



Hearing Transcript

Project:	A46 Newark Bypass
Hearing:	Open Floor Hearing (OFH) 1
Date:	08 October 2024

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TRANSCRIPT_A46_OFH1_SESSION1_08102 024

00:05

good afternoon, everybody.

00:06

It's now 2:30pm and time for me to open this open floor hearing can I just confirm that everybody in the room can hear me clearly? Thank you. And can I also confirm with case team that the live streaming of this event has commenced? Yes, thank you for those people watching the live stream. Let me explain that if the proceedings are adjourned at any point, we'll have to stop the live script stream in order to give us clear recording files when the meeting is resumed, you need to refresh your browser page to view the restarted live stream. I'll remind you again of this. Should we need to adjourn? This hearing is being held in connection with an application made by national highways, whom we refer to as the applicant for an order for development consent for the a 46 Newark bypass. National Highways is seeking consent for a scheme that comprises online widening of the a 46 to the north of the existing route for most of its length, between the Fardon roundabout and the a one and a new section of offline dual carriageway between the A one and wynthor Brown about where the new new dual carriageway ties into the existing a 46 to the west of the wynthor Brown about the widening works include earthwork widening along the existing embankments and new structures where the route crosses the Nottingham to Lincoln and East Coast Main Railway lines, the river trend and the A one, the roundabouts at Fardon and Winthorpe would be enlarged and partially signalized, while the cuts and market roundabout would be grade separated by elevating the a 46 access to the A one and to and from The a 46 would also be improved by upgrading the brown Hill and friendly farmer roundabouts. My name is Paul Burley. I'm a chartered town planner, and I'm a planning inspector employed by the planning inspectorate, and have been appointed by the Secretary of State for housing, communities and local government as a member of the panel to examine this application, I'm now going to ask the other panel members who've also been appointed by the same secretary of state, to examine this application, to introduce themselves.

02:34

Good afternoon. My name is Kenneth stone charter town planner and planning inspector, and the panel lead for this examination.

02:46

Good afternoon. My name is David love I'm a chartered town planner with postgraduate qualifications in ecology, and I'm a practitioner member of the Institute of Environmental Management and assessment. I'm an examining inspector for nationally significant infrastructure proposals with the planning Inspectorate. Thank you.

03:02

Together, we will be reporting to the Secretary of State for Transport with a recommendation as to whether the development consent order or DCO should be made. The planning inspectorates case team here today is represented by Deborah Allen, a case manager and Ewan Keats, also a case manager. They're being somewhat supported remotely today by Stephen Parker, one of our case officers. Please don't hesitate to talk to a member of the case team. Should you need any help at today's event or with the technology. If you have any questions or queries about the examination or the technology we are using for blended or virtual events, the case team should be your first point of contact, and contact details can be found at the top of any letter you've received from us, or on the project page of the national infrastructure planning website. Just got a couple of housekeeping points to deal with. Now this hearing will be live streamed and recorded. The recording will be retained by the planning Inspectorate for five years from the Secretary of State's decision. The recording will be published on the project page of the national infrastructure website as soon as practicable after the hearing closes to assist viewers and listeners, anyone speaking should introduce themselves when they speak as the recordings are retained and published. They form a public record that can contain personal information to which the general data protection regulation or GDPR applies our rule six, letter which was dated the ninth of september 2024 includes a link to the planning inspectorates privacy notice which provides further information on this topic if there is a need to refer to information that participants would wish to be kept prior. Private, unconfidential, it should be in a written form which can be redacted before being published. So in effect, please just indicate that you'd like to submit some information, and then we'll receive it in writing from you. If you have any questions about personal data, you may wish to speak to the case team or access the advice entitled nationally significant infrastructure projects, advice for submitting representations or comments, which is held on our website for those participating in the open floor hearing via Microsoft Teams. If you prefer not to have your image recorded, you can switch your camera off also in order to minimize background noise, please ensure that your microphone or telephone is muted unless you're speaking, and that you stay muted throughout until you're invited to speak. We're not expecting any fire alarms this afternoon, in the event of a fire, there are four exits from the Great Hall, so please familiarize yourself with the nearest exit to you. The fire evacuation assembly point is near the tennis courts on the front lawn. To get there, you'll need to walk through the car park and pass the business center, and you'll see the white building we all congregated at earlier. For anyone with mobility issues, there is ramped access throughout the estate, the toilets closest to the great hauler down the ramp and to the left. We'll take a short break if the hearing does go on past 4pm and finish up after after that break. Finally, in terms of housekeeping, Could everybody please set devices and phones to silent? Thank you. Now, a few words about the purpose of the open floor hearing. This open floor hearing provides an opportunity for interested parties to make their oral submissions about the application to us the examining authority. It also gives us an opportunity to ask speakers questions about the evidence that they've presented. The agenda for this meeting was set out in our rule six letter. Today we'll hear first from interested parties who've notified, as an advance of the hearing that they wish to speak and have completed a participation form. They will be followed by any parties who will be who haven't registered, but who would be heard at the discretion of the examining authority, given the number of interested parties who have requested to speak at this hearing, we do not intend to set a strict time then limit for oral submissions. Nevertheless, we'd ask they are sufficiently concise and to the point to be concluded within about 10 minutes, and we'll remind you when you're approaching that time. May I also remind you that you're invited to include a written summary of your oral submission at deadline one, which is Tuesday, 22nd of october 2024,

