

M20 Junction 10a

TR010006

Statement of Common Ground between (1) Highways England and (2) Kent County Council



Volume 8.2
May 2017

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Issue and revision record

Revision	Date	Originator	Checker	Approver	Description
A	January 2017	Mott MacDonald Sweco	Mott MacDonald Sweco	Highways England	DCO submission (deadline 3)
B	May 2017	Mott MacDonald Sweco	Mott MacDonald Sweco Burgess Salmon	Highways England	DCO submission (deadline 7)

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1. Introduction

1.1 Purpose of Statement of Common Ground

1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the proposed M20 junction 10a Scheme. Guidance on the purpose and possible content of SoCGs is given in paragraphs 58 – 65 of the Department for Communities and Local Government's "Planning Act 2008: Guidance for the examination of applications for development consent" (March 2015). Details of the Scheme are provided in Chapter 1 and Chapter 2 of the Environmental Statement (Volume 6.1) that accompanied the DCO application.

1.2 Parties to this Statement of Common Ground

1.2.1 This SoCG has been prepared in respect of the Scheme by (1) Highways England, as the Applicant, and (2) Kent County Council.

1.2.2 Kent County Council is the upper tier of elected local government and a Statutory Consultee for the Scheme.

1.3 Terminology

1.3.1 Throughout this SoCG the phrase "It is agreed..." is used as a precursor to any point of agreement that has been specifically stated to be agreed between (1) Highways England and (2) Kent County Council. The phrase "It is not agreed..." is used as a precursor to any point that (1) Highways England and (2) Kent County Council have not yet agreed.

1.3.2 It is agreed that any matters not specifically referred to in Section 3 of this SoCG are not of material interest or relevance to Kent County Council, 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 Kent County Council.

2. Overview of Engagement

2.1.1 A summary of the meetings and correspondence undertaken pre-application and pre-examination between (1) Highways England and (2) Kent County Council in relation to the Scheme is outlined in Table 2.1 and Table 2.2 respectively.

Table 2.1 Pre-application: Engagement Activities between Highways England and Kent County Council

Date Consulted	Form of Contact	Key issues raised / outcomes
20 January 2015	Email from Mott MacDonald Sweco Joint Venture (MMSJV) to the Planning Inspectorate	Environmental Impact Assessment Scoping Report Environmental Impact Assessment Scoping Report was issued to the Planning Inspectorate who then issued to statutory environmental bodies and other relevant consultees for the collation of a Scoping Opinion.
18 February 2015	Letter from Kent County Council (KCC) to The Planning Inspectorate	Scoping Opinion Key issues and responses included in DCO Document 6.3, Appendix 4.2 Response to Scoping Opinion. Comments were received regarding the future design work of the Scheme and the need to provide sufficient flexibility to allow a safe and suitable means of highway access to serve the site immediately below the A2070 Link Road.
04 November 2015	Email MacDonald Sweco Joint Venture to Kent County Council.	Preliminary Environmental Information Report Preliminary Environmental Information Report issued for review.
8 January 2016	Section 42 consultation letter from Highways England to Kent County Council.	Letter from Highways England consulting consultees and stakeholders about the proposed application.
5 February 2016	Letter from Kent County Council to Highways England	Written response to Public Consultation - Public Rights of Ways (PRoWs) and Access Comments received in response to the consultation letter. KCC noted the impact on PRoWs within the vicinity of the Scheme and requested a number of conditions and considerations that must be taken account of. KCC acknowledged and accepted the plans to construct bridges over Church Road and Kingsford Street.
17 March 2016	Letter from Kent County Council to Highways England	Written response to Public Consultation – Growth, Environment and Transport Comments received in response to the consultation materials. Comments focused on Highways and Transportation, Minerals and Waste, Heritage Conservation, Biodiversity and Public Rights of Way.

Date Consulted	Form of Contact	Key issues raised / outcomes
9 May 2016	Meeting with Kent County Council and Ashford Borough Council	<p>Emerging Environmental Statement Workshop</p> <p>A meeting to discuss the emerging ES including any key mitigation and or issues. A number of actions were taken forward including the incorporation of a Minerals Assessment into Chapter 9 Geology and Soils, Volume 6.1 and an additional drainage sensitivity test to consider attenuation with an increased (+40%) event to assess exceedance flow paths for the new attenuation ponds.</p>
18 July 2016	Email from Mott MacDonald Sweco Joint Venture to Kent County Council and Ashford Borough Council	<p>Emerging Environmental Statement Workshop</p> <p>Minutes of Emerging ES workshop issued together with the Environmental Masterplan and cross Sections, Flood Risk Assessment, Water Framework Directive assessment and Arboriculture Survey Report.</p>

Table 2.2 Pre-examination: Engagement Activities between Highways England and Kent County Council

Date Consulted	Form of Contact	Key issues raised / outcomes
24 August 2016	Meeting between Highways England, Mott MacDonald Sweco Joint Venture and Kent County Council.	Discussion regarding land purchase, land registration and Statement of Common Ground.

