national highways

# A46 Newark Bypass

# Scheme Number: TR010065

# 7.73 Comments on Submissions Received at Previous Deadline

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

**Planning Act 2008**

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

**March 2025**

**Volume 7**

Infrastructure Planning

Planning Act 2008

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

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

## Comments on Submissions Received at Previous Deadline

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| **Regulation Number:** | **APFP Regulations 5(2)(q)** |
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| **Author:** | A46 Newark Bypass Project Team, National Highways |

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# Contents

# 1 Introduction

## 1.1 Purpose of this document

1.1.1 The Development Consent Order (DCO) application for the A46 Newark Bypass (the "Scheme") was submitted by National Highways (the "Applicant") on 26th April 2024 and accepted for Examination on 23rd May 2024.

1.1.2 This document has been prepared by the Applicant to set out its Comments on submissions received at Deadline 6 issued on 25th February 2025. This document is submitted at Deadline 7 of the Examination.

# 2 Comments on submissions at previous Deadline

| Nicholas Edward Robert Townley | The Applicant Responses |
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| Hi,<br>I'm a local citizen and former member of Newark Cricket club.<br>I have previously contacted yourselves re the affects of the road on the cricket ground and surrounding area, with local knowledge of the drainage around the Kelham road area, having has to deal with the increased flooding of the club as groundsmaneger for the last 15 years.<br>A gentleman did contact myself by phone, and passed on details on furthur correspondence that \|I could undertake. However his email has never arrived.<br>Could you please contact myself on [redacted] and resend to the email address. As this has failed previously, it may be best to resort to mail, addressing it to my [redacted]<br>Many thanks.<br>Mr Nick Townley.<br>P.S can you please acknowledge receipt of this communication. | The Applicant has received confirmation from the Examining Authority that this correspondence is for the Examining Authority and not the Applicant.<br>The Applicant responded to the drainage and flooding queries raised by the Trustees of Newark Ransome and Marles Cricket Club in their Relevant Representations [RR-080] within the Applicant's Response to Relevant Representations [REP1-009]. |

| Mr Hatton | The Applicant Responses |
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| At s.5ii of 7.62 https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010065/TR010065-001004National%20Highways%20%207.62%20Comments%20on%20submissions%20received%20at%20the%20previous%20deadline.pdf<br>It is stated that 'The Applicant confirms enhancement of the existing drainage system on land East of the A617 is not considered necessary. Maintenance of the existing assets is all that is required for FCA functionality. FCA operation is partly achieved by the preexisting flood flow mechanism across the land east of the A617, not just the ditch itself. This is evidenced in Section 3.3 of Appendix 13.2 (Flood Risk Assessment) of the Environmental Statement Appendices [APP-177]',<br>We disagree, we consider the culvert near the Haha does need enhancing. We have reviewed the evidence below:-<br>https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/TR010065/TR010065-000267-TR010065_A46%20Newark%20Bypass_6.3%20Appendix%2013.2%20Flood%20Risk%20Asse ssment.pdf states;<br>Section 3.3.17The existing Kelham Hall Field Ditch between the River Trent and the A617, adjacent to the Kelham Hall boundary wall. Sections of this ditch are constrained by other local features including an access road from the field into Kelham Hall land. The ditch channel itself would need to be cleared of vegetation obstructions to improve flow conveyance, where this does not interfere with the boundary wall. Due to risks relating to use of the existing Kelham Hall Field Ditch as a drain-down feature, land is to be acquired by the Applicant within the Order Limits for this ditch to be maintained. Section 8.7 of this FRA describes the residual risk related to maintenance of this channel in more detail.<br>Section 8.7.2 There is a residual risk of increased flooding due to overgrown vegetation in the existing Kelham Hall Field Ditch between the River Trent and the A617, adjacent to the Kelham Hall boundary wall. Throughout, the ditch channel itself may need to be cleared of vegetation obstructions to improve flow conveyance, where this does not interfere with the boundary wall. The text contradicts itself in saying the ditch needs clearing to fulfil FCA function and as such the land is to be acquired by the Applicant, yet the works exclude any part which interferes with Boundary wall (and by inference, the culvert thereby).<br>The greatest restriction to flow on that ditch is the small culvert at the Haha crossing.<br>If an additional several thousand cuM volume of water is to be transported to and from the FCA via that route, at least some of that excess will need to pass through the ditch and culvert as water levels will, at lower flood stages, be below the existing field ground level and unable to use the fields as a flow path.<br>Having owned the land for over 20 years my client has seen that the Haha culvert blocks frequently due to detritus from Trent floods flowing back up the ditch and needs manually cleaning to facilitate discharge trapped water after almost every flood, which my client has previously undertaken.<br>My client wants to know how the Applicant proposes to manage this given it recognises the ditch to be a critical part of FCA function but does not propose to alter the culvert design ? If the Applicant sees the ditch as a requirement for FCA function and the ditch needs cleaning for FCA to work, so does the culvert need upgrading to facilitate discharge. | The Applicant maintains that changes to the drainage system on land east of the A617 are not necessary.<br>Kelham Hall Field Ditch and the Haha crossing culvert are not considered to require enhancement for facilitating drainage of Kelham & Averham Floodplain Compensation Area (FCA). The Applicant has assessed the flow rate through this culvert (the smallest on the ditch between the River Trent and the Kelham & Averham FCA) and considers the flow rate to be adequate for enabling FCA drawdown.<br>Currently, during a flood event, land to the east of the A617 floods, with flood progression from the River Trent towards the A617. Receding flood waters are conveyed across the land east of the A617 in the opposite direction, towards the River Trent.<br>The Kelham & Averham FCA is to be utilised during low frequency flood events of greater magnitude than the 3.33% Annual Exceedance Probability event. The only times that the FCA will impact the ditch is during these events. Flood water will be conveyed through the proposed A617 culvert towards the Kelham & Averham FCA. At the end of the flood event, water will drain from Kelham & Averham FCA through the A617 culvert, and back over the land east of the A617 towards the River Trent. Kellham Hall Field Ditch (incorporating the Haha crossing culvert) will only be required to drain a relatively small proportion of the receding floodwater from Kelham & Averham FCA, and only at the very end of the drawdown process.<br>The Applicant is producing a management plan for the ditch and all culverts to the east of the A617 as a part of the wider management plan for the FCA. This will ensure that the FCA drawdown is effective. The Applicant's commitment to doing this is contained within Requirement 14(3) of the DCO. |