once you've spoken, we may wish to ask you questions, but that, of course, would not intrude on your speaking time, and we will finally give the applicant an opportunity to briefly respond to any matters raised after all of the speakers have been heard, either orally or to submit a written response of deadline, one I now hand over to Mr. Love, who will run through the list of interested parties who have notified us in advance that they wish to speak.

08:51

Thank you, Mr. Verley, so the following persons and organizations have notified us that they wish to speak in person. What I'll do is I'll go through those of us, those people who are in the room, and then we'll come to those online who wish to join. So if I when I call your name, if you can just confirm you are present, I have Anthony Asprey from Newark and Nottinghamshire agricultural society. You present here? Sir? Nope. I No. Mr. John Miller, excellent, Mr. Nicholas rollstone, excellent. Mr. Nathan Reed, Mr. Anthony Northcote, excellent. Thank you, sir and Mrs. Caroline Parham, thank you. And I understand Mr. Farnham, you'd like to go quite early. Yeah, perfect. Is there anyone else in the room who would like to speak or I haven't asked No. Okay. So I'm going to turn online. We have a single registered person, speaker. Actually, I understand it as councilor Sarah Kingston of Farndon parish council. If Mrs. Miss Kingston, if you could please use the raise hand function to indicate that you are present. I

10:24

I can see the name,

10:31

Miss Kingston. Could you try me perhaps turning the camera? Oh, there we are. Yes, yeah, I just be a slightly slower system. So Miss Kingston will come to you once we've gone through the those who present in the room. Is there anyone else online joining us who would like to speak? No, I'm not seeing anything, and I wasn't expecting anyone either, so I'm going to take that as everybody who wishes to participate. I will now hand back to Mr. Burley to invite oral submissions. Thank you.

11:06

And we also had Mr. Lam, I think, from the District Council registered, but they've informed us that they no longer wish to speak at this session. So with that point, could we invite Ms Parham up to the table, or we do have a roving mic, if you're more comfortable with that, when everybody introduces themselves, please. Could you also see, if applicable, the organization that you represent, or it may just be that you're representing yourself. Thank you, Miss parna. Sorry, could you pop the microphone on please? Thank you that one.

11:54

Sorry, I'm representing myself. I have a home. You've sent me the purchase order papers. I've not been able to find any information, so I didn't bit confuse. If there's a compulsory purchase on my home, when will I find out that this because I've had these papers for two years and don't know anything

12:18

the process in terms of compulsory acquisition of any properties would be decided at the same time as the DCO itself. So we would, we will review it. There'll be future compulsory acquisition hearings taking place, which you're very welcome to come along to. And the Secretary of State would make that decision along with the decision on the sorry,

12:44

can you just remind me when that is yes?

