B3.1.11 of the Outline HMS be updated to ensure their involvement with this element of public engagement,</p> <p>The Councils suggest rewording of EMP REAC D-CH-01 to secure approval by the local authorities.</p>	<p><u>Further detail</u></p> <p>Table 5 at section B3.5 of Annex B3 sets out the reasons for proposed mitigation. Where these reasons cite the results of survey (positive or negative) the detail can be consulted in the relevant survey report at 3.4 Environmental Statement Appendix 8.4 AP and LiDAR Assessment (APP-181) - 3.4 Environmental Statement Appendix 8.7 Geochemical Survey Report (APP-184).</p> <p>The examples provided for A428 Black Cat to Caxton Gibbet and A303 schemes are welcomed. It is expected that similar details will be provided in the SSWSI(s).</p> <p><u>Outline Heritage Mitigation Strategy</u></p> <p><u>Environmental Management Plan Annex B3, Paragraph B3.1.12</u></p> <p>The proposed amendments are accepted in principle, however in line with the process for the second iteration EMP, National Highways would prefer an appropriate time limit to be placed on the consultation and approvals process for clarity of all parties. A proposed amendment has been suggested, following similar timescales as that proposed for the second iteration EMP. The alternative proposed wording has been included within an updated version of Annex B3 Outline Heritage Mitigation Strategy, and has been submitted to the examination at Deadline 6.</p> <p><u>Environmental Management Plan Annex B3, Paragraph B3.1.11</u></p> <p>The proposed amendments are accepted in principle, and further information on this is held in ES Appendix 8.9 Historic Environment Research Framework. The proposed amendment has therefore been adapted to refer to this framework, and provide clarity about who determines what is nationally significant and provide flexibility regarding how public access to such material might be facilitated. The alternative proposed wording has been included within an updated version of Annex B3 Outline Heritage Mitigation Strategy, and has been submitted to the examination at Deadline 6.</p>

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		<p><u>Environmental Management Plan Table 3.2 Register of Environmental Actions and Commitments, ref number D-CH-01</u></p> <p>The Outline Heritage Mitigation Strategy is one of the documents listed for inclusion within the second iteration EMP. The approval of that document will therefore be undertaken by the Secretary of State, following consultation with the relevant local authorities, as set out in Section 1 of the EMP. The proposed amendment has therefore not been made as this would contradict the approvals process built into the EMP.</p>
Climate	<p>The Councils remain supportive of further proposals that can be supported by National Highways that address the significant increase in carbon emissions during the construction of the Project. This would build upon the Council's earlier comments in Paragraph 10.25 of their LIR. The Councils will continue discussions with National Highways that address this concern.</p>	<p>Section 7.10 of the Environmental Statement Chapter 7 Climate [Document Reference 3.2, APP-050] provides the essential mitigation and enhancement measures secured within the design of the Project, including:</p> <ul style="list-style-type: none"> • Minimising lighting requirements • Utilising existing carriageways • Reprofile embankments to reduce the volumes of stabilisation and imported materials. <p>In addition, further reductions will be made as part of the EMP process as there is a requirement for all contractors to feed into and approve a project Carbon Strategy (Ref: MW-CL-01). The draft Outline Carbon Strategy [REP3-043] provides outline detail on the Project's carbon strategy including the commitments the contractors will adhere to during construction, such as following PAS 2080 on Carbon Management in Infrastructure, which promotes carbon reduction on a whole life basis.</p> <p>The contractors are bound to quarterly GHG emissions reporting in accordance with National Highways' requirements (Ref: MW-CL-02).</p>
Landscape and visual	<p><u>Arboricultural Assessment</u></p> <p>The Councils are concerned as to how trees out with the Order Limits will be protected during construction. The Councils remain unsure as to whether National Highways is intending, or is at least seeking consent for, the removal or harm to trees out with the Order Limits. The Councils do not see how National Highways can avoid such harm if they receive</p>	<p>Information on the measures and commitments included within the DCO that protect trees within and adjacent to the Order Limits can be found in:</p> <ul style="list-style-type: none"> • Deadline 1 Submission - 7.3 Issue Specific Hearing 2 (ISH2) Post Hearing Submissions (REP1-009), Post Hearing Submissions • Deadline 2 Submission - 7.9 Applicant's Comments on Local Impact Report - Rev 1 (REP2-018) • Deadline 4 Submission - 7.25 Tree Loss and Compensation Planting Report (REP4-012).

