

# **A46 Newark Bypass**

**Scheme Number: TR010065**

## **Statement of Common Ground with Newark A46 Active Travel Partnership**

**APFP Regulation 5(2)(q)**

**Planning Act 2008**

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

**Volume 7**

**October 2024**

Infrastructure Planning

Planning Act 2008

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

**The A46 Newark Bypass  
Development Consent Order 202[x]**

**Statement of Common Ground with  
Newark A46 Active Travel Partnership**

<b>Regulation Number:</b>	APFP Regulation 5(2)(q)
<b>Planning Inspectorate Scheme Reference</b>	TR010065
<b>Application Document Reference</b>	7.25
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<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
P01	October 2024	Deadline 1

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## 1 Introduction

### 1.1 Purpose of this document

This Statement of Common Ground (this “SoCG”) has been prepared in respect of the A46 Newark Bypass (the “Scheme”) as part of the application made by National Highways (the “Applicant”) to the Secretary of State for Transport, via the Planning Inspectorate (the “Inspectorate”) for a development consent order (DCO) under section 37 of the Planning Act (the “2008 Act”). A detailed description of the Scheme can be found in Chapter 2 The Scheme of the Environmental Statement.[APP-046].

- 1.1.1 This SoCG does not seek to replicate information which is available elsewhere with the application documents. All application documents will be made available on the Planning Inspectorate website.
- 1.1.2 This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has (not) yet 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 examination.

### 1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared between 1) National Highways as the Applicant and 2) Newark A46 Active Travel Partnership (NATP).
- 1.2.2 National Highways (previously known as 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. The legislation establishing National Highways made provision for all legal rights and obligations, including in respect of the application, to be conferred upon or assumed by National Highways.
- 1.2.3 Newark A46 Active Travel Partnership are an “interested party” under the Planning Act 2008 in relation to the Scheme. The Newark Active Travel Partnership is local group supporting sustainable and active travel options within the Newark area. The partnership involves collaboration between local councils, community groups, and other stakeholders to encourage walking, cycling, horse-riding and the use of public transport.

### 1.3 Terminology

- 1.3.1 Within the table in [Section 3](#), Issues of this SoCG, the terminology is as follows:
- “Agreed” indicates area(s) of agreement
  - “Under Discussion” indicates area(s) of current disagreement where resolution remains possible, and where parties continue discussing the issue(s) to determine whether they can reach agreement by the end of the examination; and
  - “Not Agreed” indicates a final position for area(s) of disagreement where the resolution of the divergent positions will not be possible, and parties agree on this point.
- 1.3.2 It can be assumed that any matters not specifically referred to in Section 3, Issues of this SoCG are not of material interest or relevant to Newark A46 Active Travel Partnership and therefore have not been subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Newark A46 Active Travel Partnership.

## 2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and NATP in relation to the application is outlined in **Table 2.1.1** below.

**Table 2.1.1 Record of Engagement**

Date	Form of correspondence	Key topics discussed and key outcomes
01/08/2022	Email from NATP with an outline submission from NATP	<p>List of issues for discussion:</p> <ul style="list-style-type: none"> <li>• Supportive of opportunity to improve provision on Farndon Road for non-motorised users.</li> <li>• Raised concerns for the four crossings including the National Cycling Network 64 route under the A1 and A46 and the A46 crossing each of the A1.</li> <li>• Active travel routes linking Newark Showground to existing Trent Vale Train (NCN 64). Upgrade to routes to Coddington, Beacon Hill and Lincoln Road (west of A1).</li> <li>• Outline of fractured network in the Winthorpe area of the scheme map image provided)</li> <li>• Comments from Coddington Parish Council suggesting opening a route via the A1 underpass to enable access from Coddington and Winthorpe to the nature reserve, industrial estate and Beacon Hill. Additional suggestion to extend the footpath which runs along the Showground to Brough.</li> <li>• Priorities outlines including: A grade separated crossing of the A46 from the former airfield site to Winthorpe using the proposed flyover, which would be safer for active travel users and cause much less interruption to motor vehicle traffic flow. <ul style="list-style-type: none"> <li>- The existing route over the A1 south access road gives good access to the Know How site, but there is no safe access to the developing business park.</li> <li>- Upgrading of the current connection to Coddington &amp; Beacon Hill utilising the existing bridge over the A17.</li> <li>- Creation of a behind the hedge route to replace the existing footway, which is too close to the A46 carriageway, to provide safe access to the right of way links to Danethorpe &amp; Brough i.e. between the Friendly Farmer and Winthorpe roundabouts.</li> <li>- Use made of the Beacon Hill underpass under the A1 marked on the first map.</li> </ul> </li> </ul>
10/08/2022	Online Meeting – NCC / NATP & The Applicant	Public Rights of Way 'PRoW'
09/09/2022	Nottinghamshire County Council / The Applicant	An introductory meeting was held with the Countryside Access Team Manager at Nottinghamshire County Council whereby the Scheme was introduced and the proposals for Walkers, Cyclists & Horse riders (WCH) routes were presented. No concerns were raised at this meeting with the proposed strategy, and it was agreed that a representative of the Applicants design team would be invited to future meetings with the Nottinghamshire Local Access Forum that Nottinghamshire County Council chair.