12:46

So we've got a six month examination period. We then have a three month reporting period, and the Secretary of State has a three month period following that. So it would be in about a year from now,

13:00

that's brilliant. And if you're going

13:04

to go, sorry, let Mr. Stone come in. He's dealing with I

13:08

just wanted to ask the applicant if they could clarify whether or not there is an intention to compulsory purchase any homes, and whether or not they can shed a bit of light on Ms parham's concerns.

13:25

Thank you, Mr. Stern, Mr. Burley. Laray Hendry, for the applicant, just to reassure you, there's no no anticipated homes being compulsorily acquired. There is obviously land being acquired, but certainly no residential properties. One thing I would invite, yeah, please. We could give you that reassurance. But if, if you're struggling to kind of comprehend what's happening, and I know you've probably limited for time today, but Kerry mcgarrick, who's from our applicant team at the back, if you even just during this hearing, if you'd like to speak to Kerry, we can set up a call with you to kind of help, yeah, that help you understand what's actually happening.

14:08

It's just Trump tried to find out everything about this letter and got nowhere, very fast. Okay, basically, so all we've got is a picture of where our it's in the square box our home comes in that we're directly in front of the bypass, right? Okay, and that all clarifies with that. So because I can't find information, I just don't know what's happening, we're starting to do a build on the property to make it bigger. So we've stopped that. So we want to make it bigger, but we don't know whether we should or whether we shouldn't. So it's sort of had quite an impact on what we want to do for our future. So

14:45

Ms Parlin, would that be a satisfactory way forward that the applicant engages with you and then you can take it from there? And as I said, there's future compulsory acquisition hearings that it would be possible for you to come. Along and address us again.

15:01

Yeah, that's brilliant. Thank you very much. That's all I need.

15:04

Thank you. Well, within 10 minutes, thank you. Should we move on to the next registered speaker then, which is Mr. John Miller, and I believe you are an individual as well, not representing an organization. Thank you.

15:34

Yeah, so my name is John Miller, and I'm a farmer from Manor farm Kellum. Lucy muddiman of savills has written a response on my behalf to the consultation, and that's been handed into the team. I'd just like to say, from the start of being very much engaged with the the applicant on this, on this scheme, probably our engagement as a stakeholder started in 2022 but we've had several, well, many, many meetings over the over that period of time, I lose count now the number of meetings we've had, but certainly I've been very engaged with them. Just to sort of give a bit of a background of our business as a family, we moved here sixth of January, 1939 so we've had sort of three generations of a family farming in Kellam, in the surrounding area, we're farming about 666, hectares. It's like an all arable operation now, and we're tenants on two thirds of that. And then we own various bits of land. That's the other third. But we're probably sort of farming land within a four mile radius of Manor farm killum. We're sort of set to lose about 47 hectares of our 666 hectares in total. So it's just over sort of 7% of our total area. So this will have an impact on our profitability and viability of the business they're looking to sort of permanently acquire some of our land. And I also think it's sort of quite ironic that we get sort of paid a price for the land, compensation for it as part of the compulsive purchase, but then you then have to pay capital gains tax on that afterwards. And who knows what that rate of capital gains tax is going to be after the budget on the 30th of October, you can roll over, have rolled over relief so you don't have to pay capital gains tax. But again, I guess you want to be sort of acquiring some land in sort of close proximity to your existing holding. I guess buying land elsewhere, you know, there's obviously going to be a cost of getting to that land if it's not like close by. I guess the probably the question we have is whether the land is going to be permanently acquired, or whether it's going to be temporarily acquired with rights of a permanent nature, as well as sort of farming the land. We're always sort of looking at the revenue streams. And I guess one of the new revenue streams that could come online is bng, biodiversity net gain. And it's sort of something as a business we have been looking at. And when the local council, Newark and shore District Council, had a core for sites for bng, we sort of put the whole of this block of land forward as a potential bng site. It doesn't lend itself to the sort of new opportunity of bng in that it is very close to Newark, where a fair bit of development will happen in the future. Also, its proximity to the river makes it ideal from a value point of view, because you can create wetlands, reed beds and that sort of thing, have lowland grazing Meadows as well, which give you, like a sort of high return from a biodiversity net gain point of view. So just sort of maybe outlining that sort of that potentially could be a lost opportunity for us if the land is permanently acquired offers. And we had been talking to the applicant about perhaps having a biodiversity net gain project on here, those talks went on for a certain amount of time, but now sort of come to an end, but I appreciate the applicant wants to use some of the land as environmental mitigation for the project. Also some of the land will be acquired for the flood compensation area, where land will be lowered to take account of the embankment that will be part of the dualling of the a 46 and I guess in that sort of minerals probably will

