

# **A66 Northern Trans-Pennine Project**

**TR010062**

## **4.5 Statement of Common Ground with the Gypsy and Travellers Representatives (Rev 5)**

**APFP Regulations 5(2)(q)**

**Planning Act 2008**

**Infrastructure Planning (Applications: Prescribed Forms and  
Procedure) Regulations 2009**

**Volume 4**

**26 May 2023**

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning  
(Applications: Prescribed  
Forms and Procedure)  
Regulations 2009**

A66 Northern Trans-Pennine Project  
Development Consent Order 202X

**4.5 STATEMENT OF COMMON GROUND WITH THE  
GYPSY AND TRAVELLER REPRESENTATIVES**

<b>Regulation Number:</b>	Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010062
<b>Application Document Reference</b>	4.5
<b>Author:</b>	A66 Northern Trans-Pennine project, Project Team, National Highways

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 1	13 June 2022	DCO Application
Rev 2	24 January 2023	Deadline 3 Submission
Rev 3	14 March 2023	Deadline 5 Submission
Rev 4	16 May 2023	Deadline 8 Submission
Rev 5	26 May 2023	Deadline 9 Submission

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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 ("PA 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 the Applicant understands agreement has been reached between the parties to it, and where agreement has not been reached. 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 DCO Examination.
- 1.1.4 This SoCG has been prepared by the Applicant and in its view 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. Prior to the end of the Examination, the Applicant intends to submit a final SoCG confirming what matters have been agreed and have not been agreed, and if any remain under discussion. It has been shared with the Gypsy and Traveller Representatives at Deadline 3 [REP3-036], Deadline 5 [REP5-011], Deadline 8 [REP8-023] and in advance of Deadline 9.

### **1.2 Parties to this Statement of Common Ground**

- 1.2.1 This SoCG has been prepared by (1) National Highways as the Applicant. It has been shared with (2) the Gypsy and Traveller Representatives for comment prior to the submission of the DCO. Where feedback has been received from the Gypsy and Traveller Representatives (either directly on the draft or pursuant to another submission by the Gypsy and Traveller Representatives) it has been incorporated into the latest revision by the Applicant.
- 1.2.2 The Applicant has set out the detail of the issues raised by the Gypsy and Traveller Representatives 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. Throughout the Examination, the Applicant's intention is to narrow the issues however there are issues that we have not been able to reach agreement on.
- 1.2.3 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.

- 1.2.4 The Gypsy and Traveller Representatives represent the wider Gypsy, Roma and Traveller community, which has interests in local events such as Appleby Horse Fair and Brough Hill Fair. The community stakeholder is responsible for sharing the views of their community on the proposed works to the A66.

### 1.3 Terminology

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

- “Agreed” indicates area(s) of agreement from the Applicant’s perspective
- “Under Discussion” indicates area(s) of current disagreement from the Applicant’s perspective, where resolution remains possible, and where parties continue discussing the issue to determine whether they can reach agreement by the end of the Examination
- “Not Agreed” indicates a final position for area(s) of disagreement from the Applicant’s perspective, where the resolution of different positions will not be possible, and both parties agree they have different positions

- 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 the Gypsy and Traveller Representatives, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, unless otherwise raised throughout the Examination by the Gypsy and Traveller Representatives.

## 2 Record of Engagement

2.1.1 A summary of the key meetings and correspondence that has taken place between National Highways and the Gypsy and Traveller Representatives 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
03.02.2021	Phone Call	Phone call between Bill Lloyd, National Highways and the Project Team discussing cultural significance of the local Fairs.
18.03.2021	Email	Correspondence between Bill Lloyd and National Highways communications team to discuss contacts with the Gypsy and Traveller Facebook groups.
19.03.2021	Email	Correspondence between Bill Lloyd and the Project Team to discuss the potential for a Gypsy and Traveller Focus Group.
22.03.2021	Phone Call	Message left by Bill Lloyd with Project Team notifying of impacts of resurfacing works on Appleby Horse Fair traffic.
23.03.2021	Letter	Letter issued from Project Team to Bill Lloyd regarding the resurfacing works in Appleby.
07.04.2021	Phone call	Correspondence between Billy Welch and the Project Team discussing Brough Hill Fair and meeting availabilities.
20.04.2021	Email	Email from Project Team exploring other examples of Gypsy Fair relocation and asking for details of the charter.
09.06.2021	Phone Call	Phone Call between Bill Lloyd and Project Team discussing the history, legal status and operations of Brough Hill Fair.
11.06.2021	Email	Email from Project Team with meeting note and leaflet regarding junctions appended.
06.07.2021	Email	Email from Project Team to Bill Lloyd with meeting notes of phone meeting.
16.07.2021	Email	Email from the Project Team to Bill Welch attaching leaflet in the Warcop event.
17.07.2021	Email	Email between Project Team and Bill Lloyd regarding meeting note amendments.
16.07.2021	Phone Call	Phone call between Billy Welch and Project Team to discussing the relocation of Brough Hill Fair and invitation to the drop-in regarding alternatives for this part of the project.
13.08.2021	Phone Call	Phone call between Billy Welch and Project Team discussing Brough Hill Fair.
19.08.2021	Email	Correspondence between Billy Welch and Project Team regarding site for Brough Hill Fair.
01.10.2021	Meeting	Meeting with Project Team.
03.11.2021	Phone Call	Phone call between Billy Welch and Project Team discussing stat-con feedback.