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	<p>consent and approval for vegetation clearance up to the Order Limits. This is of particular interest to the Councils where Tree Preservation Orders are present in the Penrith area. The Councils have raised this as a matter of concern previously and National Highways have responded in Paragraph 2.17.6 of their response to the LIR to the Council's concerns. The Councils are concerned about the response as it makes no reference to the protection of vegetation out with the Order Limits. The Applicant commits to Tree Protection Plans but these only serve the purpose when there is a realistic opportunity to retain the tree in question and Tree Protection Plans serve no purpose if an arboricultural feature is to be removed. In the absence of this information, it can only be assumed that some vegetation out with the Order Limits will be harmed and the Councils therefore do not see how and where suitable mitigation and compensation for this impact is allowed for. If National Highways cannot confirm that vegetation out with the Order Limits will not be harmed (and at the present stage of the Examination there is no information to inform as to the status of this vegetation i.e. the presence of Ancient/Veteran trees) then the Councils require assurance that the impacts are provided and secured through a Requirement for an AIA that would fully justify the removal or harm caused to all Ancient/Veteran trees through demonstrating that there was no reasonable alternative to the design.</p>	<p>Important individual trees to be protected within the order limits are shown on Environmental Mitigation Maps (Document Reference 2.8, APP-041).</p> <p>Within the Environmental Management Plan (EMP) (DCO Document Reference 2.7 / APP-019) commitments have been included to ensure that tree removal is kept to a minimum and that at the detail design stage there must be more detailed inspections undertaken and tree protection measures (ref. D-LV-01, D-LV-02 and D-LV-04). The subsequent surveys must be in line with the British Standard BS5837:2012: Trees in Relation to Design, Demolition and Construction – Recommendations which detail the steps that should be taken to ensure trees are appropriately and successfully retained when development is taking place.</p> <p>In order to comply with BS5837:2012, an Arboricultural Impact Assessment (AIA) must be undertaken, and will comprise the following: a detailed tree survey, tree protection plan and arboricultural method statement.</p> <p>A detailed tree survey must be based on a detailed topographical survey combined with detailed site inspections of both individual trees and groups of trees (woodlands) that fall within the development or within close proximity. This survey would identify the tree species, height, stem diameter taken 1.5m from ground, branch spread, height of crown, age class, physiological condition, structural condition, preliminary management requirements, estimated safe useful life expectancy and category grade as per BS 5837.</p> <p>Following a detailed tree survey a tree protection plan would be produced to scale which would comprise existing and proposed buildings or structures, all retained trees on and adjacent to the scheme with corresponding Root Protection Areas and crown spread, the location of protective fences or barriers (with details of how these are to be constructed), proposed location of all plant and material storage, drainage runs, roads, existing and new accesses, and any other surface or underground features which may affect the trees.</p>

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Landscape and visual Proposed change application	Notwithstanding that amendments to the DCO application have not yet been accepted into the Examination, if it is assumed that amendments to the Center Parcs junction (DC-08) are accepted, then the Councils require a commitment from National Highways within the LEMP that pursues all reasonable opportunities to retain the symbolic Scots Pine that is present the west of the existing junction.	The referenced symbolic Scot's Pine is lost under the westbound carriageway in both the current design and proposed design amendment. There is a PDP commitment (03.04) to replace it: "Compensation planting must be provided for the loss of the landmark pine tree at the Center Parcs junction (CH23000), with the new junction at Center Parcs realigned internally to be level with the top of the embankments and this area then to be planted with replacement semimature landmark pine tree/s. This will create a distinctive orientation feature in the long term."
