

# **A1 in Northumberland: Morpeth to Ellingham**

**Scheme Number: TR010059**

## **7.6C Statement of Common Ground with The Environment Agency**

Rule 8 (1)(e)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

June 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning  
(Examination Procedure) Rules  
2010**

**The A1 in Northumberland: Morpeth to  
Ellingham**

Development Consent Order 20[xx]

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**Statement of Common Ground with The  
Environment Agency**

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<b>Author:</b>	A1 in Northumberland: Morpeth to Ellingham Project Team, Highways England

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## STATEMENT OF COMMON GROUND

**This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) the Environment Agency**

Signed... ..

Mark Stoneman, Project Manager on behalf of Highways England

Date: 29<sup>th</sup> June 2021

Signed

Lucy Mo on behalf of the Environment Agency

Date: 29<sup>th</sup> June 2021

# 1 INTRODUCTION

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## 1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1. This Statement of Common Ground (SoCG) relates to an application made by Highways England (the Applicant) on 7 July 2020 to the Secretary of State (SoS) for Transport via Planning Inspectorate (the Inspectorate) under the Planning Act 2008 (the 2008 Act) for a Development Consent Order (DCO). The application was accepted for examination by the Inspectorate on 4 August 2020.
- 1.1.2. If made, the DCO would grant consent for the A1 in Northumberland, Morpeth to Ellingham (the Scheme). The Scheme is formed of two parts as follows: A1 Morpeth to Felton (Part A) and A1 Alnwick to Ellingham (Part B). A detailed description of the Scheme can be found in Chapter 2: The Scheme of the Environmental Statement (ES) [APP-037].
- 1.1.3. This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Inspectorate website <https://infrastructure.planninginspectorate.gov.uk/projects/North%20East/A1-in-Northumberland---Morpeth-to-Ellingham/>
- 1.1.4. The 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 so 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. 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 SoS. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.2. The Environment Agency is an executive non-departmental public body, sponsored by the Department for Environment, Food and Rural Affairs with the stated purpose “to protect or enhance the environment, taken as a whole”. Within England it is responsible for, amongst other things: regulating major industry and waste; treatment of contaminated land; water quality and resources; fisheries; inland river, estuary and harbour navigations; conservation and ecology; and managing the risk of flooding from main rivers, reservoirs, estuaries and the sea.

### 1.3 TERMINOLOGY

- 1.3.1. In the tables in the Issues chapter of this SoCG, “Not Agreed” indicates a final position, and “Under discussion” where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. “Agreed” indicates where the issue has been resolved.
- 1.3.2. It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to the Environment Agency, and therefore have not been the 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 the Environment Agency.

## 2 RECORD OF ENGAGEMENT

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- 2.1.1. A summary of the meetings and correspondence that has taken place between Highways England and the Environment Agency in relation to the Application is outlined in Table 2-1.
- 2.1.2. This table has been split to reflect discussions held on Part A, Part B and the Scheme as a whole. This reflects the history of the Scheme. Part A and Part B were originally proposed to be the subject of separate applications for DCOs but were combined into the current single Scheme.
- 2.1.3. Engagement detailed within the separate sections for Part A and Part B relates to discussions held prior to the combination of the two parts of the Scheme in March 2020. All engagement following combination is detailed under the header for the Scheme.
- 2.1.4. latest iteration of the Environment Agency SoCG is submitted to record the conclusions of this meeting and updates the previous version of the SoCG that was submitted at Deadline 8.

**Table 2-1 - Record of Engagement for the Whole Scheme**

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
07 October 2020	Telephone call with Environment Agency	<p><b>Key Topics</b></p> <p>Discussion of comments received in September 2020 following Environment Agency review of Part A draft Chapter 10 Road Drainage and the Water Environment appendices dated January 2020 (Appendix 10.1 Flood Risk Assessment, [APP-254] Appendix 10.2 Water Framework Directive Assessment, [APP-255] Appendix 10.3. Drainage Network Water Quality Assessment [APP-256] Appendix 10.4 Geomorphology Assessment) [APP-257].</p> <p>Discussion of proposed movement of River Coquet Bridge piers as part of Parameter 10 amendments.</p> <p>Discussion of approach to agreement of SoCG.</p> <p><b>Key Outcomes</b></p> <p>Method of assessing Parameter 10 amendments to be agreed.</p> <p>Summary of proposed works to watercourses and mitigation to be provided by Highways England to support future discussions.</p> <p>Lucy Mo (Environment Agency) to coordinate preparation of SoCG on behalf of Environment Agency.</p>
27 November 2020	Telephone call with Environment Agency	<p><b>Key Topics</b></p> <p>Discussion of proposed changes to DCO application with regards to land stabilisation works in River Coquet.</p> <p><b>Key Outcomes</b></p> <p>Timescales for assessments required to support proposed changes to DCO application discussed. Agreement that further consultation required.</p>
07 December 2020	Telephone call with Environment Agency and Natural England	<p><b>Key Topics</b></p> <p>Discussion of potential for changes to DCO application with regards to land stabilisation works in River Coquet.</p> <p><b>Key Outcomes</b></p> <p>Programme and scope for further assessment agreed with focus on potential impacts to SSSI, biodiversity and fluvial geomorphology.</p>
10 December 2020	Telephone call with Environment Agency	<p><b>Key Topics</b></p> <p>The Environment Agency's Relevant Representations for Geomorphology were discussed with the Environment Agency's Geomorphologist. A method for quantitative 2D geomorphological modelling was presented by Highways England, which would provide the certainty sought in the Relevant Representations.</p> <p>Key items discussed:</p> <p>Explanation of the proposed 2D modelling methodology using LiDAR;</p> <p>Reasoning for not adjusting bed level of the LiDAR due to only having one cross-section, therefore any error in bed level would be systematic through the model;</p>



Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<p>How the Applicant had accounted for varying bed roughness in the model – we discussed and agreed these values on the call;  Limitations of the approach;  Shared preliminary results showing shear stress for both baseline and the proposed scheme for the 2008 flood level;  Shared preliminary results of Froude for both baseline and proposed;  Agreed what flood return periods we would include within the model runs;  AL agreed that the preliminary results are showing no relative change.</p> <p><b>Key Outcomes</b></p> <p>The Environment Agency's Geomorphologist accepted the proposed methodological approach for demonstrating any relative change to geomorphological indicators and for addressing the Relevant Representations. The Environment Agency Geomorphologist stated that if the results show similar conclusions to those reported in the submitted reports, then it will provide him with the confidence he needs.</p>
16 December 2020	Telephone call with Environment Agency and Natural England	<p><b>Key Topics</b></p> <p>Discussion of potential for changes to the DCO application associated with proposed land stabilisation works and temporary bridge in the River Coquet.</p> <p><b>Key Outcomes</b></p> <p>The drivers, extent, nature and programme of proposed works were clarified along with further discussion of potential impacts, required mitigation and scope/approach of assessment of effects.</p>
16 February 2021	Skype Call between Andy Smith and Joanna Goodwin on behalf of the applicant and Lucy Mo of the EA.	<p><b>Key Topics</b></p> <p>Discussion in the EA's view of the DCO application and the draft SoCG. Also, a discussion of the revisions to the Scheme that are being consulted on ahead of Deadline 4.</p> <p><b>Key Outcomes</b></p> <p>It was agreed that further meetings would be held 19th March and 23rd April 2021 to progress the SoCG.</p>
11 March 2021	Meeting between Andy Smith (WSP on behalf of the applicant) and the Environment Agency	<p><b>Key Topics</b></p> <p>Position of the parties in relation to the submitted documents.</p> <p><b>Key Outcomes</b></p> <p>The Environment Agency confirm that they are in agreement to the FRA and they have no comments on the Surface Water Drainage Strategy or the Drainage Network Water Quality Assessment as NCC are the responsible authority.</p>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<p><b>Key Topics</b> Groundwater, Flood Risk, Biodiversity and WFDa</p> <p><b>Key Outcomes</b> Clarity obtained between all parties as to the current position, with a request for clarity and further discussion on the impacted waterbodies. To be followed up with a meeting on 19<sup>th</sup> March 2021.</p>
19 March 2021	Meeting between Andy Smith (WSP on behalf of the applicant) and the Environment Agency	<p><b>Key Topics</b> Definition of watercourses within submitted DCO documents.</p> <p><b>Key Outcomes</b> Clarity obtained between all parties as to the current position, with a request for further discussion during follow up meetings.</p> <p><b>Key Topics</b> Culvert design.</p> <p><b>Key Outcomes</b> The Environment Agency have requested further justification regarding the depth of natural bed proposed for the culverts.</p> <p><b>Key Topics</b> Watercourse loss mitigation and compensation.</p> <p><b>Key Outcomes</b> Individual watercourses affected by the Proposed Scheme were considered including their current state, proposed changes, mitigation, Order limits and long-term ownership plans. The Environment Agency accept that design constraints and Order limits mean that there is minimal space to provide mitigation for loss of watercourse and further discussions are required to agree acceptable mitigation and compensation.</p>
23 April 2021	Meeting between Andy Smith (WSP on behalf of the applicant) and the Environment Agency.	<p><b>Key Topics</b> Definition of watercourses within submitted DCO documents.</p> <p><b>Key Outcomes</b> Clarity obtained between all parties as to the current position, with a request for further discussion during follow up meetings.</p>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<p><b>Key Topics</b> The Environment Agency have asked for further details regarding the proposed mitigation / compensation for loss of watercourse and habitat.</p> <p><b>Key Outcomes</b> The Environment Agency accept that design constraints and Order Limits mean that there is minimal space to provide mitigation for loss of watercourse and further discussions are required to agree acceptable mitigation and compensation. A financial contribution to local Environment Agency funded schemes in the immediate area was discussed.</p> <p><b>Key Topics</b> The Environment Agency discussed the presence of otters, particularly in Part B, and the mitigation required to safeguard commuting routes.</p> <p><b>Key Outcomes</b> Clarity obtained between all parties as to the current position, with a request for further discussion during follow up meetings. This matter was discussed during a meeting on 30 April 2021 (see below).</p>
29 April 2021	Meeting between Andy Smith (WSP on behalf of the applicant) and the Environment Agency.	<p><b>Key Topics</b> The Environment Agency requested clarity between the Outline CEMP and the Culvert Mitigation Strategy.</p> <p><b>Key Outcomes</b> Clarity obtained between all parties as to the role of each document. Environmental mitigation will be secured through the DCO process in the CEMP whereas the Culvert Mitigation Strategy is a summary document to aid discussions. The CEMP will be updated once all outstanding issues have been addressed and agreed with the Environment Agency.</p> <p><b>Key Topics</b> The Environment Agency have been to site and have confirmed the presence of Otter along Shipperton Burn.</p> <p><b>Key Outcomes</b> The Environment Agency are to share their information. Potential mitigation options will be investigated with a request for further discussion during follow up meetings.</p> <p><b>Key Topics</b> The Environment Agency have asked for further information regarding culvert design including size, shape, depth of natural bed, mammal passage and fish passage.</p>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<p><b>Key Outcomes</b> Request for further discussion during follow up meetings.</p> <p><b>Key Topics</b> The Environment Agency have asked for further details regarding the proposed mitigation / compensation for loss of watercourse and habitat.</p> <p><b>Key Outcomes</b> The Environment Agency accept that design constraints and Order Limits mean that there is minimal space to provide mitigation for loss of watercourse and further discussions are required to agree acceptable mitigation and compensation. A financial contribution to Environment Agency funded schemes in the immediate area was discussed. In addition, plans to clarify where mitigation and compensation are proposed will be circulated and discussed during follow up meetings.</p> <p>The Applicant has received details from the Environment Agency regarding financial contributions to other schemes being delivered by the Environment Agency, outside of the DCO boundaries. These will be for discussion in a meeting on 7 May 2021, after Deadline 6.</p>
30/04/2021	Meeting between Andy Smith, Jack Fenwick and Kevin Stubbs (WSP on behalf of the Applicant) and the Environment Agency	<p><b>Key Topic</b> The Environment Agency raised that during a recent site visit undertaken by the Environment Agency (week commencing 26 April 2021), evidence of otter adjacent to the study area for Part B (otter spraint along Shipperton Burn) was recorded.</p> <p><b>Key Outcome</b> The Applicant is considering the findings and the potential need for fencing along Part B at key crossing locations. The Applicant is actively engaging with the Environment Agency on this matter and is making progress to seek a resolution. The matter is to be discussed further during a meeting scheduled for 18 May 2021.</p>
07/05/21	Meeting between Andy Smith, Jack Fenwick and Kevin Stubbs (WSP on behalf of the applicant), Michael Greig, Henry Jeffreys and Howard Bassford (DLA on behalf of the Applicant) and the Environment Agency.	<p><b>Without prejudice meeting to discuss environmental mitigation</b></p>
18/05/21	Meeting between and follow up email from Jack Fenwick (WSP on behalf of the Applicant) and the Environment Agency	<p><b>Key Topic</b> Further to the meeting on 30/04/21 (see above), the Applicant presented the proposed otter fencing at four locations along Part B (Shipperton Burn, Kittycarter Burn, White House Burn and Denwick Burn) to direct otter passage through culverts beneath Part B.</p> <p>The Applicant confirmed that the fencing locations had been informed by historic otter deaths along the A1 of Part B. The Applicant also confirmed that the fencing design has been informed by the former DMRB guidance (now withdrawn but utilised in the absence of any other guidance). The</p>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<p>former DMRB guidance states that the “<i>fence must be installed on both sides of the road for at least 100 m from the watercourse or underpass.</i>” This has been adopted with the following exceptions:</p> <ul style="list-style-type: none"> <li>- Shipperton Burn – southeast – extended to approximately 180m considering the watercourse flows parallel with the road for a stretch. The increased fencing length integrates with the landscaping and increases the potential to capture and direct otter movement within the block of proposed woodland to the southern west of the culvert.</li> <li>- Kittycarter Burn – southeast – reduced to approximately 80m due to the constraints of a layby and required access to the detention basins for future management and maintenance (would require a break in the fence thereby compromising the otter fencing adjacent to the layby). A return has been included at the end of the fencing to guide movement away from the road.</li> <li>- Kittycarter Burn – northwest – a small length of approximately 10m of fencing has been included to tie in the headwall of the culvert into an existing brick boundary wall around the kennel/residential plot, to prevent otter moving onto the verge to the northwest of the culvert and onto the A1. Unable to extend to a greater distance as the watercourse runs parallel with an existing boundary fence of the kennels.</li> <li>- White House Burn – northwest and southwest – extended to integrate the fencing with the landscaping scheme and capture potential wider otter movements associated with proposed woodland and grassland planting.</li> </ul> <p>The Applicant confirmed that the exact alignment of the fencing would be confirmed at detailed design, but that the principles of the fencing (connected to the headwall of the culvert, extending away from the culvert parallel with the road, fencing on either side of the road) would be captured within a measure of the Outline CEMP. The fencing would also be presented on an updated plan (likely the Landscape Mitigation Masterplan Part B).</p> <p>The retrofit of a mammal shelf in Shipperton Burn Culvert was also discussed. The Applicant confirmed that it is not possible to install a mammal ledge within this culvert (both existing and extension) due to the size of the culvert (too small) and health and safety concerns regarding this activity (CDM regulations).</p> <p>In response to BIO.3.1 of the ExA’s third written questions, which relates to the position regarding the otter assessment and potential mitigation, the Applicant suggested that a joint response is provided from the Applicant, Northumberland County Council and the Environment Agency. The Applicant also provided a bullet list to outline the intended response:</p> <ul style="list-style-type: none"> <li>- Confirm the Environment Agency agree with the impact assessment and mitigation for otter for Part A</li> <li>- Confirm it is Part B exclusively that Environment Agency disagree with the conclusion of the otter assessment (i.e. disagree that otter is likely absent) and have requested mitigation.</li> <li>- Confirm the Environment Agency provided recent evidence of otter on Shipperton Burn and that the Applicant has re-evaluated the position.</li> <li>- Confirm the Applicant has proposed otter fencing at four locations and that Environment Agency are in agreement with this mitigation</li> </ul> <p>The Applicant requested comment from the Environment Agency.</p> <p><b>Key Outcome</b></p> <p>During the meeting and within a follow up email, the Environment Agency confirmed they agreed with the location and length of the proposed fencing and also agreed that the exact fencing alignment could be confirmed at detailed design. The Environment Agency agreed that use of the former DMRB guidance to inform the fence design is suitable. The Environment Agency agreed with the justification for the changes in length (both increase and decrease) at each location. The Applicant subsequently updated the Outline CEMP and Landscape Mitigation Masterplan Part B to secure the proposed otter fencing. The updated documents were issued at Deadline 8.</p> <p>The Environment Agency acknowledged and agreed that there was not much more that can be done at Shipperton Burn Culvert (in reference to the retrofit of a mammal shelf within the culvert).</p>



Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		The Environment Agency agreed with the approach to a joint response to BIO.3.1. Upon review of the bullet list, the Environment Agency requested that the Applicant confirm that they accept otter are present within the Order limits of Part B. The Applicant accepted this request and prepared a draft response to BIO.3.1 for issue to the Environment Agency and Northumberland County Council for review and comment.
19/05/21	Call between Jack Fenwick (WSP on behalf of the Applicant) and the Environment Agency	<p><b>Key Topic</b> The Applicant requested comment from the Environment Agency regarding the proposed removal of B-B30 (post-construction otter monitoring for Part B, followed by retrospective mitigation) from the Outline CEMP given that this is now redundant (as otter fencing is now proposed upfront).</p> <p><b>Key Outcome</b> The Environment Agency agreed that the removal of B-B30 from the Outline CEMP was appropriate.</p>
20/05/21	Email from Jack Fenwick (WSP on behalf of the Applicant) to the Environment Agency	<p><b>Key Topic</b> Further to the meeting and call on 18/05/21 and 19/05/21 (see above), the Applicant issued draft text for the joint response to BIO.3.1 and the proposed Part B otter fencing measure for the Outline CEMP to the Environment Agency for comment.</p> <p><b>Key Outcome</b> The Environment Agency provided a response on 21/05/2021 (see below).</p>
21/05/2021	Email exchange between Jack Fenwick (WSP on behalf of the Applicant) to the Environment Agency	<p><b>Key Topic</b> Wording of the joint response BIO.3.1 and the proposed Part B otter fencing measure for the Outline CEMP.</p> <p><b>Key Outcome</b> The Environment Agency confirmed agreement with the wording of the joint response to BIO.3.1, with a two minor suggested changes: 1) amend “Kittycarter Burn” to “Western Tributary of Kittycarter Burn”, and 2) amend “...recent evidence of otter adjacent to the study area ...” to “...recent evidence of otter within the study area ...”. The Applicant agreed with the suggested changes and issued the joint response to BIO.3.1 at Deadline 8.</p> <p>The Environment Agency confirmed agreement with the wording of the proposed Part B otter fencing measure for the Outline CEMP; measure ExA: B-B100 of the Outline CEMP issued at Deadline 8.</p> <p>The Applicant has agreed with the Environment Agency that the proposed mitigation (fencing) is sufficient to address their concerns regarding otter for Part B. As such, the assessment of, and proposed mitigation for, otter is agreed for the Scheme.</p>
18/05/21	Meeting between Andy Smith, Jack Fenwick and Kevin Stubbs (WSP on behalf of the Applicant) and the Environment Agency.	<p><b>Without prejudice meeting to discuss environmental mitigation</b></p> <p><b>Key Topic</b> The Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required and proposed that this is addressed by the Applicant making a financial contribution towards projects identified on the Environment Agency’s Water Environment Investment Fund ~(WEIF).</p> <ol style="list-style-type: none"> <li>1. The carrying out of offsite compensation works towards a water improvement project on the River Lyne, this is in regard to the impacts on watercourses across the Scheme extents</li> </ol>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<p>2. The carrying out of offsite compensation works towards a rewilding project on the upper River Coquet, this is in regard to the impacts on the River Coquet only. This would help to improve the heavily degraded sections as a result of over grazing and intensive management. Both of these projects would be carried out by the Environment Agency on behalf of the Applicant.</p> <p><b>Key outcome</b> Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant is prepared to make a contribution towards the offsite works as requested by the Environment Agency.</p> <p>The Applicant and the Environment Agency have agreed the financial value of the contribution along with the measures that the Environment Agency will deliver on behalf of the Applicant. Highways England issued a draft Legal Agreement to secure the funding to the Environment Agency for comment on 27/05/2021 (see below).</p>
27/05/2021	Email from Highways England to the Environment Agency	<p><b>Key Topic</b> Highways England issued a draft of the Legal Agreement intended to secure a financial contribution as compensation for a) loss of open watercourse channel due to culverting and b) the loss of riverbank habitat along the River Coquet (SSSI), as a result of the Scheme. Highways England requested comment on the draft agreement.</p> <p><b>Key Outcome</b> The Environment Agency provided a response on 09/06/2021 (see below).</p>
07/06/2021	Call between Highways England and the Environment Agency	<p><b>Key Topic</b> Call to discuss the agenda of Issue Specific Hearing 4 (ISH4) and confirm if the Environment Agency have any outstanding matters of disagreement to raise aside the ongoing negotiations regarding the draft legal agreement to secure funding for offsite compensation works associated with the loss of watercourse due to culverting and loss of riverbank habitat of the River Coquet as a result of the Change Request.</p> <p><b>Key Outcome</b> The Environment Agency confirmed that they did not have any additional outstanding matters of disagreement to raise. The Environment Agency confirmed they were in the process of reviewing documents submitted by Highways England to the ExA at Deadlines 8 and 8a. although at the time of discussion confirmed that the revised submissions appeared to have taken on board previous comments raised by the Environment Agency.</p>
09/06/2021	Email from Environment Agency's Lawyer to Highways England's Lawyer	<p><b>Key Topic</b> Further to the issue of the draft Legal Agreement on 27/05/2021 (see above), the Environment Agency provided comment on the draft agreement.</p> <p><b>Key Outcome</b> The draft agreement was amended and returned to the Environment Agency on 13 June. The Environment Agency provided a response on 14/06/2021 (see below).</p>
14/06/2021	Email from Environment Agency's Lawyer to Highways England's Lawyer	<p><b>Key Topic</b> Revised draft Legal Agreement, as issued by Highways England, in relation to compensation works for the loss of watercourse (due to culverting) and loss of natural riverbank on the River Coquet (due to Change Request).</p>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<b>Key Outcome</b> The Environment Agency confirmed that they agree with the revised Legal Agreement as provided on 13 June 2021. Highways England prepared the document for signing.
14/06/2021	Phone call followed by an email from Highways England to the Environment Agency	<b>Key Topic</b> Highways England provided proposed wording summarising the Environment Agency's comments and position on the Biodiversity No Net Loss Assessment for the Scheme [REP5-038 and 030] for comment. Highways England confirmed that the text would be used to capture the position in Table 3-1 of the SoCG.  Highways England confirmed that, during the call, it was agreed that whilst there is disagreement between the magnitude of impact (minor adverse (Applicant's position) or moderate adverse (EA's position) associated with the geomorphology assessment for the Change Request, it is agreed that compensation is required and would be secured by the legal agreement. As such, once the agreement is finalised, this item can be marked as agreed.  <b>Key Outcome</b> The Environment Agency provided a response on 14/06/2021 (see below).
14/06/2021	Email from the Environment Agency to Highways England	<b>Key Topic</b> Response to Highways England's email dated 14/06/2021 (see above) regarding the proposed wording in the SoCG to capture the position of both parties in relation to the Biodiversity No Net Loss Assessment for the Scheme [REP5-038 and 030] and geomorphology assessment for the Change Request.  <b>Key Outcome</b> The Environment Agency confirmed they agreed with the proposed wording associated with the position for the Biodiversity No Net Loss Assessment for the Scheme [REP5-038 and 030] and also in agreement regarding the position associated with the geomorphology assessment. The proposed wording and positions were captured accordingly within the SoCG issued at Deadline 9.
29/06/21	Letter from the Environment Agency to Andy Smith (WSP on behalf of the Applicant)	<b>Key Topic</b> <b>Agreement on outstanding matters.</b>  <b>Key Outcome</b> <b>The Environment Agency have confirmed that they are now in agreement with the outstanding areas of contention, these include:</b> <ul style="list-style-type: none"> <li>• Culvert Mitigation Strategy [REP8-023]</li> <li>• Biodiversity No Net Loss Assessment for the Scheme [REP5-038 and 039]</li> <li>• Annex A - Approach to the Assessment of Losses and Gains of Watercourses [REP2-010]</li> <li>• Outline Construction Environmental Management Plan – Rev 2 [REP3-013]</li> <li>• Appendix 10.2 Water Framework Directive Assessment Part A [APP-255]</li> <li>• Chapter 9: Biodiversity Part B [APP-049]</li> </ul>