be extracted out of the area. I mean, I guess this block of land is rich in gravel underneath. It may not necessarily be gravel on top. But the whole of that Trent Valley area is rich in gravel. So I think there's a sort of certain value to that minerals that will be extracted. There's also talk of digging a borrow pit on our area to sort of help with the construction of the of the project. And again, I think as a business, we should be sort of fairly recompensed on commercial terms for the extraction of that gravel. Some of some of that possible land will be retained by us. I guess we need to make sure that that there's formally agreed there's the access to this remaining bit of land. Our only access to the bit of land is off the a 46 I only have one access to it. So obviously we need a service track, sort of coming off the a 46 to go to the remaining bit of land we have. I also have the fishing lights on the land to be acquired on the riverfront there, and it's just whether we'll be allowed to exercise those rights and allow sort of fishermen to come down to the river, otherwise, maybe looking at some sort of recompense for the fact that we can't do that anymore. I know it'd be part of the design of the of the project, the the access actually off the a 46 itself. I guess it probably isn't ideal at the moment, but I guess when it's a dual carriageway, I mean hoping that there'll be like a sort of slip road in and out of of the area. I mean, at the moment, I know when we're sort of accessing a 46 you've got about eight seconds from seeing a vehicle to actually being upon you. So I've pulled out there numerous times, and you sometimes just have to sort of just sort of take a little bit of a chance. Eight seconds isn't very long, but I appreciate, yeah, when it's jeweled, probably traffic will be traveling faster. So you probably can have less than eight seconds before the traffic is upon you. So I probably need to look at the visit visibility display from the from entering onto the a 46 at the moment, there's a slight bend in the road and there is like vegetation at the side of the road that sort of masks the oncoming traffic. That's certainly something that we need to look, look at as as we go forward, also on the bit of land I've got sort of cricket bat willows growing. I mean, this bit of land is very prone to flooding, as we sort of found out yet again this last autumn, and I've sort of planted a cricket bat willows in parts of the land that flooded quite easily. I probably got fed up planting a crop and seeing it rot out over winter when the groundwater came up, so we planted willows in the low lying parts. But of course, they're all due to be grubbed out, essentially as part of the project, as part of the flood compensation area, as part of the drainage of the off the a 46 so we need to look at compensation for that. So sort of conclude, yeah, I'm happy, sort of to engage as a stakeholder with the applicant. We've had a good history of that in the past, but I guess all I ask for is it will get a fair hearing and recompense for what we sort of put into the scheme. Thank you.

23:32

Thank you. Mr. Miller, just a few questions to follow up on that point. One of the few things we can't look at is compensation when we make our recommendation to the Secretary of State, and it would be a separate process if the DCO is confirmed, along with compulsory acquisition after that, have your advisors discuss that with you the separate process. Yes. Okay, thank you. In terms of then the points that we could look at, I think the first one I noted down, and once we've been through these, perhaps you could confirm whether there's any missing from the list is where the land is permanently acquired, or whether there is temporary possession. Can I just confirm is your land the in the Kellerman avor and flood compensation area. Yes, yes. Okay, yeah, thank you. I wonder if it's worth coming over to the applicant on this point, whether there's any alternatives to permanent acquisition here, and whether that's been looked at?