Date	Form of correspondence	Key topics discussed and key outcomes
05.11.2021	Email	Email from Project Team to Bill Lloyd and Bill Welch with typed up feedback for stat con response.
05.11.2021	Email	Correspondence between Billy Welch and Project Team to agree that the response which was dictated over the phone and written up by Rachel Smith was accurate.
08.02.2022	Meeting	On site to discuss changes to Appleby access arrangement and removal of impact on Fair Hill site. Also discussed site for Brough Hill Fair.
25.02.2022	Email	From Project Team regarding meeting to discuss alternative sites.
04.03.2022	Meeting	With Project Team in Darlington to discuss both sites.
09.03.22	Email	Email from Project Team to MASG chair and Bill Lloyd to advise of additional consultation
11.03.2022	Email	Leaflet and brochure for the supplementary consultation around site for Brough Hill Fair.
14.03.2022	Meeting	Meeting on site with Billy Welch to look at the two alternative sites for Brough Hill Fair.
08.04.2022	Email	Email from Project Team to Billy Welch with visualisations of alternative 'bivvy' site.
20.04.2022	Email	Email from Project Team to Bill Lloyd with visualisations of alternative 'bivvy' site.
25.04.2022	Email	Email from Project Team asking for feedback on Brough Hill visuals and offering meeting to discuss.
24.04.2022	Phone call	With Billy Welch regarding feedback on sites and next steps.
27.04.2022	Email	Email from Project Team to Billy Welch to follow up in emails and provide next steps
04.05.2022	Phone call	From Billy Welch to ask for email to be resent.
04.05.2022	Email	Resending previous email and reiterating offer to help further. Attaching letter sent to local authorities and parish councils.
11.6.2022	Email	To Bill Lloyd and Billy Welch to send SoCG for review
17.6.2022	Email	From Bill Lloyd acknowledge receipt and suggest he will work with Billy Welch on this SoCG.
29.7.2022.	Email	To Bill Lloyd and Billy Welch to alert them to the period for relevant reps beginning and sending note on how to apply to speak.
29.7.2022	Email	From Bill Lloyd acknowledging receipt and suggesting he will discuss with Billy Welch.
31.10.2022	Email	To Billy Welch and Bill Lloyd to request meeting to discuss PADS.
02.11.2022	Email	From Bill Lloyd to suggest meeting can go ahead without him.
04.11.2022	Email	To request a meeting with Billy Welch to discuss PADSS.

Date	Form of correspondence	Key topics discussed and key outcomes
18.11.2022	Phone call	Update discussion with Bill Lloyd around opportunities for speaking at hearings.
23.11.2022	Meeting	Meeting with Billy Welch in Darlington to discuss PADSS and hearings.
19.01.2023	Meeting	Meeting on site with Billy Welch to review and discuss plans and visualisations submitted by the Applicant for Deadline 1.
26.01.2023	Email	Email from Bill Lloyd in relation to Article 36.
17.02.2023	Email	To Billy Welch (cc Bill Lloyd) containing a letter confirming the position on Brough Hill Fair concerns.
21.02.2023	Phone call	Update from Bill Lloyd about Deadline 4 submissions, attendance at next set of DCO Examination hearings and recent involvement of a planning consultant from a Travellers' organisation based in York.
23.02.2023	Email	Email to Bill Lloyd resending email of 26.01.2023 re. Article 36
24.02.2023	Email	Re. transfer of rights and legal status
24.02.2023	Phone call	Courtesy call to Bill Lloyd to confirm status of the late Deadline 4 submission and to confirm receipt of the email re Article 36
28.02.2023	Phone call	Discussion with Billy Welch about an update meeting during the second set of DCO hearings.
02.03.2023	Meeting	Discussion with Billy Welch at DCO hearings around his concerns about the site.
21.03.2023.	Email	To Bill Lloyd replying to his email in relation to the rights of the GRT to use the site.
22.03.2023	Email	Sending the list of perceived risks identified ahead of the ORA site visit.
23.03.2023.	Meeting	Site meeting on site to undertake ORA.
24.03.2023.	Email	To Bill Lloyd thanking him for ORA input and subsequent email and requesting details of his legal representative.
04.04.2023	Email	Email to Bill Lloyd and Billy Welch re OPA timelines.
19.04.2023	Online Meeting	Discussion with Bill Lloyd, Billy Welch and Michael Hargreaves (Planning Consultant) on the content of the SoCG.
15.05.2023	Email	From A66 NTP project team offering a further meeting.
15.05.2023	Email	From Michael Hargreaves accepting offer of a further meeting.
16.05.2023	Email	Email from Michael Hargreaves re deadline 7 summary statement
16.05.2023.	Email	From Michael Hargreaves declining meeting opportunity and suggesting a call.



Date	Form of correspondence	Key topics discussed and key outcomes
17.05.2023.	Email	Rachel Smith to Michael Hargreaves explaining rationale of the meeting proposed and highlighting D7 response re AONB and CPO processes
21.05.2023.	Email	From Michael Hargreaves refusing meeting and suggesting a call.
22.05.2023.	Email	From Rachel Smith suggesting time for a telephone conversation on next steps.
22.05.2023.	Telephone call	From Rachel Smith to Hannah Smith requesting dates for legal meeting re rights transfer.
23.05.2023.	Telephone call	From Rachel Smith to Hannah Smith's office confirming an online meeting for 9.30am Friday 26 May 2023
23.05.2023.	Telephone meeting	Rachel Smith and Michael Hargreaves discussing next steps and CPO and AONB restrictions on site selection.
24.05.2023	Email	From Michael Hargreaves referencing the invitation from the Brough Hill Fair Community Association to the ExA to invite National Highways to look at a wider range of sites
24.05.2023	Email	From Bill Lloyd requesting confirmation on the attendees for the legal meeting and the letter of undertaking
25.05.2023	Telephone call	Bernice Sanders and Bill Lloyd to discuss the emails received on 24 May 2023
25.05.2023	Email	From Bernice Sanders to Bill Lloyd and Michael Hargreaves confirming attendees of the legal meeting and including a copy of the letter of undertaking issued in March 2023
26.05.2023	Online meeting	Between Pinsent Masons (Applicant's lawyers) and THW Legal (Gypsy Community lawyers) to discuss the transfer of the Brough Hill Fair rights

2.1.2 It is agreed that this is an accurate record of the key meetings and other forms of consultation and engagement undertaken between (1) National Highways and (2) the Gypsy and Traveller Representatives in relation to the issues addressed in this SoCG.