**Table 2-2 - Record of Engagement for Part A Only**

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
09 January 2018	Meeting with Environment Agency and Northumberland County Council as Lead Local Flood Authority (LLFA)	<p><b>Key Topics</b></p> <p>Discussion regarding approach to hydraulic modelling, climate change, permitting, assessment of embankments and design of watercourse crossings.</p> <p><b>Key Outcomes</b></p> <p>Methodology for Flood Risk Assessment (FRA) (including hydraulic modelling, assessment of embankments and design of watercourse crossings) and 25% climate change allowances agreed to be included in the hydrology. EA highlighted that permitting could be included in DCO application if appropriate level of detail provided or would be applied for as a separate application if detail not available.</p>
19 January 2018	Conference call with Environment Agency	<p><b>Key Topics</b></p> <p>Discussion regarding stakeholder requirements and to review the available WFD information and agree (in principle) the methodology, appropriate mitigation and management options during both construction and operation.</p> <p><b>Key Outcomes</b></p> <p>Methodology for Water Framework Directive (WFD) Assessment (including HAWRAT) agreed – no further action required.</p> <p>Potential mitigation and management options would need to be developed further during the assessment. The Northumberland Rivers Trust and wider catchment projects were discussed.</p>
06 February 2018	Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist)	<p><b>Key Topics</b></p> <p>Initial email from Highways England to Environment Agency to discuss ecological matters in relation to the proposed A1 Morpeth to Felton Scheme (i.e. Part A).</p> <p><b>Key Outcomes</b></p> <p>Request for confirmation of the appropriate person within the Environment Agency with which to engage about ecological matters in relation to Part A. A meeting was arranged for 06 March 2018 (as detailed below).</p>
03 March 2018	Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist)	<p><b>Key Topics</b></p> <p>Prior to the meeting scheduled for 06 March 2018 (See below), Highways England issued a document to the Environment Agency with an overview of the aquatic and riparian mammal surveys that had been undertaken to date and a summary of their findings (<b>Appendix A</b>). In addition, figures extracted from the baseline reports were also provided for reference.</p> <p><b>Key Outcomes</b></p> <p>The contents of the document were discussed during the meeting on 06 March 2018 (detailed below).</p>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
06 March 2018	Meeting between Highways England and the Environment Agency (Heather Harrison, Northumberland Catchment Coordinator; Sarah Beeson, Biodiversity Officer; and Robbie Stevenson, Fisheries Officer)	<p><b>Key Topics</b></p> <p>A preliminary meeting between Highways England and the Environment Agency to discuss ecological matters. Following the issue of the aquatic and riparian mammal survey summary document (issued by Highways England on 03 March 2018 (see above), Highways England requested feedback on the information provided.</p> <p>In addition, the following matters were discussed during the meeting: water quality, culverts, biosecurity, water vole and otter, River Coquet and the Water Frameworks Directive (WFD) Assessment.</p> <p><b>Key Outcomes</b></p> <p><i>Aquatics and Riparian Mammal Surveys</i></p> <p>The Environment Agency confirmed that the survey effort was suitable, and they did not have any significant issues with the survey work completed. Highways England explained that due to access, aquatics surveys could not be undertaken upstream of the location where Part A crosses the River Lyne and Floodgate Burn. The Environment Agency agreed that this was not a significant issue. Highways England confirmed that they intended to extrapolate the data recorded elsewhere along these watercourses to inform the impact assessment.</p> <p><i>Water Quality</i></p> <p>It was agreed by both parties that the potentially most significant impact from Part A is likely to be water quality, both from direct impacts to watercourses and also from run-off. The Environment Agency stated that of particular importance are Longdike Burn and the River Lyne, which are both designated as WFD classification rivers.</p> <p>The Environment Agency explained that there are existing/proposed works to improve the condition of the River Lyne, however, there have been significant impacts from run-off and modification (not related to the Scheme) that have decreased the value of the water courses. The Environment Agency confirmed that the current state of the watercourse is considered to be the “new norm”. The Environment Agency confirmed that two previous projects along the River Lyne aimed to improve eel and fish passage and deal with rural diffuse. The Environment Agency confirmed that these issues are considered key with regard to the River Lyne.</p> <p>The Environment Agency stated that mitigation and compensation for the Scheme should ensure that there is no impact/deterioration to the current status of each waterbody, and that tributaries should be considered when determining impacts to the three WFD designated watercourses (River Coquet, Longdike Burn and River Lyne).</p> <p>The Environment Agency raised it would be preferable to see the creation of water habitats, designed for use by both water vole and fish. Highways England confirm that current proposals include the creation of “drainage ponds” and, depending on the structural design, these could be created in a way to benefit wildlife as well as performing a hydrological function. The Environment Agency highlighted that any water habitats created for fish should consider avoiding entrapment of fish and would therefore require connectivity to the surrounding flowing watercourses.</p> <p><i>Culverts</i></p> <p>The Environment Agency explained that their preference would be to use softer engineering approaches to culverts (such as bridges). Should culverts be implemented, they should be designed to maintain fish pass by considering the depth of water along the length of the culvert. The need for features to assist passage (such as baffles) should also be considered.</p>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<p>Highways England raised the possibility of replacing existing culverts along the Scheme with soft infrastructure alternatives, although Highways England highlighted that this would be above the scope of the Scheme.</p> <p><i>Biosecurity</i></p> <p>Highways England commented that the extended Phase 1 habitat survey for Part A recorded Japanese knotweed, New Zealand pygmyweed and curly waterweed (invasive non-native species) within the surveyed area. The Environment Agency raised that a Biosecurity Plan would be required to address the potential risk to spreading floral invasive non-native species listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) and that this should also be extended to fauna (American mink and signal crayfish (both recorded during baseline surveys). Highways England confirmed that any biosecurity requirements would be addressed within the Environmental Impact Assessment (EIA) and appropriate mitigation developed.</p> <p><i>Water Vole and Otter</i></p> <p>The Environment Agency highlighted that the field records for water vole within the survey area for Part A were surprising and interesting. Anecdotally, water vole has been considered by some as absent from Northumberland. Highways England confirmed that an updated water vole and otter report was expected, which may provide clarity or information regarding the distribution of water vole and activity of a burrow recorded along Londike Burn.</p> <p>Highways England confirmed that a potential otter hold was recorded on the River Coquet, which would be lost to the construction of the new bridge for Part A. Highways England confirmed that information was not available at the time to confirm if the potential holt was active and therefore, if required, the impact assessment would assume the hold was active and devise mitigation accordingly.</p> <p><i>River Coquet</i></p> <p>Highways England confirmed that the design of the new bridge over the River Coquet (at the time of the survey) avoided entering the watercourse, with piers located parallel with those of the existing bridge. As such, no impacts to fish passage were predicted as a result of obstruction.</p> <p>Highways England explained that given the known sensitivity and importance of fish species within the River Coquet, the assumed presence of migratory species passing through the study area to reach spawning grounds (based on desk study record) and the large size of the Coquet within the study area, it was deemed unnecessary to undertake a fish survey of this watercourse. The Environment Agency confirmed that as whilst baseline surveys did not record fish within the River Coquet (with the exception of an incidental juvenile salmon record during the crayfish survey), as targeted surveys were not undertaken, the impact assessment should operate under the assumption that priority species (such as salmon) are present. Highways England agreed with this approach.</p> <p><i>WFD Assessment</i></p> <p>Highways England requested if there were any specific requirements for inclusion in a WFD assessment that would be highlighted by the Environment Agency. The Agency confirmed that information had previously been supplied to Highways England's technical specialist undertaking the WFD assessment.</p>
09 March 2018	Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist)	<p><b>Key Topics</b></p> <p>Submission of meeting minutes following meeting with Environment Agency 06 March 2018.</p>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<b>Key Outcomes</b> Submission of meeting minutes to Environment Agency capturing discussions at meeting.
07 April 2018	Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist)	<b>Key Topics</b> Confirmation from Environment Agency of accuracy and agreement to submitted meeting minutes from 06 March 2018.  <b>Key Outcomes</b> No outcomes – request for confirmation of acceptance of meeting minutes by Environment Agency only.
23 May 2018	Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist)	<b>Key Topics</b> Request for comment on proposed culvert design and mitigation.  <b>Key Outcomes</b> Request for discussion and Environment Agency's position on requirements for mitigation at all culverts or those only with confirmed presence of fish/otter/water vole.
14 June 2018	Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist)	<b>Key Topics</b> Request for confirmation of Highways England's understanding of Environment Agency position on need for culvert mitigation.  <b>Key Outcomes</b> Request for confirmation from the Environment Agency that all culverts will need to consider mitigation to facilitate fish and mammal passage, not just those where presence has been previously recorded.
14 June 2018	Email from Environment Agency (Lucy Mo, Planning Technical Specialist) to Highways England	<b>Key Topics</b> Confirmation of Environment Agency's stance on mitigation requirements with regards culverts  <b>Key Outcomes</b> Confirmation of the Environment Agency's stance on the need for mitigation to be considered for all culverts irrespective of the absence of evidence of fish passage or mammals. Advice taken into account in design of Part A. Mammal ledges have been incorporated into the design of culverts where possible, subject to topography and design constraints, to provide safe passage for mammals beneath Part A. Culverts of Part A have been designed where possible, subject to flow rates and topography/design constraints, to include natural beds and maintain and assist fish passage. The existing wooden baffles of a culvert along Longdike Burn would be replaced with more durable and long-lasting material to improve the long-term function of this feature. Further, baffles would be retrospectively installed within the existing culvert beneath the existing A1 along the River Lyne, to provide an improvement to current conditions.