24:43

Mark Sutton, on behalf of the applicant, yes. So the two areas, I think in question, Mr. Miller, we have the Fardon east and west fields, which are on sheet. Two of the lands plans as double oh four. They're shown as per. An acquisition at the moment, because it is required for the essential mitigation for the flood compensation areas that Mr. Miller has referred to. And I know that some of my team have been in communication with Mr. Miller about potential for that long term responsibility of that flood compensation area. But under the order, we've gone in with permanent acquisition to secure the rights of that long term mitigation and the other believers up at Kellam, the Kellum and Avon flood compensation, where we have the plots of land shown for the flood compensation in those areas, again taken under permanent acquisition under the under the order, because of the need for that long term mitigation, for that maintenance of that Thank you,

25:48

Mr. Stone, of course, we've got some compulsory acquisition hearings coming up. Yes,

25:53

I mean, I think we'll, we'll delve into the issue of individual plots and compulsory acquisition at some future dates, tomorrow, we're going to be talking about the strategic business case for compulsory acquisition, and we do have some issues about looking at the strategy that you've employed in terms of compulsory acquisition and permanent acquiring land, As opposed to using alternative means, or land management agreements or issues of that nature. That's just precursor. We'll talk about that. But that will be in in sort of strategic and general terms tomorrow, whenever we move to the individual objections to compulsory acquisition, which will be another hearing, they will probably be in the week allocated in the second of December. So if you keep an eye out for when those are and register to speak at that point as well, then we can have a more detailed discussion about the specifics that you're talking about here as well, in terms of temporary possession and compulsory acquisition on a permanent basis. Of course,

27:02

the time between now and then is available to try to draw closer.

27:09

Yeah. I mean, we've been talking to the district valuer already on it.

27:13

Thank you. The second point I noted down was about access to your land once the works have been undertaken. If the DCO is confirmed, is there anything that the applicant would like to say on that point?

27:31

Mark Sutton, on behalf of the applicant, yes. So the existing access of the a 46 southbound, which I know well, Mr. Miller, we are showing a new access in that same location on the southbound dual carriageway. It's shown on the general arrangement plans sheet. Two of the general arrangement plans as double oh seven. So this access will come off and all in detail design, the designers will be checking the visibility display for exactly the movement you're explaining it with being a dual carriageway. Now it's 70 miles an hour. We're going to have to assess that, just make sure that that's

designed safely. That will then follow, sorry, sorry, and then that track will come down. There's a new maintenance access track that follows north and goes underneath the existing farm underpass and then feeds into the field system on the western side of the a 46 and then there's an existing track that it would tie into. I believe certainly that's how it will provide access to the residual field system to the north side of the flood compensation area. I think there's a certainly we can have the conversation as understanding in that construction period, during the time of starting construction, and it being an operation, how we can work together to maintain your access there, with it being a live construction site, but working out access arrangements with the team to,

28:56

I think helpful to examining authority. If you could make a suggestion as to how that would be secured. And Mr. Miller also mentioned, I think, current issues with vegetation, which is an ongoing management issue in terms of the visibility, the safety and so on. So if you could put something forward, then that would give Mr. Miller an opportunity to also review it during the examination period. Is

29:24

that okay? Mark, certainly. Applicant, that's

29:26

Thank you. And would you be able to achieve that by deadline? One,

29:30

Mark, certainly the applicant, yes.

29:38

The third point Mr. Miller was about fishing rights on the land currently in your ownership. Have any discussions taken place about rights such as, you know, fishing?

29:53

No, not, not yet. No.

29:55

Has it been raised with the applicant? I

29:57

think it has been

29:58

raised. Right?

30:00

Yeah, are

30:01

we off the radar a

30:02

little bit, right? Well, again, if it's as it's been raised with us today, and if you are in an ongoing dialog, it'd be very useful if that dialog could be developed and reported back to us, preferably as soon as possible, so that we can identify if it's a long term issue or not. Thank you. Was there anything else Mr. Miller, that I haven't picked up there?

30:31

No, I think that was all that I mentioned. Thank you. My address, yeah.

30:35

Well, thank you for your contribution today, and we'll move on to the next speaker, who is Mr. Rule Stone, who I also believe as an individual.