### 3 Issues

Table 3-1: Record of Issues – Agreed

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
<p><b>3-1.1</b> Replacement site – horse safety concerns</p>	<p>Concerns raised at preliminary hearings (November 2022) regarding horses accessing adjacent A66.</p> <p>Subsequently the Applicant has proposed double leaf fencing to mitigate this issue.</p>	<p>The double leaf horse security fence treatment the Applicant is proposing along the northern boundary of the bivouac site does not guarantee horse safety. Concerns that the proposed fencing will deteriorate over time and become less secure. Double gated arrangement is not suitable due to need for constant access and egress.</p> <p>2.3.2023 Billy Welch reported that the Gypsy community were unhappy with the fencing solution proposed.</p> <p>Bill Lloyd submitted a written representation [REP4-041] for Deadline 4 on behalf of Brough Hill Fair community (signed by Billy Welch and Bill Lloyd) that the fencing solution (subject to minor changes) would be acceptable if this is the site taken forward. Text as follows:</p> <p>'In the alternative, and if our preferred option of a route to the North is rejected, a close boarded fence 6 feet 6 inches high,</p>	<p>Subject to the proposed site being secured in the DCO, National Highways will work with the Gypsy and Traveller Community representative to agree the fencing types and dimensions, and hedgerow type and locations of planting.</p>	<p>Agreed in relation to fencing proposals but accepting that the proposed bivouac site is Not Agreed.</p>

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
		<p>screened with dense hedgerow plants on the inside of the fence, will be the best alternative to re-aligning the route. The gateway to the site will be vulnerable to loose horses escaping on to the road, and we suggest a double gate system enclosing an area large enough to allow one gate to be closed before another is opened for the passage of caravans and horseboxes.'</p>		
<p><b>3-1.2</b> Alternative replacement site for Brough Hill Fair                      Appleby to Brough                      Proposed alternative site suggested closer to Brough.                      The redesigned A66 utilises a large part of the site currently used by the gypsy community for the annual Brough Hill Fair</p>	<p>Alternatives consultation brochure                      Brough Hill replacement site winter 2021/2022</p>	<p>The proposed alternative site at Brough is not suitable. It is smaller and has potential flooding issues.                      Any reprofiling to mitigate flooding would make the site more dangerous for children and horses.                      The proximity to Brough is positive as is the access lane which would allow access to the village without using the A66.</p>	<p>Consultation has been undertaken with the Gypsy and Traveller Community and local residents to gather feedback on both sites – Site 2 Eastern Site at Brough and the bivouac site at Warcop.                      The outcome of this process is that we have included the bivouac site within the DCO as the proposed replacement site for the Brough Hill Fair.                      We have chosen this site following the supplementary consultation because it is more than twice the size of Site 2 Eastern Site, has the ability for better mitigation than Site 2 Eastern Site in terms of earth bunding and planted screening to the upgraded A66 and nearby businesses, has good access from Station Road and has less drainage issues than first anticipated.                      It also maintains the cultural connection to the existing Brough Hill Fair by being</p>	<p>Agreed - the alternative site at Brough is not suitable.</p>

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
			alongside, and incorporating part of, the existing site in the layout.	
<p><b>3-1.3</b> Impact on the Appleby Horse Fair site Temple Sowerby to Appleby Scheme</p> <p>The design presented at statutory consultation show an incursion onto Fair Hill in Appleby which is used by the Gypsy and traveller community for the annual Appleby Horse Fair.</p>	Statutory consultation map books and brochure	<p>The Gypsy and Traveller Community consider the Appleby site to be 'sacrosanct' and no impact is acceptable.</p> <p>However, the eastbound slip road is a good idea and would ease traffic flow and better for the Fair.</p>	<p>The design has been amended since statutory consultation due to required deviations from design standards, safety concerns and in light of feedback from the attendees of the fair and the local authorities.</p> <p>The junction previously impacting the site has now been removed and there is no longer any impact upon the site of the Appleby Fair.</p>	Agreed

Table 3-2: Record of Issues – Under Discussion

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
<b>3-2.1</b> Transfer of rights to alternative site	Email of 21.12.2022 from Bill Lloyd	Billy Welch had understood from telephone calls, and from a conversation at a site meeting, that National Highways were aware of the registered rights associated with the current site of Brough Hill Fair, and that their rights were clear, and	Article 36 of the Draft Development Consent Order refers to the Relocation of Brough Hill Fair. The purpose and effect of this article is to enable any customary or prescriptive rights that may subsist in relation to the holding of the Brough Hill Fair to be relocated to the replacement Brough Hill Fair site. It	This matter is Under Discussion – awaiting consideration from THW Legal following the meeting on 26 May 2023.

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
		<p>enforceable. This assurance was taken at face value, so the email noted it was a surprise when the Inspector stated, based on the draft DCO, that the rights were not defined and not registered.</p> <p>The email notes that the Applicant’s representative further stated that these rights are not proprietary rights and could not comment on the fact that the Office Copy of the Title is not visible from a Land Registry search, and went on to say that National Highways proposed to transfer these rights as an undefined bundle, ‘similar’ to the rights in the 1947 conveyance, but not identical.</p> <p>Bill Lloyd has challenged these proposals in written submissions which explain the argument in detail.</p> <p>Suggest the draft SoCG should reflect the concerns set out in our Deadline 1 submissions.</p>	<p>is required in order to facilitate the relocation of the Brough Hill Fair.</p> <p>Following ISH2, the Applicant amended article 36 of the draft DCO at Deadline 2 [REP2-005] to more clearly express the process to be followed in order to transfer the Brough Hill Fair rights.</p> <p>The Applicant has explained in its oral submissions and subsequently (see Agenda Item 5.0 in [REP1-009] and associated appendices) that the nature of the Brough Hill Fair rights is not a matter for National Highways to determine or adjudicate upon. The provisions of article 36 will have the effect, if the DCO is granted, in transferring the location of any existing rights in relation to which they are exercised. The character or status of the Brough Hill Fair rights would not otherwise be affected.</p> <p>Article 36 has been shared with Billy Welch and Bill Lloyd by email for information and was discussed at the meeting on 19 January 2023.</p> <p>National Highways has offered to fund independent legal advice for the Gypsy Community to give confidence about the rights transfer. The Applicant’s lawyers (Pinsent Masons) and Gypsy Community lawyers (THW Legal) met on-line on 26 May 2023 to discuss the transfer of the Brough Hill Fair rights</p>	