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Kent County Council in relation to the issues addressed in this SoCG.

3. Issues

3.1 Issues not related to the Environmental Statement

Need for the Scheme

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.1	Need for the Scheme	<p>The Scheme is being promoted as a key transport requirement to help facilitate national, regional and local travel and regeneration and growth in support of future development south of Ashford. The Scheme is essential to the future development of South Ashford as the existing J10 will suffer from further congestion and long delays in the future if additional capacity is not provided. The DfT expects that national traffic growth will be particularly strong on the Strategic Road Network (of which the M20 is part) with an increase of between 29% and 60% between 2010 and 2040. Due in particular to the link that the M20 provides between Folkestone and the Channel Tunnel and the M26, M25 and rest of the country, the Scheme is an essential improvement to satisfy forecast traffic growth and to accommodate the level of housing and employment growth that is forecast in</p>	<p>KCC fully supports the proposal and has set out its commitment to work closely with Ashford Borough Council (ABC) in delivering its 'Big 8' strategic projects and in supporting the delivery of the Borough Council's growth agenda, which is set out in the emerging Local Plan 2030.</p> <p>In principle, there is a compelling need for a new Junction 10a and link road to provide further capacity to facilitate residential and employment development in the Ashford Borough, as identified in Ashford's existing and emerging development plan documents.</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		the Ashford area. There is therefore a compelling need for the Scheme.		

Policy

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.2	Policy	The Scheme is in alignment with the National Networks NPS.	The general principle and need is accepted, however, there are detailed matters that need to be addressed; which are set out further in the SOCG.	Agreed.
	Policy	The Scheme is in accordance with KCC planning policy.	KCC is satisfied that the need for the scheme is accepted in ABC's adopted planning policy and KCC's Local Transport Plan 3 for Kent 2011-16. The need for the scheme and principle of development is supported by KCC. However, there remain matters set out within the SOCG that have not yet been agreed by KCC	Agreed.
	Policy	The Scheme is in accordance with KCC transport policy.	The Local Transport Plan 3 for Kent 2011-16 identifies the M20 Junction 10a scheme as a major transport scheme, needed to provide necessary highway capacity to serve and support the new development sites to the south and east of Ashford. KCC acknowledges that the	Agreed.

Reference	Issue	Highways England position	Kent County Council position	Status
			<p>scheme is also in accordance with ABC transport policies.</p> <p>However, there are transport matters, which are set out later in the SOCG, which state the technical issues that have not been agreed by KCC.</p>	
	Policy	The Case for the Scheme (application document ref. 7.1) provides an accurate summary of the policies pertinent to the DCO application.	The Local Impact Report submitted by ABC and KCC provides a full list of the relevant policies, some of which have not been included in the Case for the Scheme.	Not agreed

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.3	Local and National highway design standards.	<p>The Strategic Road Network (SRN) has been designed in accordance with the Design Manual for Roads and Bridges (DMRB). The local road network has been designed in accordance with the DMRB including consideration of Kent County Council's local requirements.</p> <p>Highways England to liaise with Kent County Council to obtain standard details for any of the KCC roads.</p> <p>Highways England will meet with Kent County Council's Asset Management Team.</p>	<p>In general terms, KCC is content with the design of the proposed scheme - in terms of Local and National highway design standards. KCC is satisfied that, with further discussions between KCC and HE, the proposed scheme will be built to standard, subject to sight of the bridge design. KCC would also add that meetings are being planned between the Design Team and KCC Asset Managers to review the preliminary design and make comment/assist with the development of the detailed design.</p>	Agreed, subject to bridge design details being agreed by KCC

Land Requirements (A20 Trunking)