30:56

Hello, my name is Nick Rolston, Newark, local. I apologize if I'm not addressing items specified on the agenda. The reason for this is that the link on your website was incorrect and did not link to an agenda. So I'll just read what I've written. We were told in the press that the cost of the Newark southern link road was 100 million. This is a simple five kilometer single carriageway Road, yet Midlands connect on the website, estimate the cost of the a 46 upgrade to be only 500 million, ie, five times as much the a 46 upgrade is longer at six kilometers. It is a dual carriageway. It will have two river crossings, two rail crossings, a flyover, significant modifications to all the existing roundabouts and slip roads, taking inflation into account and the obvious size of the project wouldn't 2 billion pounds be closer to the final cost This being so, the published cost benefit calculations seem hopelessly out of date. I lived in London for all my working life, and only moved to Newark three years ago. To me, the a 46 is not a busy road. I've traveled on it regularly, and have kept dash cam footage of all my journeys along it since August of this year. In not one of those journeys have I been stationary in traffic for longer than one minute, even traveling at traditional rush hours, significant delays are sporadic and relatively rare. The traffic can be slow on Friday afternoons between three and five. Is it sensible to spend so much money to reduce congestion, which only occurs regularly for two hours once a week? When was the last measurement of traffic flow carried out? I live on Callum road. The cattle market flyover will be very close to the end of this road. At present, the average speed of vehicles along this section is 50 miles an hour. When completed, the speed limit will be raised to 70 miles an hour. The speed increase alone will increase noise levels substantially, the raised level of the carriageway will gaze it Further still, I simply do not believe that the noise mitigation plans of a few trees are in any way adequate to keep this noise level below World Health Organization recommended levels. The existing plans re route the Trent Valley, way along roads. Instead of the existing route across fields, it would have been very simple to have included an underpass to allow people to walk from Newark to Callum across the fields without crossing any major roads.

34:01

Thank you, Mr. Realiston. Applicant, is anything in what Mr. Wilson said, you'd like to come back on

34:09

Mark Sutton on behalf Mark Sutton, on behalf of the applicant.

34:14

If you just sit back a little bit of it, Mike, He'll hear you.

34:18

Thank you. I would draw attention to funding statement, application document number 26 the funding for the scheme has a scheme estimate of 686 point 4 million, which has been used for the benefit cost calculations. Just as a reference. There's a point on there. The only other one, rather to go into the detail, the Trent Valley Way is noted. We have made diversions of the Trent Valley Way, both in temporary and the permanent state. But just to raise a query about underpasses, under car market roundabout and everyone's that we are in the flood plain. Air, and there is actually an existing flood covid going through, so any underpass in that area would be heavily prone to flooding and usability issues associated with that.

35:12

Thank you and thank you. Mr. Rudson, you

35:23

Next up, I think it's Mr. Northcote. Thank you.

35:43

Music, good afternoon. My name is Anthony Northcote. I own a planning consultancy called townhigh from planning.co.uk so I'm a chartered town planner, a local resident, local business owner, and a planning agent for quite a number of local developers, businesses and residents. I'm here today to support to speak in support of the proposal. I'm aware that generally, very few people ever come to speak in support of proposals. Most people that want to participate have objections with it, and I think I'd invite you as the panel to consider that this is a root challenge. Whether the a 46 is in the right place or not, is a matter that was long gone. It was put where it was. They've now got the difficulty of effectively trying to thread the eye of a needle with the route and widening the route. There's so many challenges, the river the East Coast, Main Line, the A one existing development. And you can't get away from the fact that the a 46 is very unusual. It is only 600 meters from a castle. How many other bypasses are that close to sort of historic centers of towns. I would invite the examining authority, though, to consider that the a 46 does not operate in isolation. So I think when you need to look at your consideration, it's not just looking at the a 46 but it's the wider road network that it operates within. In particular, the a 46 is trying to do two completely incompatible things, operate as a through route and a local route in getting access from the villages into Newark. It has another role, a strategic role, as being a Trent crossing, in terms of how those two roles can't operate at the moment, in sort of satisfaction terms the at grade alignment of the a 46 and the way the junctions are arranged means that you have tremendous unpredictability in journey times. I fundamentally disagree with people that say it's only a Friday afternoon problem. It can be any time of the week. If I want to go to Newark on a good day, it'll take me 12 minutes on a bad day, it takes me 50 minutes, a huge disparity of time. In fact, it's become so difficult at times that I'll go to Retford, I'll go to Lincoln, it'll be quicker than getting to or from Newark.