Date	Form of correspondence	Key topics discussed and key outcomes
06/10/2022	Online meeting with representatives from Rights of Way Partnership, Cycling UK, Newark Sports Association and National Cycling Network Nottinghamshire & Derby & The Applicant	Outline of Scheme design overview followed by questions on specific areas of the Scheme in terms of active travel, including Drove Lane, A17, A1.
03/11/2022	In person – County Hall Nottingham – NATP / The Applicant	Local Access Forum meeting at County Hall with local councillors, Nottinghamshire County Council and members of the active travel groups. No specific actions were recorded.
15/11/2022	Hybrid meeting with representatives from all relevant parties from the NATP	Face to face meeting with the active travel group representatives. No specific actions were recorded.
05/12/2022	Email from NATP	Objection to the scheme submitted within the Statutory Consultation
13/12/2022	Face to face – County Hall - NATP / The Applicant	Face to face meeting with Nottinghamshire County Council and members of the active travel group. Minutes taken by NCC. No specific actions were recorded.
11/05/2023		<p>Presented the updated walking and cycling routes around the Winthorpe area since the last meeting and Statutory consultation.</p> <ul style="list-style-type: none"> <li>• Cattle Market Roundabout – 3-metre-wide route around the junction with signal controlled crossings at all crossing points.</li> <li>• Great North Road – Signalised crossing of the new lorry park entrance.</li> <li>• Winthorpe connectivity – 3.0m wide walking and cycling route from Hargon Lane with southern connection to Newark and existing severed routes to the south of the A46. Also northern route to the A1133 and around Winthorpe Roundabout.</li> <li>• Showground entrance – 3.0m wide walking and cycling route between the A17 crossing and Winthorpe Roundabout extended to the first Showground entrance on Drove Lane.</li> </ul> <p>The group accepted these options but also raised further routes that they would like the Scheme to consider utilising designated / social value funds:</p> <ul style="list-style-type: none"> <li>• Extension of bridleway along the River Trent bank (BW6) between the A1 and Holme Lane.</li> <li>• Provision of a bridleway along Drove Lane</li> <li>• Opening up the blocked Beacon Hill underpass beneath the A1 to provide access from Newark to Coddington in the south.</li> </ul> <p>It was explained that these could not be delivered as part of the DCO but that we would work with the group to develop these once the DCO was consented.</p>
24/09/2024	email from The Applicant to Chair of NATP	Provide an update of Response to Relevant Representation and to obtain confirmation of the lead for their Statement of Common Ground 'SoCG'
27/09/2024	email from Chair of NATP to The Applicant	Confirmation of lead contact.
15/10/2024	email from The Applicant to NATP	Provided an outline of when the Responses to Relevant Representation would be available.

Date	Form of correspondence	Key topics discussed and key outcomes
		Asked for their Points for 'SoCG'.
15/10/2024	email from NATP to The Applicant	Points for inclusion in the SOCG from NATP.

2.1.2 It is agreed that this is an accurate record of key meetings and other forms of consultation and engagement undertaken between National Highways and NATP in relation to issues addressed in this SoCG.