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
05 September 2018	Meeting with Environment Agency and Northumberland County Council as LLFA	<p><b>Key Topics</b></p> <p>Review of Part A's proposals and proposed mitigation with regard to maintaining hydraulic connectivity, consideration of fish passage requirements where appropriate, natural beds where appropriate, SuDS ponds and habitat loss .</p> <p><b>Key Outcomes</b></p> <p>Environment Agency familiar with Part A proposals and proposed strategy for mitigation agreed in principal, no further action required.</p> <p>Environment Agency confirmed that trash screens would not be required on any proposed culverts.</p>
01 November 2018	Meeting with Environment Agency	<p><b>Key Topics</b></p> <p>Discussion regarding Part A's proposals for the new River Coquet bridge crossing in regard to flood risk and geomorphological assessments.</p> <p><b>Key Outcomes</b></p> <p>Potential assessment methodologies for flood risk and geomorphological assessments to be considered further and reviewed in subsequent meetings.</p> <p>Environment Agency confirmed that hydraulic modelling would not be required for the permanent works scenario based on the proposed new piers being aligned with the existing piers.</p>
30 November 2018	Email from Highways England to Environment Agency (Heather Harrison, Northumberland Catchment Coordinator)	<p><b>Key Topics</b></p> <p>Request from Highways England to Environment Agency to advise of any projects/schemes proposed for improvement/enhancement of watercourses</p> <p><b>Key Outcomes</b></p> <p>Request for information regarding any known projects/schemes where improvement/enhancement of watercourses is proposed that could be considered by Highways England for compensation purposes owing to a net loss of watercourse resulting from Part A</p>
05 December 2018	Call held between Environment Agency and Highways England	<p><b>Key Topics</b></p> <p>Call to discuss mitigation options and potential for net loss of watercourse habitat as a result of Part A.</p> <p><b>Key Outcomes</b></p> <p>Production of meeting minutes capturing meeting discussions and clarity received of the Environment Agency's position on mitigation requirements to address likely net loss of watercourse. The Environment Agency stated that mitigation and compensation for Part A should ensure that there is no impact/deterioration to the current status of each waterbody, and that tributaries should be considered when determining impacts to the three WFD designated watercourses (River Coquet, Longdike Burn and River Lyne)."</p>
05 December 2018	Email from Environment Agency (Heather Harrison, Northumberland	<p><b>Key Topics</b></p> <p>Response to request for information regarding projects/schemes that could be consideration for compensation for loss of watercourse.</p>



Date	Form of correspondence	Key Topics Discussed and Key Outcomes
	Catchment Co-ordinator) to Highways England	<b>Key Outcomes</b> Information provided by the Environment Agency about current projects/schemes the Environment Agency is aware of or actively working on. The information was taken into consideration as part of the proposed mitigation and compensation strategy for Part A, but not taken forward owing to the mitigation designed into Part A.
19 December 2018	Meeting with Environment Agency	<b>Key Topics</b> Further discussion of the flood risk and geomorphological assessment requirements for the new River Coquet bridge crossing.  <b>Key Outcomes</b> Assessment methodology agreed in principal – no further action required.
14 January 2019	Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist)	<b>Key Topics</b> Request for Environment Agency's advice in relation to need for a Permit to facilitate investigative survey of River Coquet Bridge.  <b>Key Outcomes</b> Request for the Environment Agency to provide advice as the requirement for a Permit to allow investigative works on the River Coquet Bridge.
18 January 2019	Email from Environment Agency (Lucy Mo, Planning Technical Specialist) to Highways England	<b>Key Topics</b> Confirmation of requirement for Permit in advance of investigative survey works on River Coquet Bridge  <b>Key Outcomes</b> The Environment Agency confirmed there would be a requirement to obtain a permit in advance of undertaking investigative survey works on the River Coquet Bridge. The Environment Agency additionally advised the potential requirement for a Flood Risk Activity Permit (FRAP). However, the Environment Agency requested additional information to be able to confirm any such requirement.
25 January 2019	Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist)	<b>Key Topics</b> Submission of a draft specification document to the Environment Agency detailing information of the proposed structure investigation works proposed to the River Coquet Bridge.  <b>Key Outcomes</b> Request for the Environment Agency to confirm whether the information contained within the specification document and associated figures to allow them to determine the need for permits to allow works, confirming the type of permits required.

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
19 February 2019	Email from Environment Agency (Lucy Mo, Planning Technical Specialist) to Highways England	<p><b>Key Topics</b></p> <p>Confirmation from Environment Agency of requirement for a Flood Risk Activity Permit in advance of bridge investigation works</p> <p><b>Key Outcomes</b></p> <p>Flood Risk Activity Permit advice taken into account and programming of investigative survey works of River Coquet bridge.</p>

**Table 2-3 - Record of Engagement for Part B Only**

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
1 November 2018	Environment Agency and Northumberland County Council as LLFA	<p><b>Key Topics</b></p> <p>Discussion regarding stakeholder requirements and to review the available flood information and agree (in principle) appropriate mitigation and management options during construction and operation. Methodology for the FRA and WFD (including hydromorphological assessment) was discussed and it was agreed that consultation regarding the surface water drainage strategy would be through Northumberland County Council as LLFA.</p> <p><b>Key Outcomes</b></p> <p>Methodology for FRA including hydraulic modelling approach and WFD Assessment (including HAWRAT) agreed – no further action required.</p> <p>Agreement on climate change allowance of 25% to be used in the hydrology.</p>
09 January 2019	Email from Highways England to Environment Agency (Lucy Mo, Planning Technical Specialist)	<p><b>Key Topics</b></p> <p>Initial contact with Environment Agency to present the Alnwick to Ellingham scheme (i.e. Part B) with a link to the Scoping Report and request for a meeting/call to discuss Part B.</p> <p><b>Key Outcomes</b></p> <p>Request for meeting/call to discuss Part B and any concerns Environment Agency may have over impacts to water environments and impacts to fish and aquatic fauna.</p>
10 January 2019	Call from Environment Agency (Lucy Mo, Planning Technical Specialist) to Highways England	<p><b>Key Topics</b></p> <p>Call discussing Part B, with Environment Agency pointing Highways England in the direction of the Environment Agency's scoping response.</p> <p><b>Key Outcomes</b></p> <p>The Environment Agency directed Highways England to their response to the Scoping Report, which captures key considerations. Details of the EA's response to the Scoping Report were considered through development of the Scheme, the approach to surveys, assessment and mitigation.</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
28 February 2019	Email from Environment Agency (Morton Heddell-Cowie, Fisheries Technical Officer) to Highways England	<p><b>Key Topics</b></p> <p>Information regarding appropriate electric fishing survey window from the Environment Agency.</p> <p><b>Key Outcomes</b></p> <p>Information regarding timing of surveys taken into consideration in programming of electric fishing surveys and submission of application for Section 27A fishing/trapping authorisation.</p>
28 February 2019	Email from Environment Agency (Morton Heddell-Cowie, Fisheries Technical Officer) to Highways England	<p><b>Key Topics</b></p> <p>Clarification from Environment Agency over permit for crayfish survey.</p> <p><b>Key Outcomes</b></p> <p>Recommendations from Environment Agency taken into account in aquatic ecology survey programming.</p>
05 March 2019	Email from Environment Agency (Morton Heddell-Cowie, Fisheries Technical Officer) to Highways England	<p><b>Key Topics</b></p> <p>Email declining request to undertake electric fishing along the Shipperton Burn due to survey window being requested sitting outwith the Environment Agency's preferred fish survey window.</p> <p><b>Key Outcomes</b></p> <p>Highways England sought clarity as to the Environment Agency's position in an email dated 06 March 2019.</p>
05 March 2019	Email from Environment Agency (Morton Heddell-Cowie, Fisheries Technical Officer) to Highways England	<p><b>Key Topics</b></p> <p>Response to Highways England from the Environment Agency clarifying position on use of electric fishing and timing of surveys.</p> <p><b>Key Outcomes</b></p> <p>Recommendations from Environment Agency taken into account in aquatic ecology survey programming.</p>
06 March 2019	Email from Highways England to Environment Agency (Neil Winter, Fish Movements Team Leader)	<p><b>Key Topics</b></p> <p>Email to Environment Agency seeking clarity regarding differences in the advice provided with regard to the acceptance of electric fish survey timings.</p> <p><b>Key Outcomes</b></p> <p>Request for clarity and discussion as to the variation in advice provided with regards electric fishing survey timing restrictions when compared to other schemes.</p>
02 April 2019	Email from Environment Agency (Morton Heddell-Cowie, Fisheries	<p><b>Key Topics</b></p> <p>Email from Environment Agency providing justifications for advice surrounding electric fishing surveys and confirmation of survey window</p>



Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
	Technical Officer) to Highways England	<b>Key Outcomes</b> Electric fishing surveys were programmed to take into account the Environment Agency's advice regarding the timing of the surveys. Subsequent issue of an application for Section 27A fishing/trapping authorisation.
15 April 2019	Email from Environment Agency to Highways England	<b>Key Topics</b> Confirmation of receipt of application for a Section 27A fishing/trapping authorisation.  <b>Key Outcomes</b> No outcome – confirmation email acknowledging receipt of application.
16 April 2019	Email from Environment Agency to Highways England	<b>Key Topics</b> Receipt of Equipment Permit.  <b>Key Outcomes</b> No outcome – receipt of Equipment Permit attached to email for electric fishing on Shipperton Burn.

2.1.5. It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) the Applicant and (2) the Environment Agency in relation to the issues addressed in this SoCG.

### 3 ISSUES

**Table 3-1 – Issues Related to the Whole Scheme**

Item	Document	Environment Agency	Highways England Response	Status
1	Culvert Mitigation Strategy - Rev 0 [REP1-066], Rev 1 [REP5-022] and Rev 2 [REP8-023]	The Environment Agency confirm that they agree with the content of the Culvert Mitigation Strategy v2 [REP8-023] on Table 2-1 in Section 2. Noting that the impacts of the Scheme are partially addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF). This constitutes a water improvement project on the River Lyne.	The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Applicant notes that the Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant has secured a financial contribution towards offsite works as requested by the Environment Agency through a legal agreement signed by both parties. The Applicant considers that this matter is now Agreed.	Agreed.
2	Flood Risk Addendum - Rev 0 [REP1-067]	The Environment Agency confirm that they agree with the content of the Flood Risk Addendum Rev 0 [REP1-067] on Table in Section 2-1 – 11th March 2021.	Agreed.	Agreed.
3	Biodiversity No Net Loss Assessment for the Scheme [REP5-038 and 039]	The Environment Agency confirm that they agree with the methodology and results of the assessment, although note a net loss of 11.69% in river biodiversity units. The Environment Agency agrees that the Applicant has done all it reasonably can to address the loss of watercourse (river biodiversity units) within the Order limits but still maintains that additional compensation is required and proposed that this is addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF). This constitutes a water improvement project on the River Lyne.	The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Applicant notes that the Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant has secured a contribution towards offsite works as requested by the Environment Agency through a legal agreement signed by both parties. The Applicant considers that this matter is now Agreed.	Agreed.
4	Annex A - Approach to the Assessment of Losses and Gains of Watercourses [REP2-010]	The Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required. This is addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF), this is a water improvement project on the River Lyne, this is in regard to the impacts on watercourses across the Scheme extents	The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Applicant notes that the Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required.	Agreed.

Item	Document	Environment Agency	Highways England Response	Status
			Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant has secured a contribution towards offsite works as requested by the Environment Agency through a legal agreement signed by both parties. The Applicant considers that this matter is now Agreed.	
5	Environmental Impact Assessment - Flood Risk Outside Order Limits [REP3-007]	The Environment Agency confirm that they agree with the content of the Flood Risk Outside Order Limits [REP3-007] on Table in Section 2 – 11th March 2021 – Meeting.	Agreed.	Agreed.
6	Environmental Impact Assessment - Surface Water Outfall Strategy [REP3-011]	The Environment Agency confirm that they have no comments on the content of the Environmental Impact Assessment - Surface Water Outfall Strategy [REP3-011] on Table in Section 2 – 11th March 2021 - Meeting.	Agreed.	Agreed.
7	Outline Construction Environmental Management Plan	The Environment Agency confirm that they agree with the content of the Outline Construction Environmental Management Plan Rev on Table 2-1 in Section 2.	Agreed.	Agreed.

Table 3-2 - Issues Related to Part A Only

Item	Document	Environment Agency	Highways England Response	Status
1	Appendix 10.2 Water Framework Directive Assessment Part A [APP-255]	The Environment Agency confirm that they agree with the content of the Water Framework Directive Assessment [APP-255] on Table 2-1 in Section 2. Noting that the impacts of the Scheme are partially addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF). This constitutes a water improvement project on the River Lyne.	The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Applicant notes that the Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant has made a contribution towards offsite works as requested by the Environment Agency. The Applicant considers that this matter is now Agreed.	Agreed.

Item	Document	Environment Agency	Highways England Response	Status
2	Chapter 10: Road Drainage and the Water Environment Part A [APP-050]	The Environment Agency confirm that they agree with the content of Chapter 10: Road Drainage and the Water Environment Part A [APP-050] on Table 2-1 in Section 2. Noting that the impacts of the Scheme are partially addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF). This constitutes a water improvement project on the River Lyne.	The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Applicant notes that the Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant has made a contribution towards offsite works as requested by the Environment Agency. The Applicant considers that this matter is now Agreed.	Agreed.
3	Chapter 11: Geology and Soils Part A [APP-052]	The Environment Agency confirm that they agree with the content of Chapter 11: Geology and Soils Part A [APP-052].	Agreed.	Agreed.
4	Appendix 9.20 Biodiversity No Net Loss Report Part A [APP-246]	The Environment Agency agree that Appendix 9.20 Biodiversity No Net Loss Report Part A [APP-246] has been superseded by Biodiversity No Net Loss Assessment for the Scheme [REP2-009] detailed in Table 3.1.	Agreed.	Agreed.
5	Appendix 10.1 Flood Risk Assessment Part A [APP-254]	The Environment Agency confirm that they agree with the content of the Flood Risk Assessment Part A [REP-254] on Table in Section 2 – 11th March 2021 – Meeting.	Agreed.	Agreed.
6	Appendix 10.3: Drainage Network Water Quality Assessment - Part A [APP-256]	The Environment Agency confirm that they have no comments on the content of the Drainage Network Water Quality Assessment - Part A [REP-256] on Table in Section 2 – 11th March 2021 - Meeting).	Agreed.	Agreed.
7	Appendix 10.4: Part A Geomorphology Assessment – River Coquet [APP-257]	The Environment Agency confirm that they agree with the content of Appendix 10.4: Part A Geomorphology Assessment – River Coquet [APP-257] on Table in Section 2 – 12th March 2021 – Letter to Planning Inspectorate REP4-076.	Agreed.	Agreed.
8	Appendix 10.5: Drainage Strategy Report – Part A [APP-258]	The Environment Agency confirm that they have no comments on the content of the Drainage Strategy Report – Part A [REP-258] on Table in Section 2 – 11th March 2021 - Meeting (Minutes to follow).	Agreed.	Agreed.