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
			<p>and how those rights can be vested and released appropriately. The discussion was around the nature of the rights and them being no different to other rights and privileges regularly transferred from one plot to another through a DCO (i.e. Special Category Land like Open Space). Article 36 of the DCO is drafted to transfer any existing rights to the new BHF site.</p> <p>National Highways will continue to engage with the Gypsy Community and their legal representatives post-Examination to re-assure the community that the rights will be transferred to the replacement site, with the aim to get agreement on this matter.</p>	
<p><b>3-2.2</b> Noise issue</p>	<p>Discussed during in-person meetings as set out in Table 2.1</p> <p>Brough Hill Fair Technical Note (re noise assessment, which was submitted to Examination at Deadline 3 (REP - 045).</p>	<p>The small size of the proposed alternative site means that caravans and horses will be too close to fast moving traffic on the new dual carriageway. The existing site was large enough to allow some distance between caravans, horses and existing single carriageway road.</p>	<p>Noise modelling has been produced, which looks at the current noise produced by the A66 and predicts how loud that noise would be with additional traffic after the road is constructed.</p> <p>These predictions show that the noise levels on the proposed site will be considerably less than those experienced at present on the existing Brough Hill Fair site, when the proposed noise mitigation is taken into account.</p> <p>Noise modelling was discussed at the meeting held in January 2023 and in</p>	<p>The matter of noise is Under Discussion – awaiting a response from the Gypsy Community on the conclusion of the noise modelling.</p>

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
			<p>response to concerns around noise, we carried out an additional noise assessment. The technical note, which was submitted at Deadline 3 [REP3-045], was shared with Billy Welch and Bill Lloyd on 17 February, concluded that the proposed site, without the fencing proposal, is exposed to similar noise levels as the existing site. With a solid close-boarded horse safety barrier included to the northern boundary, the results indicate that the proposed site is likely to experience lower noise levels than currently experienced at the existing Brough Hill Fair site.</p> <p>We will continue to engage with the Gypsy Community on this issue post-Examination.</p>	

Table 3-3: Record of Issues – Not Agreed

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
<p><b>3-3.1</b> Replacement site for Brough Hill                      Appleby to Brough                      The redesigned A66 utilises a large part of the</p>		<p>The Gypsy Community deem the proposed site on the MoD's bivouac site (adjacent to the current site) is not suitable.</p>	<p>The proposed site is 5.4 acres, which is comparable to the existing Brough Hill site. It is also flatter and squarer.                      Both the landowner and the neighbouring farmer have assured</p>	<p>While the proposed bivouac site is Not Agreed, the fact that the land has not been used for cattle in</p>

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
<p>site currently used by the Gypsy Community for the annual Brough Hill Fair.</p>		<p>The site is too close to A66, too small and there are concerns that the field has been used for cattle.</p> <p>The site is also rutted and uneven.</p> <p>This remains the Gypsy Community's position in January 2023.</p>	<p>National Highways that the bivouac field has not been used for cattle in living memory.</p> <p>Site plans with further detail, which were shared in December 2022, are included as Appendix A to this SoCG. Gypsy Community shown how the site could be reprofiled to address concerns that the site is rutted and uneven.</p> <p>National Highways submitted an update to its Brough Hill Fair Summary Note at Deadline 7 [REP7-156], providing further reasoning for selecting the bivouac site for the relocated Brough Hill Fair.</p>	<p>living memory has been communicated with the Gypsy Community.</p>
<p><b>3-3.2</b> Replacement site for Brough Hill          Appleby to Brough</p>		<p>The slither of the existing site which remains is too narrow to park caravans or tether horses.</p>	<p>The existing site is also narrow and adjoins the A66. The bivouac site is twice the width of the existing site at the widest points. The proposed site is 4.3 acres and the part of the existing site that is incorporated in the replacement site is 1.1 acres, giving a total site area of 5.4 acres (broadly the same size as the existing Brough Hill Fair site).</p> <p>National Highways submitted an update to its Brough Hill Fair Summary Note at Deadline 7 [REP7-156], providing further reasoning for selecting the bivouac site for the relocated Brough Hill Fair.</p>	<p>The proposed bivouac site is Not Agreed.</p>



Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
<p><b>3-3.3</b> Alternative route alignment suggested by Billy Welch, Gypsy community representative.</p>	<p>Discussed during in-person meetings as set out in Table 2.1</p>	<p>The 'Billy Welch straight line option' for the route would bypass on the straight line – 100 yards north. This is shorter in construction terms and would need less slips and local access provision.</p> <p>It would leave the A66 as a local road for walkers, cyclists and horses, and contractors could continue to use the old road during construction.</p> <p>The Fair could remain on the current site and the only impact would be on an unattractive area of heathland. This solution is better for National Highways, Warcop and the Gypsy Community.</p>	<p>National Highways has investigated both the 'Billy Welch straight line route' and the route proposed by the parish council, which would be further north into the AONB.</p> <p>Through the design stage, work has been carried out to ensure that the route taken forward for the Project minimises the impact of and potential damage to the North Pennines AONB, which is protected as a nationally designated site by legislation and policy. In accordance with the National Networks National Policy Statement (NNNPS) paragraph 5.151, the Secretary of State is directed to refuse development consent in nationally designated areas except in exceptional circumstances and where it can be demonstrated that it is in the public interest. A route even further into the AONB and MOD land to the north of the existing A66, would have considerable impact on the AONB and MOD operations and would highly likely not obtain a grant of DCO.</p> <p>In relation to comments on the ability of the old A66 to provide for walkers, cyclists and horse riders (WCH), the existing A66 east of Warcop is retained as part of the local road connecting into Brough and allowing for WCH as well as local traffic.</p>	<p>The proposed Billy Welch straight line route is Not Agreed</p>