### 3 Issues

#### 3.1 Issues agreed, not agreed or under discussion

3.1.1 Table 3.1.1 below details the issues which have been agreed, not agreed or are under discussion between 1) National Highways and 2) Newark A46 Active Travel Partnership

**Table 3.1.1 - Issues**

Issue No.	Issue	Document Reference	Newark A46 Active Travel Partnership's Position	Applicant's Position	Status	Date status confirmed
1.	Non-motorised users (NMU)		Our concern is with the eastern end of the Scheme where NMU have to negotiate ever increasing traffic volumes and complexity through the A1, A46 & A17 junction system that severely impedes NMU. Travel needs of NMU are as important as motorists' and their transport needs should be given due regard. That means at the very least that the Active Travel network will not be degraded and that journey times and distances should not be increased without mitigation. Environmentally in this context mitigation has three meanings - <i>Avoidance, Minimisation and Compensatory Mitigation</i> . Our objection focusses on the latter. In providing compensatory mitigation for the flood plain and bio-diversity areas of land were included in the Order Limit (OL). NMU have not been treated in the same way.	Not agreed. The Applicant has removed the existing severance between Winthorpe and routes south of the existing A46 by providing a walking and cycling route beneath the new A46 carriageway alongside the A1 with a new signalised crossing of the existing A46 between the Brownhills roundabout and Friendly Farmer roundabout. This links to the existing route that crosses the A1 southbound slip road via the over bridge. This provides a safe route for users.	Not Agreed	15/10/2024
2.		Appendix C of the Transport Assessment Report [AAP-193]	Before this Scheme started an Active Travel Group had been formed for the National Highways' A52 schemes for the Nottingham Knight (65000 vehicles/day) and Wheatcroft (50,000 vehicles/day) roundabouts. The capacity was to be doubled but two bridleways and a footpath crossed the road between the roundabouts. An existing cattle underpass meant grade separation could be achieved at low cost but links to the PROWs were needed. National Highways admitted there was a very serious safety problem but refused to extend the OL. The issue went to designated funding but the landowner was not willing to cooperate. We sought to avoid such problems with the Scheme. Our first submission highlighted NMU issues and asked for meaningful discussions that could inform decisions about the OL. Discussions were not offered until the second consultation and we were told the OL was fixed. A working party was formed but <u>this was heavily circumscribed by the OL</u> . It was not until June 2023 that a WCHAR was produced in order to justify the decisions already made.	Not agreed. As highlighted in the record of the meeting on 11/05/2023 the Scheme has provided facilities over and above what was provided at present and has highlighted three additional routes that would be investigated with the possibility of utilising designated funds. This includes: <ul style="list-style-type: none"> <li>Extension of bridleway along the River Trent bank (BW6) between the A1 and Holme Lane.</li> <li>Provision of a bridleway along Drove Lane</li> <li>Opening up the blocked Beacon Hill underpass beneath the A1 to provide access from Newark to Coddington in the south.</li> </ul> It has been explained that these could not be delivered as part of the DCO but that we would work with the group to develop these once the DCO was consented.  The A52 schemes are separate to this Scheme, with different scope, objectives and requirements.  The WCHAR was developed following discussions with all stakeholders and included the replacement provisions and proposed routes to be investigated. This is referenced in the WCHAR report in Appendix C of the Transport Assessment Report [AAP-193].	Not Agreed	15/10/2024
3.		Appendix C of the Transport Assessment Report [AAP-193]	The Government in setting a legal target of zero emissions by 2050 stated that many more local journeys are going to have to be made using Active Travel. Scheme designers are directed to make suitable provision for NMU to replace that which is lost and provide that which is needed. The design team have failed to take on board that good NMU connections will reduce the need for local motorised journeys through the junctions, reducing congestion for through traffic thereby improving journey times. Using the DFT figures £1 spent on the road has return of £1.20 whilst the figure for Active Travel is £4.30 so NMU routes are good value for money as well as helping to achieve many Government climate and health targets.	Not agreed. The Scheme has replaced all existing facilities and added to these, the new route to the show ground entrance and removal of the severance to FP2 are two examples of where new active travel routes have been provided. Safety has also been improved on the Great North Road south of Cattle Market and Cattle Market with the introduction of 3.0m wide walking and cycling facilities with signalised crossings.  This is referenced in the WCHAR report in Appendix C of the Transport Assessment Report [AAP-193].	Not Agreed	15/10/2024
4.	PRoW	Appendix C of the Transport	To the north of the A46 currently there is a very good Active Travel route along Winthorpe Road that goes northeast through the Trent valley. This important	Not agreed.	Not Agreed	15/10/2024