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.4	Maintenance	<p>Highways England will not trunk the A20 Hythe Road between M20 J10 and M20 J10a for the following reasons:</p> <ul style="list-style-type: none"> Traffic modelling (PP.56-57 on the published TAR) clearly shows a significant reduction of traffic flows on this section with the new J10a (remarkable for northbound/westbound vehicles). This confirms that the traffic using 	<p>The road to connect with J10a will not use the new link to J10a and instead will opt to travel along the A20 corridor between J10 and J10a. This will increase the vehicle movements and loading on A20, evidenced by the need to strengthen the Swatfield Bridge as part of the scheme. If this cannot be agreed, then KCC requests commuted sums to be paid in order to address the increased maintenance requirement, that will</p>	Not agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>this section would be mainly local traffic with local destinations (i.e. Tesco, William Harvey Hospital, Ashford centre to/from south-eastern area of A20). Therefore this would not fully align to the objectives of Highways England Strategic Road Network;</p> <ul style="list-style-type: none"> · There will be a cost to Highways England to upgrade the assets to the appropriate standards; · This will mean changes to Service Provider contracts as it is an increase in responsibility. <p>We do not anticipate additional traffic on A20.</p> <p>The new vertical road alignment dictates that we have to add more dead load onto Swatfield Bridge, and it is for this reason that we are strengthening the existing structure.</p> <p>KCC have requested that the speed limit on the A20 between J10 and J10a be reduced to 40mph. This will be address outside of the DCO process as the currently red line boundary will not allow us to make this design change in the DCO.</p>	<p>arise or to provide traffic calming measures or other measures to reduce the rat-running.</p> <p>This request will not have implications on the cost of constructing the M20 J10A scheme, as maintenance is an on-going requirement post-scheme implementation. It is commonplace for such discussions to take place in respect of long-term asset status and the Local Highway Authority is mindful that the matter should be resolved as soon as practicable.</p> <p>HGVs and other traffic travelling from the A28 (via the A2070 Willesbrough Road to connect with J10) will not use the new link to J10a and instead, will opt to travel along the A20 corridor between J10 and J10a. This will increase the vehicle movements and loading on A20, evidenced by the need to strengthen the Swatfield Bridge as part of the scheme.</p> <p>If this cannot be agreed, then KCC requests commuted sums to be paid in order to address the increased maintenance requirement, that will arise or to provide traffic calming measures or other measures to reduce the rat-running. In addition, the A20</p>	

Reference	Issue	Highways England position	Kent County Council position	Status
			corridor between J10 and J10a is subject to a 60mph speed limit and as such, KCC request that HE lower this to 40mph to maintain the consistency of speed limits on the link road and junctions and also, remove the attractiveness of this corridor as a quicker route to and from J10a.	

Land Requirements (A2070 Trunking)

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.5	Maintenance	<p>The existing A2070 road is a Trunk Road and should be in Highways England ownership. Highways England and Kent County Council are in the process of transferring the ownership of the existing A2070 to Highways England. This will be reflected in an updated Book of Reference once completed.</p> <p>The new A2070 Link Road to Junction 10a will also be a trunk road.</p> <p>Highways England confirm that they will pay KCC legal fees for transferring the land.</p> <p>The new footway which is proposed in the replacement land will remain in Highways England ownership.</p>	<p>It is understood that the new A2070 link from 10a down towards Church Road will be part of the strategic trunk road network and therefore, for Highways England to manage.</p> <p>The proposed land transfer is to transfer parcels over to Highways England. At the very least KCC would expect that HE covers KCC's legal fees relating to the transfer.</p> <p>KCC would further add that the provision of the new footway that crosses the new proposed public open space should remain in the ownership of HE for maintenance purposes. The existing footway is part of the Strategic Road Network asset and it follows that this should continue to be the case.</p>	Agreed.

Street Lighting

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.6	Maintenance	Street lighting on the strategic road network which belongs to Highways England will be Highways England's maintenance responsibility. Those on A20 and Kingsford Street will remain with KCC responsibility as Highways England will not be trunking these roads. See cl. 3.1.4 above.	In respect of street lighting, clear ownership will need to be identified. Issues around ownership, access and shared networks need to be established with Highways England in order to prevent future maintenance problems. KCC would seek confirmation from HE that lighting will be under the ownership of Highways England so that there will be no impact on KCC street lighting and maintenance issues.	Agreed

Swatfield Bridge

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.7	Swatfield Bridge failed structure assessment	Following discussions with KCC Highways England's intention is to strengthen the existing bridge rather than overspanning it.	Agreed	Agreed
3.1.8	Maintenance	Highways England will not take the maintenance responsibility for the maintenance of the Swatfield Bridge	KCC proposes that Highways England should be the operators and maintainers of the adjacent sections of the	Not Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		and Highways England won't de-trunk the A20, see cl. 3.1.4 above.	A20, including the Swatfield Bridge, which it will be strengthening as part of this proposal. The increase in traffic here will be very significant and it is appropriate that HE takes responsibility for such infrastructure.	