| Newark and Sherwood District Council | | The Applicant Responses |
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| 1. Introduction | | |
| 1.1. | The following information is submitted in response to the information submitted at Deadline 4 by the Applicant (National Highways) for the A46 Newark Bypass for an Order granting Development Consent. Our comments follow the Council's Local Impact Report (REP1-035), Written Representations (REP2-051), response to ExQ1 (REP2-050), comments on Deadline 2 submission documents (REP3-046), namely the Historic Environment and Visual Impact Assessment (REP2-020) and our representations at Deadline 4 REP4-045 (Written summaries from the hearings) and REP4-046, 047 and 048 (Responses to further information) and REP5-067 and response to ExQ2 (REP5-068). | No Response Required |
| 1.2. | The comments made for Deadline 6 are made by Newark and Sherwood District Council in their statutory role as the Local Planning Authority (LPA) and not as landowner. Newark and Sherwood District Council, in their landowner responsibility will not be making any comments for this deadline and it is understood that discussions on land acquisitions are still ongoing. | No Response Required |
| 2.0 Comments on submission at Deadline 5 | | |
| 2.1. | The Council has reviewed the information submitted at Deadline 5 and in our opinion it does not raise any further information that we consider requires further explanation or further input from us at this point. We will await further review of the amended dDCO at next submission (deadline 6) to take account of our comments from deadline 4. | No Response Required |

| Nottinghamshire County Council | The Applicant Responses |
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| Transport Modelling | |
| **• Great North Road Southbound**<br>The VISSIM model structure does not include the Mini Roundabout junction at Ossington Way,<br>junction at Tolney Lane or the Great North Road River Trent Bridge. These junctions and narrowing's create a flow restriction that will reduce the traffic discharge rate in the area and will affect congestion on Great North Road.<br>However, NCC does note that the ARCADY modelling outputs as requested above for the Great North Road junctions, do provide a level of comfort on this matter. | The Scheme does not seek to change the interaction between the level crossing and Ossington Way roundabout, and behaviour of traffic downstream of the level crossing will be unaffected for the period immediately after the barriers open (ie the performance in this situation will remain exactly as it is currently). During the development of the Operational VISSIM model the behaviour of the dissipation of the queue at the level crossing was calibrated against observations (surveyed video footage). We note that flow rate isn't a direct output available in VISSIM and it is difficult to confirm exactly what reduction would be applied and how this could be agreed (there is no observed data in between the crossing and Ossington Way). However, the Ossington Way Arcady results are useful, as this shows whether queuing affects the level crossing (it is under 1 pcu in all time periods in all scenarios - with an available stacking capacity upstream to the crossing of ~13pcu). The Applicant has provided additional stacking capacity on Great North Road to the north of the level crossing to provide additional storage for the increased traffic flows. As discussed and agreed during the coordination meetings with NCC and NSDC the Applicant has retained the queues on Great North Road to the north of Cattle Market roundabout as freeing up flow down to the level crossing would make congestion much worse in this area. The Applicant has undertaken a 2043 AM sensitivity test with a proxy reduction in flow rate through application of reduced speed areas. The outputs of this test were presented to NCC at a meeting on the 20th March in which it was agreed by all parties that the outputs were acceptable. |
| **• A17 / Godfrey Drive / Long Hollow Way**<br>The VISSIM model structure does not match the current junction lanes and approaches. Godfrey Drive has not been included in the model. The A17 Eastbound exit from the roundabout should be modelled as a 2 into 1 lane merge.<br>NCC's proposed solution to this matter would be to enter into an agreement with the applicant to adopt a monitor and mitigate approach at this junction. | The Applicant has received an email communication from Nottinghamshire County Council (NCC) on the 24th March 2025 confirming the Applicant's position that the developments on Godfrey Drive are not committed developments and therefore the NCC request for further modelling at Long Hollow Way roundabout is not required. This position has been agreed within the Statement of Common Ground which will be updated for Deadline 7. |
| Pelham Street | |
| Given forecast increases in modelled traffic flows on Pelham Street, NCC and the Applicant agreed to enter into a side agreement whereby the Applicant would monitor the situation and if necessary, undertake mitigation.<br>The Applicant has provided the County Council with a draft agreement. This has been reviewed by NCC's Highway Network Manager and there are no concerns with the contents of the agreement at present. It is to be reviewed by the County's legal team within the week, initial feedback suggests no major issues are anticipated and a follow up with the Applicant is being scheduled for early week commencing 3rd March to finalise. | No Response Required |
| Outline Traffic Management Plan [REP5-038] | |