I only live eight miles from Newark. I think the importance of separating the role of getting across the bypass. Bypass, for local people, and a through route is important. So I very much support the importance of the grade separation of the cattle market roundabout that tends to bottle up. A couple of Fridays ago at 5pm the queue on the A one went back all the way to Carlton on Trent, and the queue on the A 617, came past these premises, past Arham, all the way up to the traffic lights with the junction of the old a 612, to subtle. And that's just because the bypass was going nowhere for a period of time. I do have some reservations about the effectiveness of the the at grade proposals at either end, but hopefully the signaling signalisation, sorry, would solve that. But I would urge the the examining authority to consider the linkages between the 846, bypass and other aspects it is important that you understand that the Newark Castle level crossing, it closes all three minutes, just over three minutes every time a train goes past. I've sat there a number of times. I'm sad enough to have timed it if you get a train in each direction, the. Then it's at least four minutes. The ABC railway guide says between all trains, there's 84 trains per day that go across that crossing. It is heavily used by freight as well as passenger services. So if you work that out, that means it's closed for 17.5% in every 24 hour period. And it doesn't take much for the queue to build up. And unfortunately, the reliability of those level crossings are not very good. They regularly fail. It last failed on the 14th of August 2024 and when it fails, it takes between an hour or two, but engineers come and fix it. You've also got other aspects. You've got the Newark southern relief road that's going to tie in with a new roundabout just 700 meters south of the farndam roundabout. I note that was originally shown in the DCO order limit, but is no longer in the DCO order limit. But you've got other developments. The lorry park entrance is only 115 meters from the catamarket roundabout. But more importantly, the relationship with the A one the slip road off the a one at the brown Hill junction queues forever because the a 46 takes the priority. And when there's no traffic on there, the traffic from the a 17 prevents the a one from being able to come off. So even on an ordinary day, a Thursday lunchtime, Thursdays being traditionally used for quietest day, it won't be unusual for the a one to be queuing for 20 or 30 minutes to get past that junction, because it blocks up the entire a one. So in terms of it's not just about improving the a 46 it's about improving how that has a knock on impact to the wider road network. I represent developers who will not go and locate on Newark industrial estate. They'll go to slayford, they'll go to Tuxford and anywhere else, because you can't get in and out of Newark industrial estate, the junction of brunhill drive with Lincoln Road is only 120 meters from Brownhill island. So the queue from the Brownhill Island, it always goes back across the traffic lights. You can sit there and take 1520, 30 minutes to get out of the industrial estate. So you need to think about the wider economic consequences. We've got major development. You've got three strategic sites going to increase Newark. So the land south of Newark, another 3150 dwellings, 50 hectares of employment. The land east of Newark, 1000 dwellings, the land around firm with 3200 dwellings and 15 hectares of employment. And combine that with the continued development of the curries distribution center, there's 140,000 square meters in that existing Curry's distribution center at the just off the friendly farmer roundabout, there's another 37,000 square meters warehouse that permitted a newer construed has had a screening opinion to cover another 47 hectares of additional land adjacent to that site. So I'd urge the examining authority to consider not just the a 46 but how it relates to everything around it, and how everything that is Newark is dependent upon for its future prosperity is so integral into interconnected sorry, with the a 46 and this proposal that's before you. Thank you very much.

44:07

Thank you, Mr. Northcote, is there anything the applicant would like to say in response to what you've heard there?

44:16

Thank you, Lorraine Hendry, for the applicant at no no specific questions, but just to just thank you for your your time and comments. Thank

44:23

you. Thank you, Mr. Northcote. That brings us to the end of the list of registered speakers, if I may just remind everybody to submit their oral submissions to us in writing as well. That would be very helpful we did at the beginning of the session today say that councilor Kingston was registered to speak online. She's since contacted us to tell us that she now doesn't wish to say anything today. So with that, I'll just move on to ask whether there's anybody else in. The room would like to speak. So would you like to come to the table and introduce yourself? Applause?