Public Rights of Way

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.9	Public Rights of Way (PRoW)	<p>The DCO provides for the stopping up (or partial stopping up) of public rights of way AE339, AE337A, AU63C, AU65, AE636, AU53, AE338 and the Highfield Lane overbridge.</p> <p>Highways England has proposed the introduction of a new footway along Kingsford Street. This is perceived as a requirement to improve Non-Motorised Users (NMU) safety along the narrow road due to the proposed NMU traffic being diverted to use the new bridge.</p> <p>Highways England have accommodated the 2m wide footpath along Kingsford Street. For the details of the location of the new footpath along Kingsford Street, please see</p>	<p>The proposed drawings for Public Rights of Way (PRoW) extinguishments are as expected and requested.</p> <p>AE339 is a defunct footpath, due to the construction of Barrey Road and Ashford Business Park. KCC would like this path to be extinguished, as the public highway now supersedes the need for AE339.</p> <p>Given the new provision of combined cycleway/footways, the interconnection into existing rights of way and the perceived NMU desire lines, there will be no future requirement for the rights of way that are listed in Part 1 of Schedule 4 to the</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>DCO drawing number HA514442-MMGJV-GEN-SMW-DE-Z-2401.</p> <p>Highways England will provide a new Church Road Footbridge, the bridge will accommodate pedestrians and cyclists.</p>	<p>DCO.KCC would like these extinguished.</p> <p>KCC welcomes the accommodation of the 2m wide footpath along Kingsford Street.</p>	
3.1.10	PRoW: AE337A and AE338.	<p>PRoW numbers AE338 and AE337A are located on the south side of the new A2070 Link Road. To maintain their operation Highways England propose to place stiles in the highways fence line along with way marker posts to identify the PRoW. The ditch in these locations will be piped and filled to avoid a level difference.</p> <p>Discussions are ongoing with KCC to discuss the level difference and this is being address as part of the detail design.</p>	<p>In relation to the retained PRoW connections to the south side of the new A2070 access road, shown on the Rights of Way and Access Plans 03 and 04 (APP-008), there appear to be level changes and drainage channels that would prevent access to the new footway/cycleway.</p> <p>Discussions have been held with the detailed design leads, who confirmed that they are aware of the level difference and it will be factored into their proposals.</p> <p>The level difference is therefore being addressed as part of the detailed design process and the HE's design team will discuss with KCC Asset Managers.</p>	Agreed

Kingsford Street Footbridge

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.11	Kingsford Street Footbridge	<p>Kingsford Street Bridge has been designed to provide future equestrian provision as and when it will be needed by KCC. Currently the new footbridge will be signed for cyclists and pedestrians only due to no adjacent bridleways being present.</p> <p>Highways England can accommodate signs to dia. 956.1 on the approach to the bridge only as requested by Kent County Council.</p> <p>Further to the representation made by the British Horse Society at the Open Floor Hearing in February 2017, KCC have requested that the speed limit adjacent to new Kingsford Street footbridge is reduced from 60mph to 40mph. In the documents submitted for DCO examination we have proposed a speed reduction in this area to 50mph. Further discussions are needed on this issue.</p>	<p>The General Arrangement Plans still refer to the Kingsford Street Bridge (APP-010, sheet 2 of 4) as a footbridge (without an equestrian access), so KCC would like to see evidence of how this has been arrived at through the design stage process.</p> <p>KCC has requested that Kingsford Street Bridge has equestrian provision to allow a continuous link between HS1 and Bockham Lane and signed accordingly.</p> <p>For the avoidance of any future doubt, it would be better to sign the route for equestrians also using sign 956.1 as attached. As equestrians can already use the existing bridge, there should be no reason to exclude signage.</p> <p>During the Open Floor Hearing, a request was made from the British Horse Society that provision be made for safe access on to and across the A20 Hythe Lane from the new Kingsford Street Bridge, linking</p>	Under discussion

Reference	Issue	Highways England position	Kent County Council position	Status
			to both the A20 and Bockham Lane. KCC supports this request. Equestrians and Non-Motorized Users are to be accommodated as part of the bridge construction, provision is therefore required to ensure continuity of the route. This road is subject to a 60mph speed limit and when heading north west- this combines with a left hand bend so consideration should be given to extending the requested 40mph limit to a suitable point.	
3.1.12	Maintenance	Highways England will be responsible for the maintenance of the whole structure in its entirety.	The draft DCO at section 12(4) (APP-018) suggests that the Local Highway Authority may be liable for the maintenance of the surface over the two new footbridges. KCC requests confirmation that Highways England will be responsible for the structures in their entirety, including the surfacing	Agreed

Church Road Footbridge

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.13	Maintenance	Highways England will be responsible for the maintenance of the whole structure in its entirety and will seek to amend the DCO accordingly.	The draft DCO at section 12(4) (APP-018) suggests that the Local Highway Authority may be liable for the maintenance of the surface over the two new footbridges. KCC requests confirmation that Highways England will be responsible for the structures in their entirety, including the surfacing.	Agreed