| Subject of Query | Via Comments 18/02/25 | Applicant's Response 20/02/05 | 21/02/25 Via/Applicant discussion update | The Applicant response |
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| Table 2-4 Anticipated temporary speed limits | | | | |
| Line 3 - A46 400 metres south of Farndon roundabout to 90 metres north of Farndon roundabout. No reduction proposed. | Via's understanding is that this existing speed limit was still Temporary or had actually run out and there was currently no order in place. | The A46 Trunk Road (Farndon, Nottinghamshire) (40 Miles Per Hour Speed Limit) Order 2019 [2019 No.1565] came into force on the 29November 2019.<br>The A46 Trunk Road (Saxondale to Newark-on-Trent, Nottinghamshire) (Temporary Restriction and Prohibition of Traffic) Order 2025 [2025 No.130] comes into force on the 21 | | Nottinghamshire County Council shared their comments with the Applicant ahead of Deadline 6 such that the agreed changes were made to the Outline Traffic Management Plan [REP6-018] submitted at Deadline 6 of the Examination . |

| Nottinghamshire County Council | | | | The Applicant Responses |
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| | | February 2025. This is the temporary order required for the construction of the new roundabout for the Southern Link Road. | | |
| Line 7 - Drove Lane from Newark Showground junction to Winthorpe Roundabout<br>Line 5 - A17 between Godfrey Drive Roundabout and Friendly Farmer Roundabout.<br>Line 6 - A1133 from Gainsborough Road junction to Winthorpe Roundabout.<br>Line 8 - A617, Kelham Road between Cattle Market roundabout and a point 200 meters west of Cattle Market roundabout.<br>Line 9 - A616, Great North Road between Cattle Market roundabout and a point 150 meters north of Cattle Market roundabout and a point. Line 10 - B6326, Great North Road between Cattle Market roundabout and the junction with Kelham Road. | This description is a little vague as there are multiple accesses to the Newark Showground, however it is assumed that it is the main access. This is part of the NCC Network managed by Via who would have to agree and make the TTRO – However we do not anticipate a problem with this<br>These are part of our Network managed by Via who would have to agree and make the TTRO – However we do not anticipate a problem with this | Description in line 7 has been amended. It now reads: Drove Lane from Newark Showground main access junction to Winthorpe Roundabout.<br>The OTMP will be updated for the Deadline 6 submission.<br>The Applicant notes the response. | | Nottinghamshire County Council shared their comments with the Applicant ahead of Deadline 6 such that the agreed changes were made to the Outline Traffic Management Plan [REP6-018] submitted Deadline 6 of the Examination. |
| Table 2-7 Adjacent Roadworks | | | | |
| A614/A6097 Major Road upgrade | Suggest Changing the Duration column to - Autumn 2025 start. Duration TBC | The duration in row 6 of table 2-7 has been amended to Autum 2025.<br>The OTMP will be updated for the Deadline 6 submission. | | Nottinghamshire County Council shared their comments with the Applicant ahead of Deadline 6 such that the agreed changes were made to the Outline Traffic Management Plan [REP6-018] submitted Deadline 6 of the Examination. |
| A. Appendix<br>A.1 Proposed diversion routes | | | | |
| A.1.4 A1 between North Muskham and Brownhills and Friendly Farmer roundabouts.<br>A.1.4.1 A weekend closure between Friday 21:00 and Monday 05:00 would be<br>required on the A1 between North Muskham and Brownhills and Friendly<br>Farmer roundabouts for the installation of the new A1/A46 bridge deck.<br>A.1.4.2 This diversion is detailed in Appendix Figure A-3. | This has the diversion route using the part of the A1 that is stating as being closed, we do not consider this will work. The diversion would have to be A46 – A616 – B6325<br>(North Muskham)<br>The plan shows the A46 mainline closed and part of the A46 Farndon Roundabout.<br>If this plan is trying to show that the access to the A46 roundabout is blocked by the works for Farndon Road, Newark and Fosse Way, Farndon then the diversion route is still not acceptable as it travels | This update will be included in the Deadline 6 submission of the OTMP.<br>Thank for the comment. The Applicant confirms that the incorrect map was referenced in the OTMP. The diversion route for the A1 closure is A46-A616-B6325.<br>This update will be included in the Deadline 6 submission of the OTMP.<br>The diversion described in Appendix A1.4 is for the resurfacing and tie-in works | The Applicant informed the County/Via that this would be for 1-2 nights use only.<br>Via advised that the Southern link Road should be open in 2028 and would direct the applicant to use this as an alternative<br>diversion route. | Nottinghamshire County Council shared their comments with the Applicant ahead of Deadline 6 such that the agreed changes were made to the Outline Traffic Management Plan [REP6-018] submitted at Deadline 6 of the Examination. |