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
<p><b>3-3.4</b> Cultural connection of existing site</p>	<p>Discussed during in-person meetings as set out in Table 2.1</p>	<p>The site is an ancient site with cultural, heritage and ancestral significance of great importance to this community.</p>	<p>The layout for the proposed bivouac site allows for the remainder of the existing Brough Hill Fair site to be incorporated into the new site. This will help to maintain the cultural connection to the Fair.</p> <p>Site plans with further detail, which were shared in December 2022, are included as Appendix A to this SoCG.</p> <p>We will continue to engage with the Gypsy Community on this issue.</p> <p>National Highways submitted an update to its Brough Hill Fair Summary Note at Deadline 7 [REP7-156], providing further reasoning for selecting the bivouac site for the relocated Brough Hill Fair.</p>	<p>The proposed bivouac site is Not Agreed and therefore the cultural connection is also Not Agreed.</p>
<p><b>3-3.5</b> Size of replacement site</p>	<p>Discussed during in-person meetings as set out in Table 2.1</p>	<p>Proposed site is too small, being less than half the size of the existing site. It is inadequate for the number caravans and grazing horses.</p>	<p>The proposed site is 5.4 acres, which is the same size as the existing Brough Hill Fair site, and it is also flatter and squarer.</p> <p>Site plans with further detail, which were shared in December 2022, are included as Appendix A to this SoCG.</p> <p>National Highways submitted an update to its Brough Hill Fair Summary Note at Deadline 7 [REP7-156], providing further reasoning for selecting the bivouac site for the relocated Brough Hill Fair.</p>	<p>The proposed bivouac site is Not Agreed.</p>

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
<p><b>3-3.6</b> Concern regarding impacts on adjoining property</p>	<p>Discussed during in person meetings as set out in Table 2.1</p>	<p>The proposed site is too close to a dwelling, being immediately outside of Mr Heron's front door.</p>	<p>While the proximity to Mr. Heron's front door is not a problem for the Gypsy Community they do not want to impact on Mr. Heron and are concerned about visual and noise impacts on Mr. Heron's property.</p> <p>The boundary treatments to the proposed site can be used to mitigate any visual or noise impacts from the site onto Mr. Heron's property.</p> <p>National Highways submitted an update to its Brough Hill Fair Summary Note at Deadline 7 [REP7-156], providing further reasoning for selecting the bivouac site for the relocated Brough Hill Fair.</p>	<p>The proposed bivouac site is Not Agreed.</p>
<p><b>3-3.7</b> Re-locating the new A66 through the AONB to the north of Warcop</p>	<p>Discussed during in person meetings as set out in Table 2.1</p>	<p>An alternative and shorter route for construction of the new road exists to the north of the A66.</p>	<p>Any incursion into the AONB needs to have regard to policy contained within the National Networks National Policy Statement.</p>	<p>An alternative route to the north is Not Agreed.</p>
<p><b>3-3.8</b> Location of the site in relation to farm businesses</p>	<p>Discussed in person.</p>	<p>Billy Welch raises concerns that the site is close to the cement business and the working farm. Cites concerns about children gaining access to the farm area, animals and children in proximity to the farm traffic and the vehicles entering and leaving the cement works.</p>	<p>The proposed site is directly adjacent to the existing Brough Hill Fair site and both sites have a dry-stone wall or fence boundary. The issues raised by Billy Welch in relation to the proposed site would be the same as those existing currently.</p> <p>An Operational Risk Assessment. of the proposed site, to address the safety concerns raised, was submitted at Deadline 7 as part of the update of the</p>	<p>The proposed bivouac site is Not Agreed.</p>

Issue	Document References (if relevant)	Gypsy and Travellers Representatives Position	National Highways Position	Status
			Brough Hill Fair Summary Note [REP7-156] at Appendix 1.	