Land Requirements

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.14	Land – plot 3/1/j	As part of the scheme proposals the existing Church Road Footbridge will be demolished and a new bridge accommodating pedestrians and cyclists will be constructed. The proposal includes new ramps on both sides of the A2070. Part of the land needed for this is owned by Kent County Council and Highways England needs to permanently acquire approximately 2052.41 square metres of land forming part of the existing Church Road- east side.	KCC representatives have had a meeting on site with Highways England to discuss the plots. A mapping exercise is to be undertaken to determine where the identified land matches records of trunked highway and where this matches, land will be transferred to rectify ownership. Other identified land is to be valued and a transfer agreed. No plots are currently considered contentious and there is nothing to indicate that an agreement to transfer all required plots will not be	Under Discussion

Reference	Issue	Highways England position	Kent County Council position	Status
			reached. Highways England will be undertaking some survey works under licence agreement during April.	
	Land – plots 2/1/f; 3/1/a; 3/1/b; 3/1/c; 3/1/d; 3/1/e; 3/1/f; 3/1/g; 3/1/h; 3/1/l; 3/1/j; 4/1/a; 4/1/c; 4/1/f; 4/1/e	The Scheme also includes the re-alignment of the A2070, the A20 around the new Junction 10a, Junction 10a amendments and Kingsford Street. Part of the land needed for this is owned by Kent County Council and Highways England needs to permanently acquire approximately 43284.9 square metres of land forming part of the existing A2070, A20, J10 and Kingsford Street including the adjoining verges.	KCC representatives have had a meeting on site with Highways England to discuss the plots. A mapping exercise is to be undertaken to determine where the identified land matches records of trunked highway and where this matches, land will be transferred to rectify ownership. Other identified land is to be valued and a transfer agreed. No plots are currently considered contentious and there is nothing to indicate that an agreement to transfer all required plots will not be reached. Highways England will be undertaking some survey works under licence agreement during April.	Under Discussion
	Land -plots 1/1/a; 1/1/b; 2/1/c; 2/1/d; 2/1/e; 2/1/g; 4/1/b; 4/1/d; 4/1/h; 4/1/g	The Scheme also includes the re-alignment of the A2070, the A20 around the new Junction 10a, Junction 10a amendments and Kingsford Street. Part of the land needed for this is owned by Kent County Council and Highways England needs to temporarily possess and use approximately 30250.8 square metres of land forming part of the existing	KCC representatives have had a meeting on site with Highways England to discuss the plots. A mapping exercise is to be undertaken to determine where the identified land matches records of trunked highway and where this matches, land will be transferred to rectify ownership. Other identified land is to be	Under Discussion

Reference	Issue	Highways England position	Kent County Council position	Status
		A2070, A20, J10 and Kingsford Street including the adjoining verges.	valued and a transfer agreed. No plots are currently considered contentious and there is nothing to indicate that an agreement to transfer all required plots will not be reached. Highways England will be undertaking some survey works under licence agreement during April.	

Traffic and Transport

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.15	Access to Ashford	The Scheme will provide a new route for traffic into Ashford by way of the new junction and dual carriageway link road.	Agreed	Agreed
	Separation of traffic and journey time reliability	Through providing additional capacity at junction 10a with the new link road, local traffic will be separated more from the strategic traffic which will deliver greater journey time reliability on the strategic and local route network around Ashford in line with the predicted growth. The Scheme will not, however, impact greatly on journey time reliability for through traffic on the M20. Please see cl. 3.1.16 below for response regarding Kingsford Street issue.	There is a potential issue that traffic could divert along Kingsford Street through to Mersham, in order to access the A20, affecting local journey times. KCC and local concern from businesses and residents regarding rat running and HGV traffic using an unsuitable route to bypass J10a when there are issues on the strategic network. KCC is proposing to close Highfield Lane to vehicular traffic just south of the Highfield Lane / Kingsford Street junction. A	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			<p>pedestrian / cycle route will be maintained through the provision of bollards. The developers of Stour Park have agreed to fund the provision of a turning circle on land that they own to the east of Highfield Lane so that large vehicles can turn around in a safe manner. Subject to planning permission for the Stour Park site being granted and the developer transferring the land that KCC require for the turning circle within 8 weeks of the grant of planning permission, KCC intends to carry out the turning circle works in the summer of 2017, before any works commence on the Junction 10a scheme. The turning circle works will take approximately 8-10 weeks to construct. If KCC cannot complete the turning circle works by 5 February 2018, KCC will carry out the turning circle works after the project permitted by the DCO is completed.</p> <p>HE and KCC have agreed to enter into an agreement confirming that:</p> <ol style="list-style-type: none"> HE will not obstruct or prevent the delivery of the turning circle. 	