| Nottinghamshire County Council | | | | The Applicant Responses |
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| A.1.4 Fosse Road and Farndon Road<br>A.1.4.1 Overnight closures between 21:00 and 06:00 would be required on the Fosse Road and Farndon Road at Farndon roundabout for the tie-ins of the new pavement into the existing and installation of temporary tra ic management.<br>A.1.4.2 The diversion route for the Farndon to Newark tra ic would be via Hawton Lane, Newark Road and Hawton Road.<br>A.1.4.3 This diversion is detailed in Appendix Figure A-4<br><br>A.1.5 Kelham Road<br>A.1.5.1 Overnight closures between 21:00 and 06:00 would be required on<br>the A617 Kelham Road at Cattle Market roundabout for the installation of<br>temporary tra ic management, tie- ins of the new pavement into the existing<br>and installation of new bridge beams for the Cattle Market bridges.<br>A.1.5.2 The diversion route for the Kelham to Newark tra ic would be via Ollerton Road, A616, B6325, A1 and A46.<br>A.1.5.3 This diversion is detailed in Appendix Figure A-5<br>A.1.6 A1133<br>A.1.6.1 Overnight closures between 21:00 and 06:00 would be required on the A1133 between the Gainsborough Road junction and the Winthorpe Roundabout for the installation of temporary traffic management and tie-ins of the new pavement into the existing.<br>A.1.6.2 The diversion route would be via the A1133, Whitemoor Lane, Brough Lane and the A46.<br>A.1.6.3 This diversion is detailed in Appendix Figure A-6 | over a very narrow bridge in Hawton that is not suitable for this use.<br>If the intention is to link Fosse Way to Farndon Road the diversion route should be –<br>(Old A46) Fosse Road – Lodge Lane – Brecks Lane – Elston Lane – Station Road – Staunton Road – Grange Lane – Bowbridge Lane – Bowbridge Road – Boundary Road – B6166, Vicotria Street – B6166, Farndon Road and vice versa.<br>If the intention is just to get the local traffic to the A46 and then could have that dealt with by the A46 diversions which may or may not be in place then it would be: Fosse Way, Farndon - Fosse Way – Lodge Lane – A46 and Farndon Road, Newark – B6166, Vicotria Street – B6166, Portland Street – B6166, Lombard Street – B6166, Castle Gate – B6326, Beast Market Hill – B6326, Great North Road – A46<br>The diversion route suggested uses an unclassified road between North of Little Carlton to Kelham which is not acceptable. The diversion that Via uses for planned closures of the A617 in that location is: A46 – A6097 – A614 – A617<br>This route uses a narrow unclassified road and is not suitable. The route that is usually used for a planned closure at this location is either: A1133 – A57 – A46 (Through Lincolnshire's area) or A1133 – A57 – A1 –A46 (This section also strays into Lincolnshire at certain points) | between the A46 roundabout and the widened A46. This will require a diversion for both local and strategic traffic. The strategic traffic will use the diversion described in A.1.1. Via are correct that the intention is to link Farndon Road and Fosse Road.<br>The Applicant notes that the diversion route proposed by Via is approximately 12.6 miles against the 3.7 miles via Hawton Lane. The concern is that local traffic will simply use the route that is known to be shorter. The Applicant therefore proposes the following solutions:<br>i) The Applicant to install temporary traffic lights on Hawton Lane, at the Hawton Bridge to control traffic during the diversion.<br>ii) NCC/Via and the Applicant to review the feasibility of the Southern Link Road as a local traffic diversion for this closure.<br>The Applicant will include the temporary traffic light control at Hawton Lane bridge in A.1.4 in the Deadline 6 submission of the OTMP and would like the opportunity to discuss with NCC and Via.<br>The Applicant has proposed the use of Ollerton Road, between Kelham and the A616 for this diversion as:<br>- Ollerton Road does not have a weight or width restriction.<br>- There is suitable carriageway width over its 1830 meter length.<br>- The surfacing is in suitable condition with clear line markings.<br>- the diversion route from Kelham to the Cattle Market roundabout using this route is 8.26 miles.<br>The route proposed by Via is 33 miles. As this diversion is proposed for local or regional drivers it is unlikely that they will follow such a lengthy route. Driver behaviour, particularly that of the local population in villages such as Kelham, Rolleston, Southwell and Kirklington will not reasonably take a route, when a known, more efficient route is available. The Applicant therefore would | The applicant agreed to update the OTMP for deadline 6 in line with the above, specifying the time periods for closures.<br>Via: An alternative shorter diversion route includes a bridge – which would make it unsuitable.<br>Applicant informed that the diversion used would be for periods of 2–3-night closures for lifting in bridge beams.<br>Via consider scope acceptable as long as the OTMP is updated to reflect the route is caveat to the above time periods. The Applicant had agreed to resolve this for Deadline 6. | |