Issue No.	Issue	Document Reference	Newark A46 Active Travel Partnership's Position	Applicant's Position	Status	Date status confirmed
		Assessment Report [AAP-193]	green space has the Trent Valley Way Long Distance footpath and Trent Vale Trail passing through it to the Fledborough Viaduct where the Dukeries Trail, which connects Lincoln and Shirebrook, crosses the River Trent. It is an increasingly important corridor with a chain of small villages and nature reserves connected by the two NMU routes. Our assessment based on NMU needs is that the Winthorpe Road link (NCN 64) is currently wide, green and level plus virtually car free making it very suitable for a wide range of users including children going to school. The latter is a major Government target. This connection will suffer significant loss of utility and amenity with increased journey time, worse air quality and increased noise. The diverted section is 80% further than the section it replaces. An adult on foot travelling at 1.3m/s would take just 2mins to traverse the current section but after construction 4mins plus the time at the signalised crossing (DfT recommends max 2mins) so the peak flow gain for motorist is the same as the loss by NMU.	The route is only 120m longer than the current route, users of the route will be given priority at the crossing to minimise waiting time. The route is set back from the carriageway (on the side that has minimal traffic accessing the kennels and traveller site) as it goes beneath the new Brownhills underpass and then away from traffic back towards the existing A46 underpass.  This is referenced in the WCHAR report in Appendix C of the Transport Assessment Report [AAP-193].		
5.	PRoW		Footpaths 2 & 3 have not been severed as claimed. Satellite images show they are still in use. They terminated at the old A46 because highway foot rights across the road already existed and walkers could cross the road anywhere, including the petrol station crossing and Winthorpe roundabout. The application plan has users crossing the A17 on the bridge, crossing back at grade, using the roadside route to the NMU bridge over the A1 slip road and turning east to the signalised crossing. Then northwest to the side of the A1, a pollution hotspot of very poor environmental standard, and climbing back to the connection going east. The route will be downgraded in terms of environmental quality, distance and journey time. The route is 1 km longer =13mins plus SC time.	Not agreed. These PROWs are shown as stopped up on the Nottinghamshire County Council definitive maps via the Definitive Map and Statement, which is a legal record of all of known public rights of way in Nottinghamshire. There is an existing route within the highway corridor that is very unsafe as users have to cross a very busy dual carriageway twice with fast moving vehicles. The route is longer but has been made safe and is a circular route from within Winthorpe that provides access around Winthorpe roundabout to the north to the show ground entrance which does not currently exist as well as the route to FP2 which is to the south. The route is multi-purpose in that it is a utility space for those wanting to walk and a safe route for users wanting to gain access for commuting purposes.	Not Agreed	15/10/2024
6.	PRoW	Appendix C of the Transport Assessment Report [AAP-193]	The only access from Newark to the PROW network south of the A46 is through the roundabout complex where a shared use footway/cycleway on the verge gives access to Drove Lane leading to the Danethorpe bridleway and the PROW network and quiet lanes. It also gives access to the Newark Showground and employment sites around the Showground but specific NMU provision stops at Winthorpe roundabout. The amended Development Framework will create many more employment sites served by this route. <u>This NMU route was omitted from stage 2 plans.</u> Avoiding such errors is the purpose of the WCHAR done before designing starts. Importantly between the service station and Drove Lane the route is set back from the road avoiding the danger of NMU being pushed towards large vehicles when too close to vehicles passing them at speed. It is the same effect as lift on a wing. Being a roadside route it suffers less degradation but the above point is relevant.	Not agreed. The existing route alongside the A46 to Winthorpe roundabout is sub-standard. The new route is alongside the new Friendly Farmer link road and not the A46 which has a 50mph speed limit. The 3.0m wide walking and cycling facility is set back 0.5m from the edge of carriageway which also has a 1.0m hard strip and hence the facility is safe and user friendly. The route has been extended to provide an access to the first show ground entrance on Drove Lane. Extending the facility further down Drove Lane is not a reasonable addition as the Scheme does not impact on Drove Lane and actually reduces traffic utilising it.  This is referenced in the WCHAR report in Appendix C of the Transport Assessment Report [AAP-193].	Not Agreed	15/10/2024
7.	Mitigation		The routes above have all suffered significant degradation resulting in loss of utility and amenity so compensatory mitigation should be included in the Scheme.	Not agreed. As stated previously many of the existing routes will be improved through the Scheme, including: <ul style="list-style-type: none"> <li>• Cattle Market Roundabout – 3-metre-wide route around the junction with signal controlled crossings at all crossing points.</li> <li>• Great North Road – Signalised crossing of the new lorry park entrance.</li> <li>• Winthorpe connectivity – 3.0m wide walking and cycling route from Hargon Lane with southern connection to Newark and existing severed routes to the south of the A46. Also northern route to the A1133 and around Winthorpe Roundabout.</li> </ul>	Not Agreed	15/10/2024