Reference	Issue	Highways England position	Kent County Council position	Status
			<p>2. KCC will vacate the turning circle land by no later than 5 February 2018 in the event works to construct the turning circle are ongoing when HE enter the land.</p> <p>3. KCC will not commence the turning circle works any later than 13 November 2017 and following this date will not carry out the turning circle works until the project permitted by the DCO is completed and HE has vacated the land.</p>	
	Congestion	It is agreed the issue of congestion around Barrey Road lies outside this NSIP scheme and all parties are actively seeking a solution	<p>It is agreed the issue of congestion around Barrey Road lies outside this NSIP scheme and all parties are actively seeking a solution. KCC therefore seeks HE's commitment for appropriate improvement if and when required, as part of the road operation service on its Strategic Road Network.</p> <p>KCC is not aware that this commitment has been formally signed up to by HE Area 4 and needs to include that all parties seek funding and construction solutions – this cannot be KCC's sole responsibility.</p>	Agreed, subject to commitment being formally signed up to by HE.

Reference	Issue	Highways England position	Kent County Council position	Status
	Safety	It is agreed the issue of congestion around Barrey Road lies outside this NSIP scheme and all parties are actively seeking a solution	<p>KCC agrees that the scheme will provide a safer network in general terms. It is agreed the issue of congestion around Barrey Road lies outside this NSIP scheme and all parties are actively seeking a solution. KCC therefore seeks HE's commitment for appropriate improvement if and when required, as part of the road operation service on its Strategic Road Network.</p> <p>KCC is not aware that this commitment has been formally signed up to by HE Area 4 and needs to include that all parties seek funding and construction solutions – this cannot be KCC's sole responsibility.</p>	Agreed, subject to commitment being formally signed up to by HE.
	Journey time reliability to William Harvey Hospital	Journey time reliability to the William Harvey Hospital (WHH) will generally be improved as less congestion is forecast to occur at junction 10 in the future with the addition of junction 10a.	Agreed	Agreed
	Reduction in rat running	<p>The severance of Highfield Lane from the A20 immediately north of the Highfield Lane/ Kingsford Street junction will reduce the attractiveness of rat running as the new link road would offer a more effective alternative.</p>	There is a potential issue that traffic could divert along Kingsford Street through to Mersham in order to access the A20, affecting local journey times. KCC and local concern from businesses and residents regarding rat running and HGV	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>Please see cl. 3.1.16 below for response regarding Kingsford Street issue.</p>	<p>traffic using an unsuitable route to bypass J10a when there are issues on the strategic network.</p> <p>KCC is proposing to close Highfield Lane to vehicular traffic just south of the Highfield Lane / Kingsford Street junction. A pedestrian / cycle route will be maintained through the provision of bollards. The developers of Stour Park have agreed to fund the provision of a turning circle on land that they own to the east of Highfield Lane so that large vehicles can turn around in a safe manner. Subject to planning permission for the Stour Park site being granted and the developer transferring the land that KCC require for the turning circle within 8 weeks of the grant of the planning permission, KCC intends to carry out the turning circle works in the summer of 2017, before any works commence on the Junction 10a scheme. The turning circle works will take approximately 8-10 weeks to construct. If these works cannot take place over the summer of 2017, then further discussions and an agreement will be required with Highways England over the deliverability of the</p>	

Reference	Issue	Highways England position	Kent County Council position	Status
			<p>turning circle and land required for these purposes.</p> <p>HE and KCC have agreed to enter into an agreement confirming that:</p> <ol style="list-style-type: none"> 1. HE will not obstruct or prevent the delivery of the turning circle. 2. KCC will vacate the turning circle land by no later than 5 February 2018 in the event works to construct the turning circle are ongoing when HE enter the land. 3. KCC will not commence the turning circle works any later than 13 November 2017 and following this date will not carry out the turning circle works until the project permitted by the DCO is completed and HE has vacated the land. 	
	Local goals and objectives	<p>The Scheme aligns with the goals and objectives set out at a local level and provides benefits to the wider transport network as well as the local area.</p> <p>Please see responses to the issues above.</p>	<p>It remains difficult to agree that the local goals and objectives are adequately addressed, considering the status of Barrey Road (where KCC is awaiting commitment being formally signed up to by HE), the A20 and Kingsford Street Bridge access to the A20.</p>	Not agreed.