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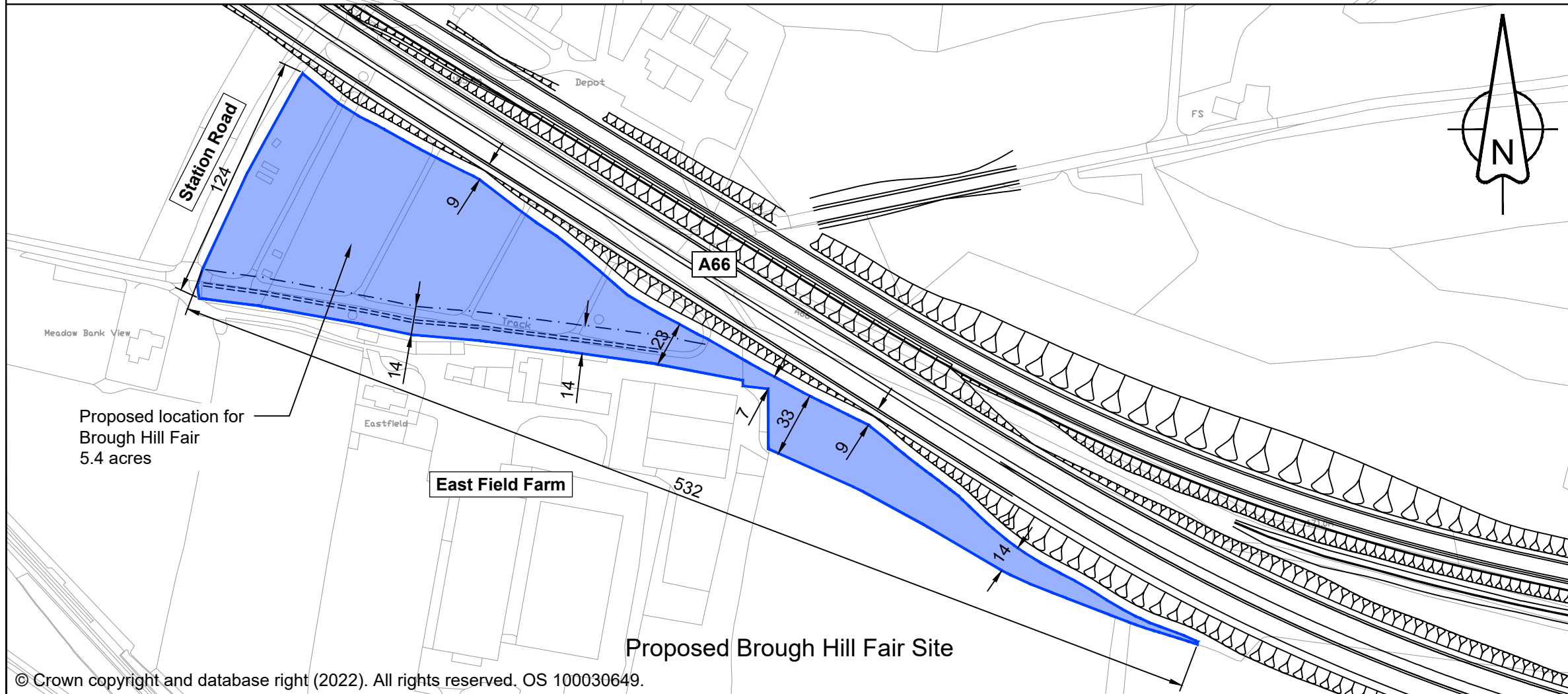
**Appendix A: Site Plans shared with the Gypsy Community December 2022**



**NOTES**

- 1. All dimensions are in metres unless noted otherwise.

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P01	FBLA	FBLA	DKID	SBAG	SBAG
	25/11/22	25/11/22	25/11/22	25/11/22	25/11/22



Designer  
 Amey OW Limited  
 Chancery Exchange  
 10 Furnival Street  
 London, EC4A 1AB

Client  
 3 Piccadilly Place  
 Manchester  
 M1 3BN

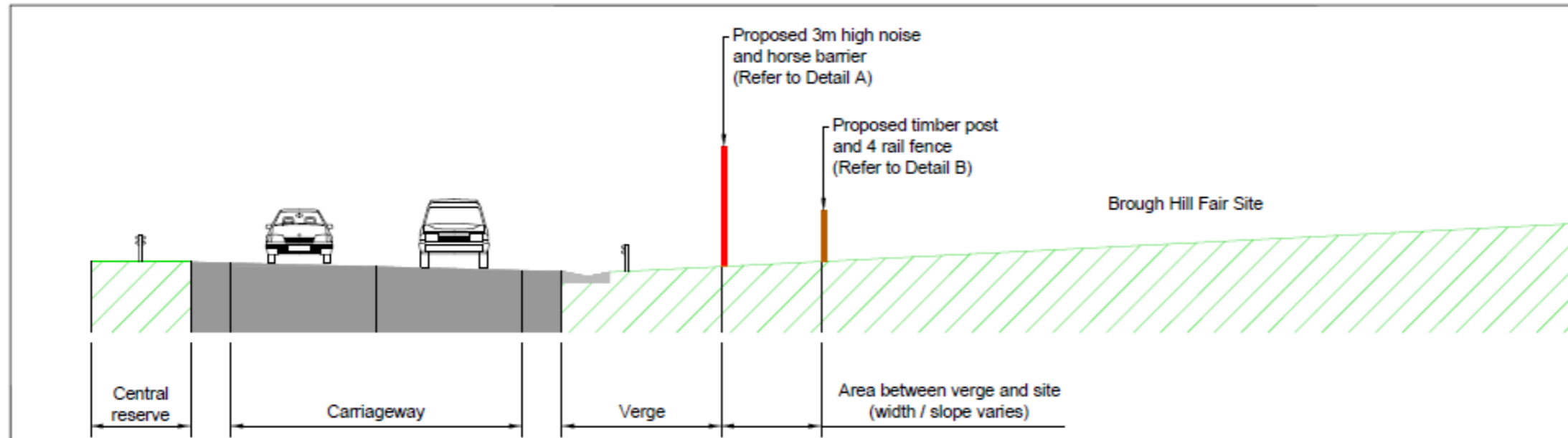
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**A66 Northern Trans-Pennine**

Drawing Title  
**Warcop  
 Existing and Proposed  
 Brough Hill Fair Sites**

Project Ref. No.	Stage	Scale : 1:2500	@A3
---	PCF3	Dimensions : M	

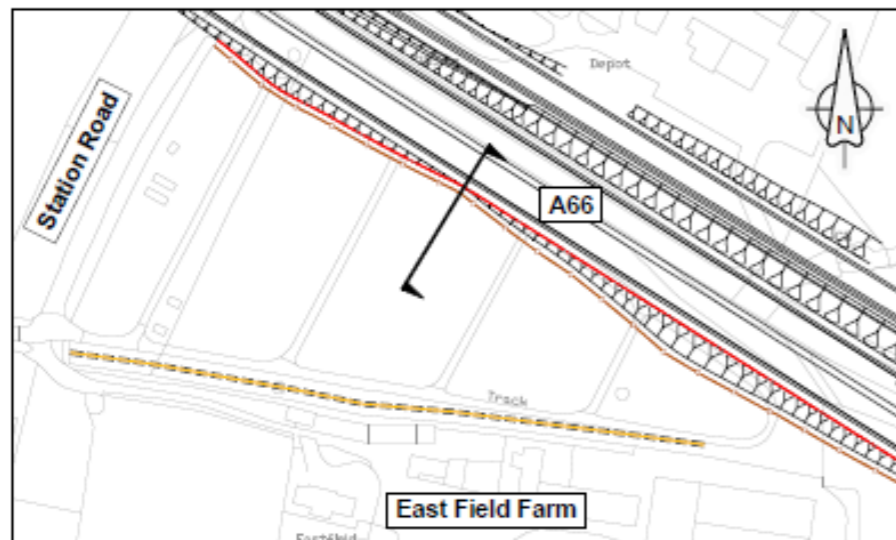
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S06	-	SK - CH	- 000012
Location	Type	Role	Number