45:23

I can be closer to the microphone, please.

45:32

I think I'm finding it a little bit difficult to hear you, so if you wouldn't mind bringing it it Yeah, it's not for me. We'll bring a roving microphone over to you. That might be easier. There may be a technical issue any better,

45:54

I'm speaking right quite. There

45:56

we go. Thank you.

45:58

All right, thank you. My name is Martin Shapley. I am a member of think again Winthorpe Action Group. I actually elected not to speak here because I thought that it was a matter of raising particular issues. But on reflection, I would quite like to present a small statement on behalf of think again, summarizing our views and our position so that they can make sure that the panel are thinking about it. Thank you. So think again. Was established in the village of Winthorpe when the proposals were first made by a group of villagers who were concerned about the impact that the new road would have on our village, which is quite substantially affected by parts of the road. From the beginning, actually, we had determined to address only the details of this proposal, and we avoid any wider views on the desirability or otherwise of the scheme. So we wish merely to present technical considerations, and this decision has enabled us to engage quite positively with national highways and its agents, and in this way, we have had some success in reducing the negative impacts of the new road on Winthorpe, our interactions during the consultation period can actually be seen in various sections of the consultation report and environmental statements made in the DCO submission. In addition, the statement of common grounds is being agreed between us and national highways, and this is an ongoing process.

There are still issues that, think again, feel have not been addressed to our satisfaction, and a fairly detailed submission was made to the planning Inspectorate at the beginning of this process, and we would hope that the examiners would look more closely at the issues that we would like to raise. As I say, within think again, we have some limited knowledge of road and drainage design, but relatively little on the wider aspects of biodiversity, air quality and noise. And we're hoping that this examination will provide some impartial professional judgment on these proposals, which hopefully will clarify for us some of the details and address our concerns. As I say, I don't think it's useful to raise particular issues at this meeting when they've all being presented in our submission, but hope that in future sessions, some examination meetings online or otherwise, will address them in some detail, and we'll be ready if asked to be involved in any meetings relating to our express concerns. Thank you.

49:00

Thank you, Mr. Shaffly. And as we said earlier, we will be publishing agendas that set out in more detail of particular technical matters that we'll be looking at in future, issue specific hearings. Is there anything at this stage Mr. Shapiro's comments are relatively generalized that you'd like to come back on and are there also, is there an ongoing dialog? Any other opportunities to try to address any outstanding concerns?

49:29

Thank you. Lara Hendry for the applicant, no, no specific comments. Thank you, Mr. Shapley, for your your input. Only to say that absolutely we are continuing the discussions in relation to the statement of common ground, and we will be providing a full response to your relevant rep at deadline one in accordance with the timetable.

49:46

Thank you.

49:50

Thank you. Thank you. Is

49:54

there anybody else here today who'd like to speak? Applause? No thank you. Is there anybody online who'd like to speak? No indications online. Well, agenda item five was the an opportunity for the applicant to respond to comments, but I thought it might be more helpful just to pick up some of the points or detail as we went along, just in case you're expecting to say anything else. Would you like to address us on any other matters?

50:28

Lorraine Andrew, for the advocate, no, thank you for the opportunity, but nothing further. Thank

50:32

you. Well, I'll move on to agenda item six, which is to close the open floor hearing. So thank you everybody for your time and your attendance and participation in this hearing, as I said earlier, just one final reminder, please, that we would like any submissions, also in writing. And please summarize these

by deadline. One, which is the 22nd of October, 2023 just like to take a minute. To remind you the next stages of the process as well, we've got compulsory acquisition hearing number one tomorrow at 10am ninth of October in this room. If you intend to participate, either in person or online, please be sure to register by 9:30am and as we've also said earlier, we'll issue the examination timetable and first written questions as soon as practicable, likely to be within about a week. So the time is now 1521, 321, and this open floor hearing is closed. Thank you. Applause.