Item	Document	Environment Agency	Highways England Response	Status
9	Appendix 10.6: Road Drainage and the Water Environment DMRB Sensitivity Test Part A [APP-259]	The Environment Agency confirm that they agree with the content of Appendix 10.5: Road Drainage and the Water Environment DMRB Sensitivity Test Part B [APP-259].	Agreed.	Agreed.
10	Appendix 10.7 Geomorphology Assessment – River Coquet Parameter 10 Part A [App-260]	The Environment Agency confirm that they agree with the content of Appendix 10.7 Geomorphology Assessment – River Coquet Parameter 10 Part A [App-260].	Agreed.	Agreed.
11	Environmental Impact Assessment - River Coquet Geomorphology Modelling Assessment [REP3-009]	The Environment Agency confirm that they agree with the content of Environmental Impact Assessment - River Coquet Geomorphology Modelling Assessment [REP3-009].	Agreed.	Agreed.

Table 3-3 - Issues Related to Part B Only

Item	ES Chapter	Environment Agency	Highways England Response	Status
1	Chapter 9: Biodiversity Part B [APP-049]	<p>The Environment Agency disagree with the conclusion that otters are “likely absent” due to the presence of historic records of otter within 2km of Part B, including otter deaths on the A1. The Environment Agency hold data that contains 3 records of otter within 2km of Part B from the last 10 years (2015, 2016 and 2017).</p> <p>The Environment Agency also disagree with the statement “<i>the assessment considered those records within the last 10 years, as earlier records may not be relevant to the current ecological baseline.</i>”</p> <p>The Environment Agency consider otter widespread in Northumberland and, following Issue Specific Hearing 3, the Environment Agency completed a site visit (week commencing 26 April 2021) and recorded evidence of otter (spraint) along Shipperton Burn.</p> <p>As such, the Environment Agency request that the Applicant’s position is updated and that mitigation for otter along Part B is provided.</p>	<p>The most recent record of otter from the Applicant’s desk study (within 2km and from the last 10 years) dates back to 2015 approximately 1km to the east of the A1 carriageway. The most recent road casualty of otter within the Order limits dates back to 2011. The records from 2016 and 2017 for Part B referred to by the Environment Agency were not present within the Applicant’s data set. However, following further discussion with the Environment Agency, the Applicant acknowledges the two otter records from 2016 and 2017, which are located approximately 2km from Part B.</p> <p>When interpreting desk study records, which represent historic records, it is correct and necessary “<i>to give specific consideration to the age and likely validity of any records</i>” (as detailed in paragraph 7.5, CIEEM Guidelines for Accessing, Using and Sharing Biodiversity Data in the UK). The consideration of records of otter from within the previous 10 years is considered proportionate for the Scheme and assessment of impacts to otter.</p> <p>The review of desk study records was also used to aid in the justification for practical field survey which is the primary avenue on which impact assessment is based. As detailed in paragraph</p>	Agreed

Item	ES Chapter	Environment Agency	Highways England Response	Status
			<p>2.6 of CIEEM's Guidelines for Preliminary Ecological Appraisal, desk study data "may include historical records, which need to be considered in the light of more up-to-date information." Otter surveys for Part B were undertaken along watercourses spanning either side of the existing A1 carriageway in 2016, 2017, 2018 and 2019, with no evidence of otter activity or presence recorded along any watercourses or riparian habitat within the Survey Areas. In light of historical records of otter, on the basis of the survey results spanning four years, the conclusion that otters are likely absent from within the Order limits and Survey Area remains accurate and appropriate.</p> <p>Following the evidence of otter along Shipperton Burn provided by the Environment Agency, the Applicant has re-evaluated the position in light of this new evidence and now accepts that otter are present within the Order limits of Part B. Accordingly, the Applicant has now proposed otter fencing at four locations along Part B (Shipperton Burn, Kittycarter Burn, White House Burn and Denwick Burn) to direct otter passage through culverts beneath Part B that are of a sufficient size to offer safe passage. The Applicant has discussed and agreed the proposed location and length of fencing with the Environment Agency and Northumberland County Council. The proposed fencing is captured and secured by Commitment ExA: B-B100 of the Outline CEMP [REP7-008 and 009] updated at Deadline 8 and presented on an updated Landscape Mitigation Masterplan Part B [REP6-018] submitted at Deadline 8.</p> <p>The Applicant has agreed with the Environment Agency that the proposed mitigation is sufficient to address their concerns regarding otter for Part B. As such, the assessment of, and proposed mitigation for, otter is agreed for the Scheme.</p>	
		The Environment Agency agree that the otter surveys were completed in line with relevant standard guidelines (including method). The Environment Agency do not disagree with the search area used for the desk study (2km) in relation to otter records.	Agreed	Agreed
2	Appendix 10.2: Water Framework Directive Assessment - Part B [APP-312]	The Environment Agency confirm that they agree with the content of Appendix 10.2: Water Framework Directive Assessment - Part B [APP-312] on Table 2-1 in Section 2. Noting that the impacts of the Scheme are partially addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF). This constitutes a water improvement project on the River Lyne.	The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Applicant notes that the Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required.	Agreed.

Item	ES Chapter	Environment Agency	Highways England Response	Status
			Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant has made a contribution towards offsite works as requested by the Environment Agency. The Applicant considers that this matter is now Agreed.	
3	Chapter 10: Road Drainage and the Water Environment Part B [APP-051]	The Environment Agency confirm that they agree with the content of Chapter 10: Road Drainage and the Water Environment Part B [APP-051] on Table 2-1 in Section 2. Noting that the impacts of the Scheme are partially addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF). This constitutes a water improvement project on the River Lyne.	The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the impact of the Scheme on watercourses. The Applicant notes that the Environment Agency agrees that the Applicant has done all it reasonably can to address impacts within the Order limits but still maintains that additional compensation is required. Notwithstanding that the Applicant is of the view that their mitigation proposals are satisfactory, the Applicant has made a contribution towards offsite works as requested by the Environment Agency. The Applicant considers that this matter is now Agreed.	Agreed
4	Chapter 11 Geology and Soils Part B [APP-053]	The Environment Agency confirm that they agree with the content of Chapter 11 Geology and Soils Part B [APP-053]	Agreed.	Agreed.
5	Appendix 9.11 Biodiversity No Net Loss Assessment Report Part B [APP-309]	The Environment Agency agree that Appendix 9.11 Biodiversity No Net Loss Assessment Report Part B [APP-309] has been superseded by Biodiversity No Net Loss Assessment for the Scheme [REP2-009] detailed in Table 3.1.	Agreed.	Agreed.
6	Appendix 10.1 Part B Flood Risk Assessment [APP-311]	The Environment Agency confirm that they agree with the content of the <b>Flood Risk Assessment Part B</b> [REP-311] on Table in Section 2 – 11th March 2021 - Meeting.	Agreed.	Agreed.
7	Appendix 10.3: Drainage Network Water Quality Assessment - Part B [APP-313]	The Environment Agency confirm that they have no comments on the content of the <b>Drainage Network Water Quality Assessment - Part B</b> [REP-313] on Table in Section 2 – 11th March 2021 - Meeting.	Agreed.	Agreed.

Item	ES Chapter	Environment Agency	Highways England Response	Status
8	Appendix 10.4: Drainage Strategy Report – Part B [APP-314]	The Environment Agency confirm that they agree with the content of the <b>Drainage Strategy Report – Part B</b> [REP-314] on Table in Section 2 – 11th March 2021 - Meeting (Minutes to follow).	Agreed.	Agreed.
9	Appendix 10.5: Road Drainage and the Water Environment DMRB Sensitivity Test Part B [APP-315].	The Environment Agency confirm that they agree with the content of Appendix 10.5: Road Drainage and the Water Environment DMRB Sensitivity Test Part B [APP-315].	Agreed.	Agreed.

