

**TR010062 - A66 Northern Trans-Pennine Project**

**s51 Advice Library – Local Authorities**

**Updated – 09 August 2022**

A new approach to the recording of s51 advice is being trialled on the A66 Northern Trans-Pennine Scheme. This document contains the advice that has been provided by the Planning Inspectorate at meetings with the Local Authorities and it is published in line with the regulatory requirements. The format used should be considered as transitional at this time as the approach will continue to evolve.

This library is a record of advice we have provided for this project.

There is a statutory duty under [section 51 of the Planning Act 2008](#), to record the advice that is given in relation to an application or potential application and to make this publicly available.

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<b>Topic</b>	<b>Meeting date: 10 September 2021 - Cumbria County Council</b>
Local Impact Report	The Inspectorate noted that a Local Impact Report has a specific status within the Planning Act 2008 regime and encouraged Cumbria County Council to consider how information could be presented in Relevant Representations, Written Representations and a Local Impact Report.
Local Impact Report	The Inspectorate encouraged Cumbria County Council to work collaboratively with other local authorities and discussed that a joint Local Impact Report across the whole scheme could be impactful at an Examination.
<b>Topic</b>	<b>Meeting date: 1 October 2021 - North Yorkshire County Council and Richmondshire District Council</b>
Local Impact Report	The Inspectorate advised the Local Authorities to start thinking about what information they would be submitting in their Local Impact Reports (LIR), the issues they would like to flag and how best to present them. The Inspectorate advised the Authorities to consider the extent to which they could approach the LIR collaboratively with other Local Authorities, highlighting that the more common ground there is between the Authorities, the stronger the impact there could be at Examination.
Local Impact Report	The Inspectorate advised that an Examining Authority would look to the LIR to demonstrate how the scheme would fit into the local and economic development ambitions of the area, in order to understand how the scheme would tie into existing planning and development potential.
Delegations	The Inspectorate advised that having appropriate delegations in place as early as possible is important if a Local Authority needs them. The Inspectorate advised that members should be made aware that out of committee approvals may be needed, where sign off is required, due to the typical timetable demands of a Development Consent Order process.
<b>Topic</b>	<b>Meeting date: 5 October 2021 - Cumbria County Council and Eden District Council</b>
Local Impact Report	The Inspectorate encouraged the Local Authorities to work closely together in understanding the contents of a Local Impact Report (LIR). The Inspectorate suggested that if a joint approach could be engineered that could be helpful for an Examining Authority but if not, and the Authorities progressed separate LIRs, then it would be helpful if the approaches were complementary.
Adequacy of Consultation	The Inspectorate advised the Local Authorities to think about risk in relation to the Adequacy of Consultation Responses (AoCR). All parties are directed to share any concerns about the adequacy of consultation with an applicant at the earliest opportunity.

Adequacy of Consultation	The Inspectorate advised the Local Authorities to compile the draft AoCR as early as possible; on submission of an application the Inspectorate invite AoCR from Authorities within 14 days. Should the Authorities have concerns, these should be presented clearly in respect of the relevant regulations or Guidance.
<b>Topic</b>	<b>Meeting date: 7 October 2021 - Durham County Council</b>
Local Impact Report	The Inspectorate advised of the statutory weight to be given to the Local Impact Report in the Planning Act 2008 process. The Inspectorate encouraged the Authority to start to prepare its LIR as early as possible and advised the Authority to work collaboratively with other Authorities where possible and appropriate.
<b>Topic</b>	<b>Meeting date: 7 April 2022 – Eden District Council</b>
Local Government Re-organisation	The discussion noted the timetable for the creation of a shadow authority and the mechanisms for working until such time as the new Authority is in power.
Statement of Common Ground	The Inspectorate discussed how helpful a Statement of Common Ground can be for an Examining Authority and thus an Examination. The Inspectorate stressed that value in such documents comes also from identifying uncommon ground/areas of disagreement and encouraged the Authority to consider a clear schedule of matters that it would want to progress post-submission.
Relevant Representations	The Inspectorate noted the power of frontloading information into an Examination, and therefore encouraged the Authority to use the Relevant Representations stage to set out its schedule of matters.
<b>Topic</b>	<b>Meeting date: 26 April 2022 – Cumbria County Council</b>
Statement of Common Ground	The discussion noted the current approach to working up a Statement of Common Ground and the level of detail that National Highways was seeking to include in the document.
Relevant Representations	The Inspectorate noted the power of frontloading information into an Examination, and therefore encouraged the Authority to use the Relevant Representations stage to set out its schedule of matters.
Local Government Re-organisation	The discussion noted the timetable for the creation of a shadow authority and the mechanisms for working until such time as the new Authority is in power.
Adequacy of Consultation	The Inspectorate advised the Authority to inform the Applicant of any concerns that had been/were raised regarding statutory and non-statutory consultation as soon as possible. The Inspectorate advised the Authority to consider the contents of an Adequacy of Consultation Response early.
<b>Topic</b>	<b>Meeting date: 3 May 2022 – North Yorkshire County Council and Richmondshire District Council</b>

Local Government Re-organisation	The discussion noted the timetable for the creation of a shadow authority and the mechanisms for working until such time as the new Authority is in power.
Relevant Representations	The discussion noted the information currently available to the Authorities and that which may come through as part of the application submission or later in the process. The Inspectorate noted the power of frontloading information into an Examination, and therefore encouraged the Authority to use the Relevant Representations stage to set out its schedule of matters.
<b>Topic</b>	<b>Meeting date: 5 May 2022 – Durham County Council</b>
Statement of Common Ground	The discussion noted the current approach to working up a Statement of Common Ground (SoCG) and the level of detail that National Highways was seeking to include in the document. The Authority noted that only when they had seen the full documents could a SoCG be fully signed off.
Land rights	The discussion noted the complexity of proposed changes to an application (scheme design) post-submission particularly where the change might require additional land or changes in compulsory acquisition and/or land rights.

## APPENDIX A: ABBREVIATIONS

The table below lists the abbreviations referred to in the s51 Advice Library.

AoCR	Adequacy of Consultation Responses
CMP	Construction Management Plan
LA	Local Authority
LIR	Local Impact Report
SoCG	Statement of Common Ground