| Nottinghamshire County Council | | | | The Applicant Responses |
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| | | challenge the unsuitability of Ollerton Road and would ask NCC/Via as to specific reasons for its unsuitability as a diversion route such that specific mitigation measures can be discussed. Examples include, traffic signal control on the A617/Ollerton Road and A616/Ollerton Road<br>junctions and access restrictions for residents only on Trent Lane and Kelham Lane to prevent rat running<br>The Applicant notes Via's points on the condition of Whitemoor Lane and Brough Lane. The Applicant will amend section A.1.6 to include Via's proposed diversion route which will be included within the Deadline 6 submission of the OTMP. | |
| ExQ2 [PD-009] Q15.0.2 | | | | |
| *Does the recent update to the EA flood mapping data, published on 17 December 2024, result in any alterations to the findings of Chapter 13 Road Drainage and Water Environment [APP057] or Appendix 13.2 Flood Risk Assessment [APP-177]. Equally, does this update alter the comments made by the Host Authorities or the EA?*<br>The EA published an update to the National Flood Risk Assessment in December 2024 which incorporated new national flood models combined with detailed local flood risk models. The updated assessment shows an increase in properties at risk from the previous assessment (in 2018). The updated assessment now identifies areas that may be at risk in the future due to climate change. The EA has subsequently released the national flood mapping behind the assessment.<br>The A46 FRA referenced the EA Risk of Flooding from Surface Water Maps to inform the assessment. These have now been superseded by the new data. A brief comparison indicates the main areas shown are risk of surface water flooding are broadly similar with some locations showing increased<br>risk and others less. The new climate change mapping typically shows a larger flood extent than the superseded mapping, however in similar areas. Considering the limitations of the national surface water flood maps it is considered unlikely these changes will have a significant impact on the<br>previous findings.<br>The A46 FRA used detailed hydraulic modelling to assess fluvial flood risk to the scheme. The new national flood mapping is unlikely to provide improved information and therefore no significant changes to the previous findings are expected. | | | | The Applicant responded to Q15.0.2 in the Applicant's Response to Examining Authorities Second Written Questions [REP5-060] with the following response:<br>The Applicant confirms the Scheme was identified as being located across areas within the Environment Agency's Flood Zone 2 and Flood Zone 3, as shown within Chapter 13 (Road Drainage and Water Environment) of the Environmental Statement [APP-057] and Appendix 13.2 (Flood Risk Assessment) of the Environmental Statement Appendices [APP-177]. In addition to using the Environment Agency's national/regional flood mapping data, the Flood Risk Assessment was based on hydrological analysis and the development and use of a localised hydraulic model that advanced the understanding of flood risk in the study area for the Scheme. The Applicant has reviewed the updates to the Environment Agency's flood mapping data; the update to the mapping does not result in any alterations to the findings of these documents.<br>The Applicants agrees with Nottinghamshire County Council's response. |

| Environment Agency | The Applicant Responses |
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| 1. Comments on any submissions received at the previous deadline | |
| **Draft Development Consent Order (dDCO) - Rev 5 [REP5-002 / REP5-003]**<br>We wish to confirm that we are satisfied with the updated dDCO (Rev 5), as submitted. | Noted by the Applicant, and no further response required. |
| **Environmental Statement First Iteration Environmental Management Plan (FIEMP) - Rev 5 [REP5-025]**<br>We wish to confirm that we are satisfied with the amendments as presented within this revision of the FIEMP, for item RDWE10 in the Record of Environmental Actions and Commitments (REAC) table in relation to flood compensation area (FCA) fish escape mitigation and maintenance to manage flood risk.<br>Given the above, we are satisfied that issues EAFR-005 (Compensatory flood storage – phasing of works) and EAFR-006 (Compensatory flood storage – maintenance), as raised in our Relevant Representions [RR-020], are resolved.<br>Following Natural England's comments in response to QR7 in the Examining Authority's Report on the Implications for European Sites (RIES) [REP5-051] in relation to the FCA fish escape mitigation, we support their requested amendment to the wording of item B9 in the REAC table. The Applicant has confirmed that this wording will be included in the next update to the FIEMP, which is expected to be submitted at Deadline 6. This will also be reflected in our updated Statement of Common Ground. | The Applicant confirms that this agreement is reflected at Issue 11 of the Statement of Common Ground with the Environment Agency [REP6-028] submitted at Deadline 6 of the Examination. |
| **Pre-commencement Plan (PCP) - Rev 3 [REP5-028 / REP5-029]**<br>We are satisfied with the amendments to the PCP (Rev 3). However, following the receipt of further information from the Applicant (by email dated 20 February 2025) in relation to the Kelham and Averham FCA, the PCP will need to be further updated to include additional activities for the preparation of this FCA. | The Applicant confirms that the Pre-Commencement Plan [REP6-014] has been updated to include details of the works at Kelham and Averham Floodplain Compensation Area (FCA) and details of the culvert works being installed under the haul roads to enable the flow of water between both sides of the FCA. The updated Pre-commencement Plan is submitted at Deadline 7 of the Examination. The Environment Agency have confirmed to the Applicant that they are satisfied with the proposed amendments to the Pre-commencement Plan presented to them during the meeting held on 11 March 2025 and have stated that once the Pre-commencement Plan has been submitted at Deadline 7 of the Examination, they will be able to consider this issue as 'Agreed' in the Statement of Common Ground, which will be re-submitted at Deadline 8 of the Examination. |
| **Statement of Common Ground with the Environment Agency - Rev 1 [REP5- 048]**<br>We are satisfied that this version of our Statement of Common Ground with the Applicant reflected our position at that point in time. However, since then we have liaised with the Applicant and progress towards resolving the outstanding matters continues to move forward. | The Statement of Common Ground between the Applicant and the Environment Agency [REP6-028] has been updated following a meeting between both parties on 11 March 2025. The updated Statement of Common Ground is submitted at Deadline 7 of the Examination.<br>At the point of Deadline 7 submission there remains three items in the updated Statement of Common Ground with the Environment Agency as 'Under Discussion'. It is hoped that these final three items will be changed to 'Agreed' in a final submission of the Statement of Common Ground at Deadline 8 of the Examination. These remaining three items are as follows:<br>• Issue 4: Flood Risk – Compensatory Flood Storage (EAFR-004) - The Applicant understands that the Environment Agency will be able to consider this issue as fully Agreed once the updated Flood Risk Assessment and updated FCA Technical Note (which forms Appendix I) [REP6-010], has been resubmitted into the Examination at Deadline 7. The Applicant shared the proposed updates with the Environment Agency in advance of Deadline 7 to enable the Environment Agency to commence their review at their earliest convenience. The Environment Agency responded to the Applicant via email on 24/03/2025 confirming they were satisfied with the update and that this item could therefore be 'Agreed' in the Statement of Common Ground once the updated Flood Risk Assessment has been re-submitted into the Examination at Deadline 7.<br>• Issue 5: Flood Risk – Interaction with Flood Defences (EAFR-008) – The Applicant has received written communication from the EA, via an email on the 19 March 2025, confirming that they are satisfied with the information provided by the Applicant at the meeting on the 11 March 2025. This information has been provided in the Deadline 7 update to the Cross Sections Requested by the Environment Agency. The updated information includes details of the cross section of the existing embankment, construction methodology and sequencing and confirmation that the works would be controlled through a Flood Risk Assessment Permit. Once this has been submitted at Deadline 7 of the Examination the Environment Agency have confirmed they will be able to consider this issue as Agreed.<br>• Issue 49: Pre-commencement Plan (PCP) – The Environment Agency have confirmed to the Applicant that they are satisfied with the proposed amendments to the PCP presented to them during the meeting held on 11 March 2025 and have stated that once the PCP has been submitted at Deadline 7 of the Examination, they will be able to consider this issue as Agreed. |