Landscape and visual Draft EMP	The Project passes through highly sensitive landscapes and it is therefore of integral importance that all hard engineered surfaces that will be visible are designed to be a sympathetic as possible. To that end, all final appearances and proposals require Secretary of State approval. This point was raised by the Councils in paragraph 10.42 of their Local Impact Report although no response was made by National Highways in their response to this document which was submitted at Deadline 2.	The issue of design was most recently discussed at Issue Specific Hearing 3 ("ISH3"), with National Highways providing a number of responses on this topic in its post-hearing submission [REP5-024], specifically, in relation to approvals, under agenda item 2.2. National Highways' position is that Secretary of State approval for the design of structures is unnecessary (given the requirements of article 54 and the Project Design Principles – see Appendix A of the above referenced submission, which expanded on this point), but did provide DCO drafting on a without prejudice basis in relation to approvals of three specific structures. Expanding any approvals beyond this to all hard engineered surfaces is considered wholly disproportionate, particularly given the Project Design Principles, and without precedent on highway DCOs. The approach taken in article 54 of the DCO is well precedented in National Highways DCOs made by the Secretary of State and it is only in very specific circumstances where design approvals have been required on other projects. Where this has been the case, there has certainly not been a 'general' approach to approval of hard engineered surfaces which is unnecessary.
Noise and vibration	The Councils have previously stated the following in their LIR.... "The Councils would particularly note that no noise barrier is proposed in the Kirkby Thore area "due to engineering constraints" and Table 12-45 states that "additional mitigation measures assessed as not sustainable". The Councils request that these engineering constraints and unsustainable measures are clearly identified." The response from National Highways does not go into sufficient detail to reassure the	<p>With regards to the engineering cross-sections (first bullet point of the CCC/EDC request) showing the earth bunds and Sanderson Croft, these have been provided in Issue Specific Hearing 3 (ISH3) Post Hearing Submissions (including written submissions of oral case): Appendix B: Engineering Cross Sections [Document Reference 7.30, REP5-025].</p> <p>With regards to the additional assessment requested (remaining bullet points in the CCC/EDC request), the Applicant is working through the comments and matters raised by WSP (on behalf of the Councils) and is undertaking some additional sensitivity tests in response to the issues raised. These sensitivity tests are expected to be completed by mid-April in order for further discussions to take place. The Applicant is seeking to</p>

Topic	Issue raised ¹	Applicant's Response
	<p>Councils of the justification and therefore, to be specific, the Councils require:</p> <ul style="list-style-type: none"> • A line and level section drawing that shows the height of the carriageway, any bunding and barrier and the respective level of properties on Sanderson Croft. • Analysis, accompanied by suitable modelling results, of the effect of the inclusion of a noise barrier on top of the bund at 1m, 2m and 3m in height (for example). • The cost-benefit analysis should also be provided, as well as a detailed justification for any design reason the barrier cannot be constructed. • This should also be balanced with any justification for not increasing the height of the bund, including consideration of engineered slopes to minimise the impact on land take. ▪ Should the barriers/increased bund height demonstrate a significant reduction in noise level, then National Highways should update the proposals to ensure that it is secured through the DCO because the Councils cannot see at present how such a barrier (assuming it delivers significant noise reductions) would be unsustainable. 	<p>arrange a meeting with the Councils in April to progress matters and look to reach agreement.</p>
<p>Noise and vibration Draft EMP</p>	<p>D-NV-03 - the Councils are concerned that the nature of the resulting noise at Skirsgill Lodge has not been identified. The Councils do not believe that it is appropriate to identify the mitigation at a later stage (post Examination) in consultation with Historic England and the residents. This consultation should be progressed prior to determination so that the</p>	<p><u>Environmental Management Plan Table 3.2 Register of Environmental Actions and Commitments, ref number D-NV-03</u></p> <p>The comment provided references D-NV-03 but given it concerns Skirsgill Lodge, it is assumed this should read D-NV-02. Appropriate noise mitigation, in the form of a barrier, has been identified and set out in the Environmental Statement. However given the nature of Skirsgill Lodge and its location immediately adjacent to the road, there are implications of installing a barrier at this location, not least landscape and visual impact from and towards the property. National Highways therefore believes it is appropriate to allow for ongoing engagement with both the property holder and the</p>