Suitability	Suitability Description	Revision
S1	Fit for Co-ordination	P01



**NOTES**  
 1. All dimensions are in metres unless noted otherwise.  
 2. Proposed Timber Post and 4 Rail fence to minimum height of 1.3m as per British Horse Society Guidance.

**KEY**  
 - Proposed fence (min 1.3m high)  
 - Proposed 3m high earth bund  
 - Proposed 3m high noise and horse barrier  
 - Proposed typical section marker



**Key Plan**  
1:2500

**Typical Section - Brough Hill Fair Site**  
1:125

Revision	Created	Checked	Reviewed	Approved	Authorised
	dd/mm/yy	dd/mm/yy	dd/mm/yy	dd/mm/yy	dd/mm/yy

Designer  
 Amey OW Limited  
 Chancery Exchange  
 10 Furnival Street  
 London, EC4A 1AB

**A66 NTP** Integrated Project Team

Client  
 3 Piccadilly Place  
 Manchester  
 M1 3BN

**national highways**

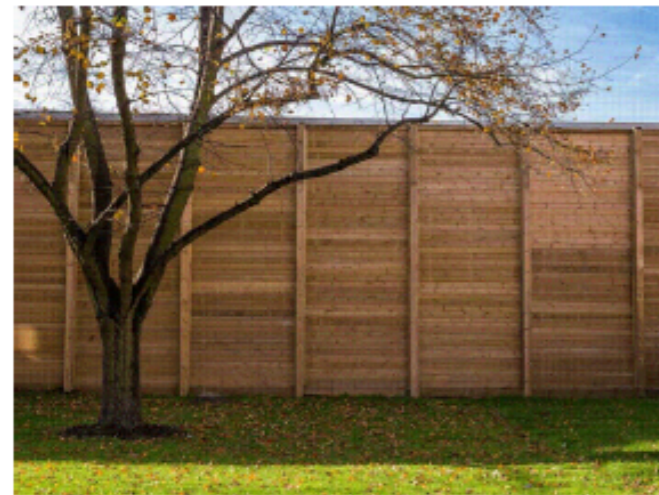
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**A66 Northern Trans-Pennine**

Drawing Title  
**Warcop  
 Brough Hill Fair Site  
 Typical Section  
 Sheet 1 of 1**

Project Ref. No. Stage Scale : As Shown @A3  
 --- PCF3 Dimensions : M

Drawing Number  
 Project | Originator | Volume  
 HE565627 - AMY - HGN  
 S06 - SK - CH - 000014  
 Location | Type | Role | Number

Suitability | Suitability Description | Revision  
 S1 | Fit for Co-ordination | P01