| Environment Agency | The Applicant Responses |
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| **Hydraulic Modelling Technical Note - Rev 2 [REP5-056]**<br>This technical note summarises information that was presented by [redacted] on behalf of the Applicant in the meeting with the Environment Agency on 27 January 2025. The technical note describes the impacts of the scheme on flood risk to third parties across a range of scenarios.<br>We asked the Applicant to undertake further checks on the hydraulic model so that the uncertainties in model results could be understood, and importantly to what extent modelling uncertainties and precision errors are contributing to some of the water level differences observed when comparing the baseline and "with scheme" scenarios. A particular area of concern for us was in relation to Fosse Road. In this area the hydraulic modelling was showing increases of above 0.01m (1cm) in the 1% (1 in 100) annual exceedance probability scenario. The Applicant states that these increases were because of modelling uncertainty and model noise, as this area is located close to a domain boundary within the hydraulic model. Whilst this may be the case no supporting technical evidence was initially provided by the Applicant to support this position. As such, we requested further investigation in the form of sensitivity testing and quantification of the impact associated with model boundary position, which the Applicant has undertaken.<br>The Applicant's updated Technical Note [REP5-056], as submitted at Deadline 5, and associated model output data, provides sufficient evidence that some of the small, localised increases in modelled water levels are due to modelling precision errors and boundary effects. This also extends to other areas within the model domain, such as the Cricket Ground and Tolney Lane. We are satisfied with the evidence provided to support this case. On this basis, we are satisfied that there are no outstanding concerns with the second part of the Exception Test, insofar as it relates to our remit.<br>As such, following the submission of the updated Hydraulic Modelling Technical Note (Rev 2), we are satisfied that our concerns raised in relation to the following issues have been resolved:<br>• EAFR-001 - Flood risk exception test (part 2) – fluvial flood risk<br>• EAFR-002 - Increase in fluvial flood risk elsewhere<br>• EAFR-003 - Overall reduction in fluvial flood risk<br>The resolution of these issues will be reflected in the updated Statement of Common Ground to be submitted at Deadline 6. | The Applicant confirms that this agreement is reflected at Issue 3 of the Statement of Common Ground with the Environment Agency [REP6-028] submitted at Deadline 6 of the Examination. |
| **Detailed Quantitative Risk Assessment (DQRA) - Rev 2 [REP5-057 / REP5-058]**<br>Following the submission of the updated DQRA (Rev 2), we are satisfied that our concerns regarding contamination hotspot WS46 (EA issue ref. EAGWCL-005) have been resolved. This will be reflected in the Deadline 6 update to the Statement of Common Ground. | The Applicant confirms that this agreement is reflected at Issue 36 of the Statement of Common Ground with the Environment Agency [REP6-028] submitted at Deadline 6 of the Examination |
| **Cross sections requested by the Environment Agency - Rev 1 [REP5-063]**<br><u>Cree's Lane flood defence embankment</u><br>We are satisfied with the information provided in relation to the Scheme's interaction with these flood defences. This point is therefore resolved.<br><u>Newark Roundabout / Cattle Market flood defence embankment</u><br>Based on the information submitted in REP5-063, insufficient detail has been presented to satisfy our concerns regarding the Scheme's interaction with these flood defences. We are working to provide the Applicant with further details on what we require to resolve this point. As such, issue EAFR-008 (Interaction with Environment Agency flood defences), as raised in our Relevant Representations [RR-020] remains outstanding based on this point.<br><u>Slough Dyke (main river)</u><br>We are satisfied with the draft plans as presented in Appendix A of REP5-063 insofar as it relates to flood risk. However, we raised geomorphological concerns directly with the Applicant in relation to the proposed use of reno mattresses.<br>The use of reno mattresses and gabion-like structures is not advised for use in watercourses. There is a tendency for the wire cage to fail, which can lead to quite rapid undercutting and instability as material falls from the cage, they do not offer much in the way of habitat benefit, and they can often cause loose and sharp metal to become exposed in the waterway. Our preference is for the use of appropriately sized rip-rap as bank protection.<br>As it stands, it is unlikely that the Applicant would be granted a flood risk activity permit (FRAP) based on the current plans. However, we are satisfied that the detailed design can be addressed as part of the required FRAP for these works, and the Applicant has confirmed that the plans included in REP5-063 are draft, which will be reflected in the updated Statement of Common Ground to be submitted at Deadline 6.<br>Given the above, we are satisfied that issue EAFR-007 (Slough Dyke (main river) realignment), as raised in our Relevant Representations [RR-020], has been resolved. | <u>Cree's Lane flood defence embankment</u><br>Noted by the Applicant, and no further response required.<br><u>Newark Roundabout / Cattle Market flood defence embankment</u><br>The Applicant and the Environment Agency met on 11th March 2025. The Applicant presented further detail to supplement the information provided in the cross sections requested by the Environment Agency in their Deadline 5 representations [REP5-063]. The Environment Agency provided further detail on the information required to resolve its concerns regarding the Scheme's interaction with the Newark Roundabout / Cattle market flood defence embankment. The EA's concern relates to its uncertainty about the integrity of the existing structure and how the risk of collapse /damage would be mitigated in the event that the material forming the embankment is found to be weak or uncompacted. As described below, the Applicant considers that the EA's concerns can be addressed.<br>Following the meeting on 11th March the Applicant provided to the EA details of the embankment construction that have been extracted from the Geotechnical Feedback Report for the Newark Relief Road prepared following completion of construction in 1990._The report contains a description of the material and a cross section of the embankment, which is provided below._It should be noted that the geotechnical feedback report refers to the asset as the 'Kelham Road Floodbank' rather than the 'Newark Roundabout embankment and the Kelham Road Farm embankment' as the structure is now identified on the Defra Asset website. The geotechnical design report records that the Newark Roundabout / Cattle market flood defence embankment is a 325 metre long and 2-to 3-metre-high earthwork embankment located to the southeast of the A46 between Kelham Road and the southeast quadrant of the Cattle Market Roundabout. The embankment is constructed from marl with a shear key that protrudes one metre into the ground under the centre of the bund. There are two grout curtain walls through the bund. The embankment was constructed as part of the original Newark Relief Road between 1987 and 1990. |