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	<p>SoS can make an informed decision on the resulting noise effects.</p> <p>D-NV-04 - this action should include a commitment to share the updated assessment with the relevant Local Authority and should the assessment identify a resulting effect that is worse than presented in the Environmental Statement, then mitigation should only be implemented following the agreement of the Secretary of State. The Councils do not consider that it is appropriate for National Highways to be the sole arbitrator of what is appropriate mitigation without first seeking the opinion of the relevant Local Authority or allowing the SoS to arbitrate should the Local Authority not be in agreement with the proposals.</p> <p>Kirkby Thore primary school - The Councils require a commitment within the DCO that stipulates that an updated construction noise assessment will be undertaken specifically for Kirkby Thore Primary School when greater detail on the construction process and any specific mitigation is available.</p> <p>The Councils requires updates to the Noise and Vibration Management Plan paragraphs B5.6.9 and B5.8.1 as set out in red text.</p>	<p>local authority to agree the most appropriate mitigation to be implemented. The Environmental Statement is based on a worst-case assumption that the resident would prefer not to have the barrier, and therefore a significant effect from noise is reported, in Chapter 12 Noise and Vibration (APP-055), at this location absent a barrier. This information is in front of the examination and will be available to the Secretary of State to allow them to make an informed decision given the nature and proximity of the property to the road at this location.</p> <p><u>Environmental Management Plan Table 3.2 Register of Environmental Actions and Commitments, ref number D-NV-04</u></p> <p>The point made by CCC/EDC is acknowledged. It is proposed that the timing of this commitment is amended, requiring updated modelling to be undertaken, where the limits of deviation have been utilised, prior to the start of works. Where this modelling predicts that additional receptors to those reported in the ES will experience significant adverse effects, mitigation measures considered practicable and sustainable must be investigated. The modelling and proposed mitigation must be consulted on and implemented. . This amendment has been made to REAC commitment D-NV-04, and an updated version of the EMP has been submitted to the examination at Deadline 6.</p> <p><u>Kirkby Thore Primary School</u></p> <p>The point made by CCC/EDC is acknowledged, however the provision for further noise assessment is provided for in REAC Table 3.2 of the EMP, commitment reference D-NV-01 which requires a Noise and Vibration Management Plan to be developed. Annex B5 of the EMP - an outline of the Noise and Vibration Management Plan contains key commitments, including the provision of noise assessment of construction effects to be provided as part of Section 61 examples. Paragraph B5.1.4 allows for specific locations to be agreed with the Environmental Health Officer, and sets out the information that would be required to support such an application (which constitutes assessment of the construction noise effects on those agreed receptors). The intent of this paragraph was to allow liaison with the EHO to agree such locations. In response to the point raised, Kirby Thore Primary School has been specifically added to this paragraph as an example and to make it clear that would be a location where Section 61 consent would be required. This amendment has been included within an updated version of Annex B5 Noise and Vibration Management Plan, and has been submitted to the examination at Deadline 6.</p>

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		<p><u>Environmental Management Plan Annex B5, Paragraph B5.6.9</u></p> <p>The amendment proposed is accepted, and the change has been included within an updated version of Annex B5 Noise and Vibration Management Plan and has been submitted to the examination at Deadline 6.</p> <p><u>Environmental Management Plan Annex B5, Paragraph B5.8.1</u></p> <p>The point made by CCC/EDC is acknowledged, and National Highways agrees that an amendment is appropriate. The final sentence of the wording as suggested, however, would require a formal update to the EMP should remedial action be required in the event that monitoring of noise or complaints identify that the proposed mitigation is not effective. This would result in formal approval being required and it is National Highways view that this would overly complicate the process and introduce unnecessary delays to implementing remedial action. Alternative wording has been suggested that ensures reasonable measures would be agreed with the Local Authority and implemented. This amendment has been included within an updated version of Annex B5 Noise and Vibration Management Plan, and has been submitted to the examination at Deadline 6.</p>
<p>Drainage and flooding</p>	<p>The Councils and National Highways are in separate discussions with regard to agreeing Protective Provisions with regard to their statutory responsibilities and it is anticipated that successful resolution and agreement in this regard would satisfy all remaining issues with regard to Road Drainage and the Water Environment.</p>	<p>National Highways note the response provided by the Councils.</p>