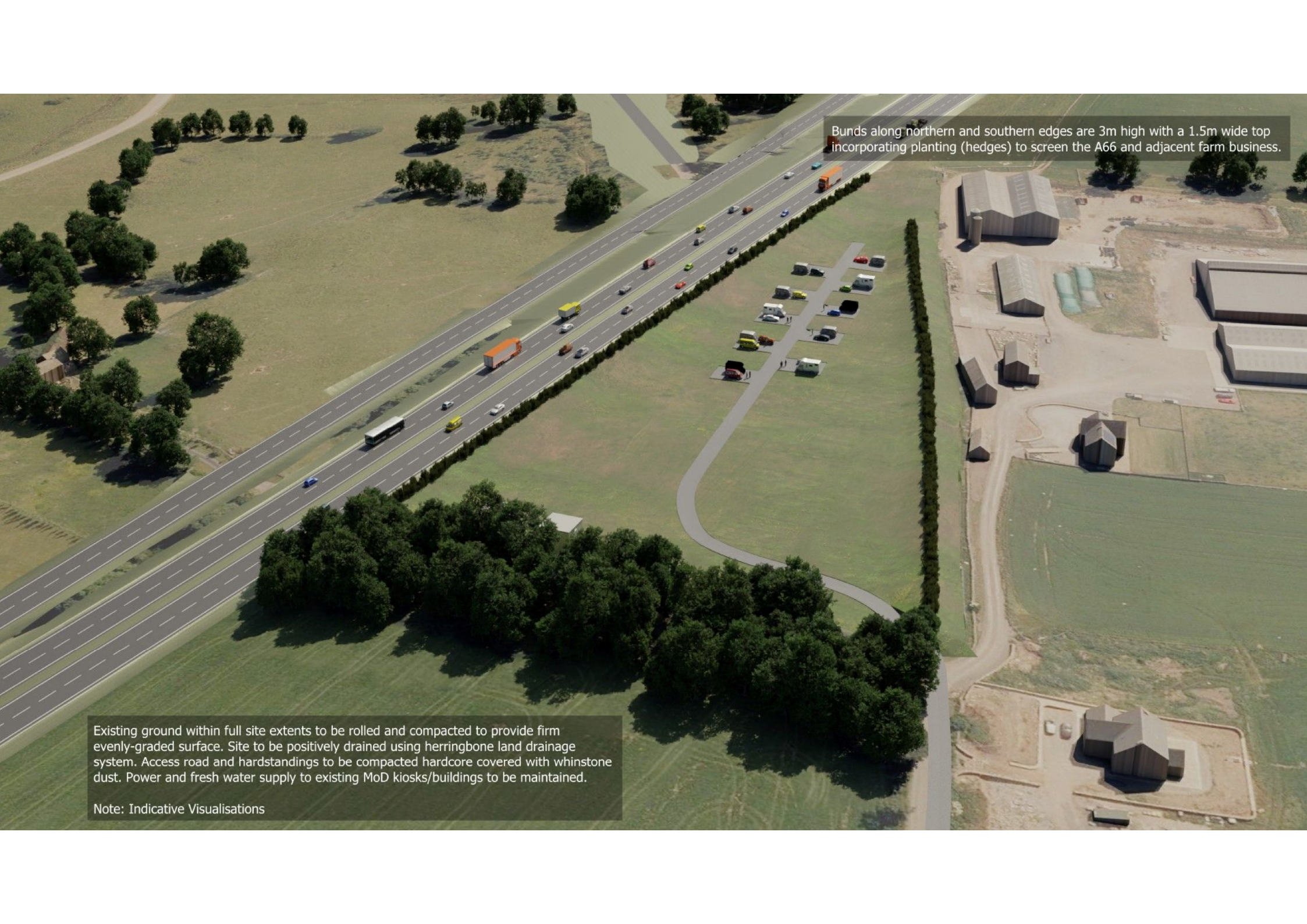


**Detail A - Proposed 3m High Noise and Horse Barrier**  
(or similar approved)



**Detail B - Proposed Timber Post and 4 Rail Fence**  
(or similar approved)





Bunds along northern and southern edges are 3m high with a 1.5m wide top incorporating planting (hedges) to screen the A66 and adjacent farm business.

Existing ground within full site extents to be rolled and compacted to provide firm evenly-graded surface. Site to be positively drained using herringbone land drainage system. Access road and hardstandings to be compacted hardcore covered with whinstone dust. Power and fresh water supply to existing MoD kiosks/buildings to be maintained.

Note: Indicative Visualisations



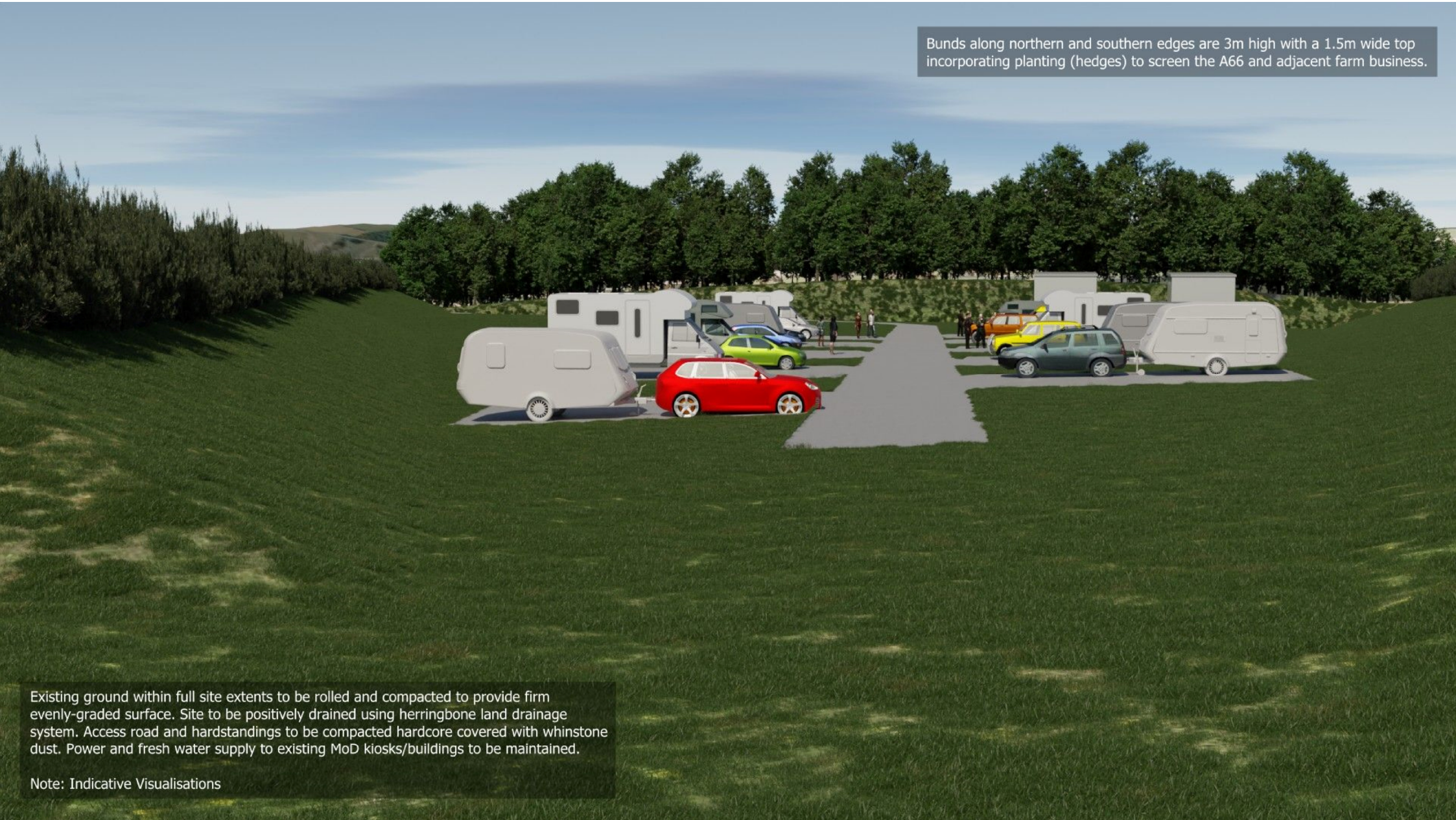
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Note: Indicative Visualisations