Table 3-4 – Issues Related to the Changes to the Scheme

Item	Document	Environment Agency	Highways England Response	Status
1	Earthworks Amendments [REP4-061]	The Environment Agency confirm that they have no comments on Earthworks Amendments [REP4-061].	Agreed.	Agreed.
2	6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063]	<p>The Environment Agency is in agreement with the substantive content of the document, with the exception of the following area:</p> <p>The Environment Agency are satisfied with the geomorphology assessment (as presented and updated in the River Coquet Fluvial Geomorphology Assessment [REP7-003]), although considers that the scale of the Road Drainage and Water Environment (geomorphology) impact is Moderate adverse rather than Minor adverse.</p> <p>The Environment Agency consider this impact and the loss of riparian habitat as a result of the Change Request require compensation, which is agreed by the Applicant. The Environment Agency have proposed that this is addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF). This constitutes a rewilding project on the River Coquet. The Environment Agency confirm that a legal agreement has been prepared between the Applicant and Environment Agency to secure the financial contribution to offsite compensation works. As such, the Environment Agency agree that their concerns/issues have been addressed by the Applicant.</p>	<p>The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the Road Drainage and Water Environment impacts of the Scheme on the River Coquet.</p> <p>However, the Applicant predicts significant effects as a result of the proposed changes, as set out within 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063]:</p> <p>Significant effect (direct, permanent, Moderate Adverse) due to the loss of riverbank habitat in the River Coquet and Coquet Valley SSSI and HoPI, as a result of the proposed hard engineered scour protection to the north bank of the river.</p> <p>Significant combined residual effect (Moderate Adverse) during construction as a result of both the biodiversity and road drainage and the water environment effects on the River Coquet.</p> <p>The Applicant disagrees that the impact on geomorphology from long-term fixing of the bank is considered to be moderate adverse rather than minor adverse.</p> <p>Nevertheless, the Applicant acknowledges that as a Habitat of Principal Importance (HoPI) and habitat of a SSSI, compensation should be provided so far as appropriate due to the loss of riverbank habitat as a result of the proposed hard engineered scour protection to the north</p>	Agreed.



Item	Document	Environment Agency	Highways England Response	Status
			<p>bank of the river, resulting in a Moderate Adverse significant residual effect (as reported in 6.38 Environmental Statement Addendum: Stabilisation Works for Change Request [REP4-063]).</p> <p>The Applicant has secured a financial contribution towards offsite compensation works as requested by the Environment Agency, through a legal agreement signed by both parties.</p> <p>The Applicant considers that this matter is now Agreed.</p>	
3	Appendix A Figures	The Environment Agency confirm that they have no comments on Appendix A.	Agreed.	Agreed.
4	Appendix B Summary of Proposed Changes to Application	The Environment Agency confirm that they have no comments on Appendix B.	Agreed.	Agreed.
5	Appendix C Visual Effects Schedule	The Environment Agency confirm that they have no comments on Appendix C.	Agreed.	Agreed.
6	Appendix D River Coquet Valley Slope Instability	The Environment Agency confirm that they have no further comments on Appendix D.	Agreed.	Agreed.
7	Appendix E Register of Environmental Actions and Commitments	The Environment Agency confirm that they agree with the content of the Appendix E Register of Environmental Actions and Commitments on Table 2-1 in Section 2.	Agreed.	Agreed.
8	Appendix F Preliminary Scour Assessment	The Environment Agency confirm that they have no further comments on Appendix F.	Agreed.	Agreed.
9	6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064]	<p>The Environment Agency is in agreement with the substantive content of the document, with the exception of the following area:</p> <p>The Environment Agency are satisfied with the geomorphology assessment (as presented and updated in the River Coquet Fluvial Geomorphology Assessment [REP7-003]), although considers that the scale of the Road Drainage and Water Environment (geomorphology) impact is Moderate adverse rather than Minor adverse.</p>	<p>The Applicant remains of the view that the package of mitigation measures which they have set out are sufficient to address satisfactorily the Road Drainage and Water Environment impacts of the Scheme on the River Coquet.</p> <p>However, the Applicant predicts significant effects as a result of the proposed changes, as set out within 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064]:</p>	Agreed.

Item	Document	Environment Agency	Highways England Response	Status
		<p>The Environment Agency confirm that they agree with the content of 6.38 Environmental Statement Addendum: Southern Access stabilisation Works for Change Request [REP4-0643] on Table 2-1 in Section 2. Noting that the impacts of the Scheme are partially addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF). This constitutes a water improvement project on the River Coquet, as the Environment Agency consider that the scale of the Road Drainage and Water Environment (geomorphology) impact is Moderate adverse rather than Minor adverse.</p> <p>As such, the Environment Agency consider this impact and the loss of riparian habitat as a result of the Change Request require compensation, which is agreed by the Applicant. The Environment Agency have proposed that this is addressed by the Applicant making a financial contribution towards a project identified on the Environment Agency's Water Environment Investment Fund (WEIF). This constitutes a rewilding project on the River Coquet. The Environment Agency confirm that a legal agreement has been prepared between the Applicant and Environment Agency to secure the financial contribution to offsite compensation works. As such, the Environment Agency agree that their concerns/issues have been addressed by the Applicant.</p>	<p>Significant effect (direct, permanent, Moderate Adverse) due to the loss of riverbank habitat in the River Coquet and Coquet Valley SSSI and HoPI, as a result of the proposed hard engineered scour protection to the north and south banks of the river.</p> <p>Significant combined residual effect (Moderate Adverse) during construction as a result of both the biodiversity and road drainage and the water environment effects on the River Coquet.</p> <p>The Applicant disagrees that the impact on geomorphology from long-term fixing of the bank is considered to be moderate adverse rather than minor adverse.</p> <p>Nevertheless, the Applicant acknowledges that as a Habitat of Principal Importance (HoPI) and habitat of a SSSI, compensation should be provided so far as appropriate due to the loss of riverbank habitat as a result of the proposed hard engineered scour protection to the north and south banks of the river, resulting in a Moderate Adverse significant residual effect (as reported in 6.40 Environmental Statement Addendum: Southern Access Works for Change Request [REP4-064]).</p> <p>The Applicant has secured a financial contribution towards offsite compensation works as requested by the Environment Agency, through a legal agreement signed by both parties.</p> <p>The Applicant considers that this matter is now Agreed.</p>	
10	Appendix A Figures	The Environment Agency confirm that they have no comments on Appendix A.	Agreed.	Agreed.
11	Appendix B Summary of Proposed Changes to Application	The Environment Agency confirm that they have no comments on Appendix B.	Agreed.	Agreed.
12	Appendix C Visual Effects Schedule	The Environment Agency confirm that they have no comments on Appendix C.	Agreed.	Agreed.
13	Appendix D Register of Environmental Actions and Commitments	The Environment Agency confirm that they agree with the content of the Appendix D Register of Environmental Actions and Commitments on Table 2-1 in Section 2.	Agreed.	Agreed.

Item	Document	Environment Agency	Highways England Response	Status
14	Appendix E Preliminary Scour Assessment	The Environment Agency confirm that they have no further comments on Appendix E.	Agreed.	Agreed.
15	6.44 Water Framework Directive Addendum for Change Request [REP4-068]	The Environment Agency confirm that they have no further comments on 6.44 Water Framework Directive Addendum for Change Request [REP4-068].	Agreed.	Agreed.
16	6.47 River Coquet Fluvial Geomorphology Assessment [REP7-003]	The Environment Agency confirm that they agree with the content of 6.47 River Coquet Fluvial Geomorphology Assessment [REP7-003].	Agreed.	Agreed.
17	6.49 Options Appraisal of River Coquet Bridge Foundation Stabilisation and Scour Protection System [REP7-005]	The Environment Agency confirm that they agree with the content of 6.49 Options Appraisal of River Coquet Bridge Foundation Stabilisation and Scour Protection System [REP7-005].	Agreed.	Agreed.
18	7.9.1.2 Flood Risk Assessment Addendum - River Coquet - Rev 1 [REP7-015]	The Environment Agency confirm that they agree with the content of 7.9.1.2 Flood Risk Assessment Addendum - River Coquet - Rev 1 [REP7-015].	Agreed.	Agreed.
19	6.50 River Coquet Hydraulic Modelling Report - Rev 1 [REP8a-004]	The Environment Agency confirm that they agree with the content of 6.50 River Coquet Hydraulic Modelling Report - Rev 1 [REP8a-004].	Agreed.	Agreed.

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[A1inNorthumberland@highwaysengland.co.uk](mailto:A1inNorthumberland@highwaysengland.co.uk)

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Registered office Bridge House, 1 Walnut Tree Close, Guildford GU1 4LZ

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