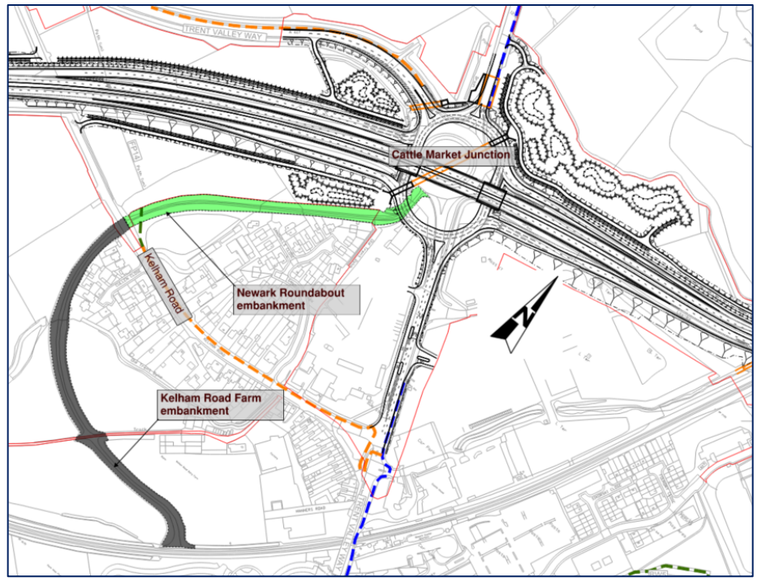


*Figure -1 Location of flood defense embankment*

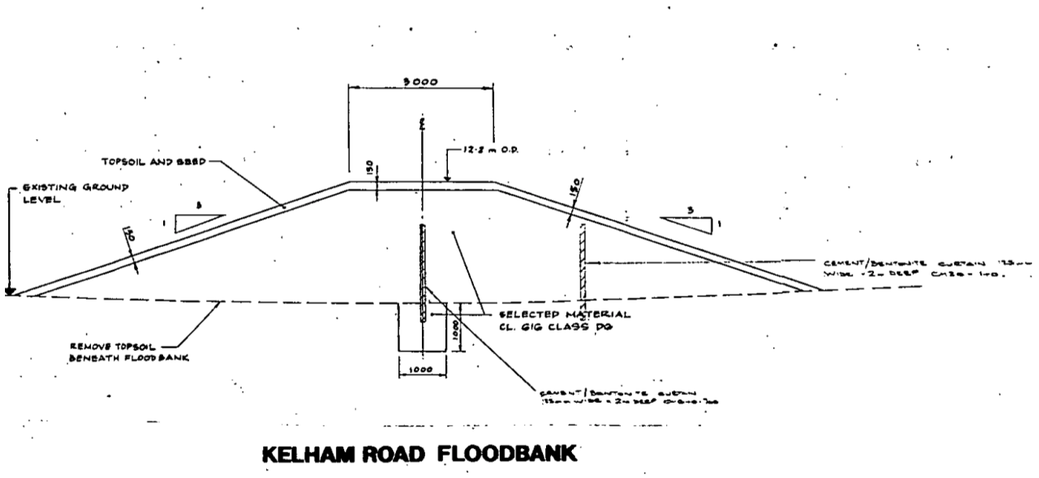


*Figure 2 Cross section through the Newark roundabout flood defence embankment.*

The Applicant has identified mitigation measures that could be adopted prior to, during and following the benching works to join the Scheme to the Newark Roundabout / Cattle market flood defence embankment. These would be secured through the Flood Risk Activity Permit that the Applicant will be required to obtain from the EA prior to the benching works commencing