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.16	Highfield Lane	<p>Highways England considers this request to be outside of the schemes scope. There is no justification from traffic modelling to justify this incorporation in the scheme. Highways England have been informed by Stour Park developers that under the terms of their section 106 agreement with Ashford Borough Council, the land required for the turning circle must be transferred to Kent County Council and a financial contribution made to Kent County Council to cover the cost of delivering it. Highways England will work closely with Kent County Council to ensure that this will be accommodated.</p> <p>Highways England has also been informed by Kent County Council that they will construct the turning circle before the opening of M20 J10a Scheme. If an agreement is required between Highways England and Kent County Council to document this issue then Highways England will work with Kent County Council to agree this.</p>	<p>KCC is aware that there have been a large number of complaints about potential HGV movements along Highfield Lane. There is a potential issue that traffic could divert along Kingsford Street through to Mersham in order to access the A20, affecting local journey times. KCC and local concern from businesses and residents regarding rat running and HGV traffic using an unsuitable route to bypass J10a when there are issues on the strategic network.</p> <p>KCC is proposing to close Highfield Lane to vehicular traffic just south of the Highfield Lane / Kingsford Street junction. A pedestrian / cycle route will be maintained through the provision of bollards. The developers of Stour Park have agreed to fund the provision of a turning circle on land that they own to the east of Highfield Lane so that large vehicles can turn around in a safe manner. Subject to planning permission for the Stour Park site being granted and the developer transferring the land that KCC require for the turning circle within 8 weeks of the grant of planning permission, KCC intends to carry out the</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			<p>turning circle works in the summer of 2017, before any works commence on the Junction 10a scheme. The turning circle works will take approximately 8-10 weeks to construct. If KCC cannot complete the turning circle works by 5 February 2018, KCC will carry out the turning circle works after the project permitted by the DCO is completed.</p> <p>HE and KCC have agreed to enter into an agreement confirming that:</p> <ol style="list-style-type: none"> 1. HE will not obstruct or prevent the delivery of the turning circle. 2. KCC will vacate the turning circle land by no later than 5 February 2018 in the event works to construct the turning circle are ongoing when HE enter the land. 3. KCC will not commence the turning circle works any later than 13 November 2017 and following this date will not carry out the turning circle works until the project permitted by the DCO is completed and HE has vacated the land. 	

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.18	Requirements (Schedule 2)	The Requirements contained in Schedule 2 of the draft DCO are agreed between Highways England and the County Council.	<p>KCC cannot agree the Requirements contained in Schedule 2 of the draft DCO at this stage. Having reviewed ABC's comments and having considered the content of the Schedule, KCC considers that further provisions will be necessary.</p> <p>The required further provisions have been submitted as comments on the draft DCO under deadline 6. Further consideration needs to be given to KCC comments on article 9 (protected species) as submitted under deadline 6.</p> <p>CEMP and landscaping has been updated in accordance with the provisions in the turning loop position statement. The amendments discussed at the hearings in February 2017 have been incorporated.</p>	Not agreed

Socio- Economic

Reference	Issue	Highways England position	Kent County Council position	Status
3.1.19	Socio-economic	The Appendix 13.1 Land use and Economic Development Report of the Chapter 13 of the Environmental	Agreed	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		Statement (Volumes 6.1, 6.2 and 6.3) properly assesses the social and economic impacts of the Scheme.		

3.2 Environmental Statement related issues

General

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.1	Limits of deviation	Limits of deviation (1m) have been covered in the Environmental Statement.	<p>The DCO draft (APP-018) at Part 2, Section 8, gives a 1m limit of deviation, the consequences of which will need to be considered and clarification is sought as to whether these limits have been covered in the Environmental Statement.</p> <p>A change in the alignment by 1m does seem rather a lot. The initial query was around evidencing whether this is really necessary and if HE does deviate by 1m, what impact does that have on the surrounding area; there could be environmental or visual considerations. KCC's question is why is this deviation required and is it really necessary, given the outline design is already done and the alignment more or less fixed.</p>	Not agreed

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.2	Air Quality	The Air Quality Chapter (Chapter 5) of the Environmental Statement and associated figures and technical appendices (Volumes 6.1, 6.2 and 6.3) properly assess the potential impacts of the Scheme on air quality.	KCC will rely on comments made by ABC on this matter.	Deferred to ABC
	Air Quality - methodology	The Air Quality Chapter (Chapter 5) of the Environmental Statement and associated figures and technical appendices (Volumes 6.1, 6.2 and 6.3) has used the appropriate methodology.	KCC will rely ABC on this matter.	Deferred to ABC
	Air Quality	The assessment of impacts, proposed mitigation measures and conclusions regarding air quality are agreed between Highways England and the County Council.	KCC will rely on comments made by ABC on this matter.	Deferred to ABC
	Outline Construction Environmental Management Plan	The Air Quality measures included in the Outline Construction Environmental Management Plan (Appendix 17.1, Volume 6.3 of the Environmental Statement) are appropriate and are agreed between Highways England and the County Council.	KCC will rely on comments made by ABC on this matter.	Deferred to ABC