Issue No.	Issue	Document Reference	Newark A46 Active Travel Partnership's Position	Applicant's Position	Status	Date status confirmed
				<ul style="list-style-type: none"> <li>Showground entrance – 3.0m wide walking and cycling route between the A17 crossing and Winthorpe Roundabout extended to the first Showground entrance on Drove Lane.</li> </ul>		
8.	Bridleway 6		The design team have admitted extending Newark BW6 (alongside the Trent) across Winthorpe Rack field would be a compensatory mitigation for the Winthorpe Road link. Discussions with the landowners have convinced us that they would not willingly dedicate the missing section. This means applying for designated funding is misdirected. <u>Changing the OL and sorting this out should be made a condition of consent so a solution can be reached.</u>	Not agreed. The Scheme has no impact on existing bridleways and therefore the Applicant cannot justify changing the Order Limits to provide such a facility which is outside the scope.	Not Agreed	15/10/2024
9.	Drove Lane	Appendix C of the Transport Assessment Report [AAP-193]	It is narrow and application classes it as a 60mph link road between the A46 and A17. Newark Showground's RR asks for the NMU route to be extended to the main entrance. This would greatly improve safety of NMU during events. We have had discussions with trustees and management about extension towards BW8. It appears possible. National Highways should engage now with the Showground. With agreement to create the route designated funding could be sought for construction costs.	Not agreed. The Applicant is providing a 3.0m wide walking cycling route from the A17 at Godfrey Drive up to the show ground entrance alongside the new Friendly Farmer link road and Drove Lane. The applicant has liaised with the Showground and they are happy with this route.  This is referenced in the WCHAR report in Appendix C of the Transport Assessment Report [AAP-193].	Not Agreed	15/10/2024
10.	Beacon Hill		Whilst this route is further from the OL it would create another access point to <u>guide NMU away from the roundabout complex</u> . It is already in use but Statutory Declarations starting in the 1980s block a right of way claim. The route would reduce the NMU pressure on the main junctions as it could use the existing bridges under the A1 and over the A17. Rejected as outside OL.	Not agreed. The Scheme has no impact on existing bridleways and therefore the Applicant cannot justify changing the Order Limits to provide such a facility which is outside the scope.	Not Agreed	15/10/2024
11.	Signalised crossings		The Applicant is wrong to assign signalised crossings (SC) as 100% benefiting NMU. SC are part of the road infrastructure like traffic lights (TL). TL deal with competing motor vehicles (MV) streams in order to maintain smooth flow. For SC one stream is replaced by NMU, who are legitimate users of the Kings Highway and have a right to cross the roads including Strategic Road Network (SRN). Whilst NMU have some benefits from predictable interaction by avoiding becoming victims, drivers gain by the avoidance of congestion as the free flow on the road breaks down after an accident. An example where 100% of the benefit goes to NMU would be installing a SC where the Coddington-Winthorpe FP crosses the A46. This would seriously impede MV flow so NMU must use a much longer route placing NMU below drivers inverting the Highway Code hierarchy of users. Similarly, NMU already cross at the Winthorpe roundabout so the design places a SC at the junction. Again it is a traffic control measure that benefits motorists.	Not agreed. As discussed in 5. Above the routes provided offer both amenity space and commuter routes. In addition, the routes are not used very frequently as demonstrated within the 2022 surveys undertaken and the Applicant cannot justify building a flyover or signalised crossing due to environmental and cost impacts.	Not Agreed	15/10/2024
12.		Chapter 4 of the Case for the Scheme [APP-190]	We are not asking for facilities to encourage general NMU use in Newark. We are asking for improvements to <u>compensate for the identified losses</u> and to reduce the NMU going through the main junctions as traffic volumes increase. By swapping local car journeys for Active Travel SRN congestion would be reduced and help meet climate targets.	Not agreed. The Scheme does not cause any losses to existing facilities and as highlighted above has created many improvements. As identified within Chapter 4 of the Case for the Scheme [APP-190] the provision of active travel and public transport solutions alone would not resolve the existing and expected to worsen congestion issues around Newark.	Not Agreed	15/10/2024