Mitigation measures could include localised testing of the bund prior to excavation to confirm its integrity and undertaking the excavation works in stages to limit the length of exposed benching. In addition, the following construction methodology could be adopted

i) Interface with embankments identified on the design hazard log and included in pre-construction information and health and safety file.

ii) Install warning signs for the defence embankment.

iii) Install boundary fencing along the Order Limits, along the toe of the defence embankment.

iv) Site clearance. Removal of vegetation and existing fences.

v) Excavate 0.5m by 0.5m benches into the west face of the flood defence embankment with a 360-degree tracked excavator.

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| | vi) Install stone starter layer to form temporary working platform for culvert extension and installation of ground improvement under the new slip road embankment.<br>vii) Install over pumping system for the culvert extension.<br>viii) Excavate for foundations of culvert extension and construct reinforced concrete culvert and wingwalls.<br>ix) Place and compact fill material between the flood relief culvert and the defence embankment to form the earthworks to the new Cattle Market roundabout.<br>x) Place and compact road capping and subbase layers. Install drainage, kerbs, ducting and street furniture.<br>xi) Surfacing to roundabout.<br>xii) As built surveys of new infrastructure. Provided to as build information to asset owners (including EA).<br>xiii) Update Hazard Log and Health and Safety File.<br>With these measures in place, the Applicant considers that the concerns of the EA can be addressed.<br><u>Slough Dyke (main river)</u><br>The Applicant confirms that the EA's concerns relating to issue EAFR-007 can be addressed at detailed design stage as part of the required Flood Risk Activity Permit. This agreement is reflected in Rev 3 of the SOCG submitted into the Examination at Deadline 6 [REP6-028]. |
| 2. Update on resolution of outstanding issues | |
| **Compensatory flood storage (EAFR-004)**<br>This issue remains under discussion as we are awaiting details relating to Kelham and Averham FCA access crossing from the A617 to the fields over the FCA channel. This includes confirmation of culvert design details and modelling results. We need to ensure that flood flows are not adversely affected by this access crossing.<br>Additionally, the Pre-commencement Plan (PCP) should be updated to include proposed activities the Applicant has made us aware of in relation to the Kelham and Averham FCA. We understand that the Applicant will update the PCP to take account of this with a view to submission at Deadline 7.<br>Overall, this is moving positively towards resolution. | The Applicant has undertaken culvert modelling for the Kelham and Averham FCA and has provided the Environment Agency with the results of this modelling. The Environment Agency confirmed to the Applicant via email on 19 March 2025 that they have reviewed the model files and they are satisfied with the results. The Applicant has submitted a summary of the Kelham and Averham FCA culvert modelling in the Floodplain Compensation Area Technical Note (an appendix of the Flood Risk Assessment [REP6-010]) at Deadline 7. The Statement of Common Ground with the Environment Agency submitted at Deadline 7 reflects the latest position and the Applicant hopes that this will be 'Agreed' in the final version of the Statement of Common Ground submitted at Deadline 8.<br>The Applicant confirms that the Pre-Commencement Plan [REP6-014] has been updated to include details of the works at Kelham and Averham Floodplain Compensation Area (FCA) and details of the culvert works being installed under the haul roads to enable the flow of water between both sides of the FCA. The updated Pre-Commencement Plan is submitted at Deadline 7 of the Examination. The Environment Agency have confirmed to the Applicant that they are satisfied with the proposed amendments to the Pre-Commencement Plan presented to them during the meeting held on 11 March 2025 and have stated that once the Pre-Commencement Plan has been submitted at Deadline 7 of the Examination, they will be able to consider this issue as Agreed. |
| **Interaction with Environment Agency flood defences (EAFR-008)**<br>Please see our comments above in relation to Cross sections requested by the Environment Agency - Rev 1 [REP5-063]. While we are satisfied in relation to the Cree's Lane flood defence embankment, further information is required in relation to the Newark Roundabout / Cattle Market flood defence embankment.<br>We are working with the Applicant to resolve this issue and ensure the required information is provided to satisfy our concerns. | The Applicant has provided further information in relation to the Newark Roundabout / Cattle Market flood defence embankment in its response to the Cross sections requested by the Environment Agency - Rev 1 [REP5-063] above. It is understood that these will be finalised at detailed design stage as part of the required Flood Risk Activity Permit. The additional information contained in the response to the Cross sections requested by the Environment Agency - Rev 1 [REP5-063] above has also been provided in the Deadline 7 update to the Cross Sections Requested by the Environment Agency. The updated information includes details of the cross section of the existing embankment, construction methodology and sequencing and confirmation that the works would be controlled through a Flood Risk Assessment Permit. Once this has been submitted at Deadline 7 of the Examination the Environment Agency have confirmed they will be able to consider this issue as Agreed. |