Chapter 6: Cultural Heritage

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.3	Cultural Heritage	The Cultural Heritage Chapter (Chapter 6) of the Environmental Statement and associated figures and technical appendices (Volumes 6.1, 6.2 and 6.3) properly assess the potential impacts of the Scheme on cultural heritage and the methodology used is appropriate. The assessment of impacts, proposed mitigation measures and conclusions regarding cultural heritage are agreed between Highways England and the County Council.	Comments on Cultural Heritage are brief, but in general acceptable.	Agreed
3.2.4	Outline Construction Environmental Management Plan	The cultural heritage measures included in the Outline Construction Environmental Management Plan (Appendix 17.1, Volume 6.3 of the Environmental Statement) are appropriate and are agreed between Highways England and the County Council.	Comments on cultural heritage measures are brief, but in general acceptable.	Agreed
3.2.5	Written Scheme of Investigation	The representation received from Historic England at Deadline 5 noted that no further assessment is required with regards to the cumulative effects of the Scheme and the Stour Park development on Sevington Church.	Points raised in KCC's Relevant Representations submission have been addressed by HE and KCC defers to Historic England, which has made comments on	Deferred to Historic England

Reference	Issue	Highways England position	Kent County Council position	Status
			the impact on Sevington Church.	
3.2.6	Consultation with Heritage Conservation Dept. and KCC	Highways England has prepared a Written Scheme of Investigation in consultation with Kent County Council. Consultation with the Heritage Conservation Dept. and KCC will be carried out throughout the investigation works, as described in Section 5 of the WSI.	The Heritage Conservation Department at KCC will need to ensure that the mitigation for heritage and archaeological work is pursued in full consultation with KCC Heritage and that the implementation of the mitigation is also monitored and in full consultation with KCC Heritage.	Agreed, subject to compliance with Draft Development Order Rev D Schedule 2 part 9
3.2.7	Communication links for construction period	The link between the Contractor and the County Archaeologist will be provided by Highways England, in accordance with contractual requirements.	There need to be direct communication links between the appointed archaeological contractor and the County Archaeologist, to ensure efficient sign off of mitigation measures, especially archaeological fieldwork.	Under discussion
3.2.8	Environmental Statement	<p>A Cultural Heritage Assessment has been undertaken (Chapter 6; Cultural Heritage, Volume 6.1 of the Environmental Statement) in accordance with:</p> <ul style="list-style-type: none"> • Design Manual for Roads and Bridges, Environmental Assessment (Volume 11, Section 3, Part 2 – Cultural Heritage). 	<p>In summary, the assessment of Cultural Heritage issues is reasonable. In addition to the points raised below, further detailed comments are provided in Appendix A.</p> <p>There is potential for the scheme to impact on prehistoric, Roman, Early Medieval and Medieval</p>	Agreed subject to implementation of 2 nd stage evaluation works agreed April 2017

Reference	Issue	Highways England position	Kent County Council position	Status
		<ul style="list-style-type: none"> • Historic England (2008) Conservation Principles, Policies and Guidance. • Historic Environment Good Practice Advice in Planning note 2 (GPA2) – Managing significance in decision taking in the historic environment). • Historic Environment Good Practice Advice in Planning note 3 (GPA3) – The setting of heritage assets. • Chartered Institute for Archaeologists Standard and Guidance for historic environment assessment 	remains, which may be considered of greater importance than “low local value” only. The evaluation work so far is too limited to suggest there are no significant remains within the scheme area.	
3.2.9	Designated milestone (HA no: 1276471)	A second visit was undertaken on the 7th July 2015. This visit was partly undertaken to carry out a thorough search of the roadside along the A20 in the area of the missing milestone. The roadside was not significantly overgrown and areas under trees and shrubs were visible. There was no evidence of the presence of the milestone. In addition, it was noted during the assessment of the earlier M20 J10a scheme that the milestone was absent. No record of where the milestone has gone has been found.	<p>The designated milestone (HA no: 1276471) (Table 6.5, p 16 and p18, APP-034) should not be excluded from mitigation solely on the basis only of a site visit made in 13 October 2014 (para. 6.7.15, APP-034)</p> <p>KCC is content that, as a result of a second site visit, as specified by Highways England, the milestone has not been found. KCC recommends that provision is made for an archaeological watching brief</p>	Agreed, subject to provision being made for an archaeological watching brief.

Reference	Issue	Highways England position	Kent County Council position	Status
			to monitor the wider location of the milestone (in case it is buried in hedgerows or fields nearby and can be retrieved as part of this project).	
3.2.10	Mitigation measures for St Mary's Church	Discussions are ongoing between Highways England and Historic England to agree the mitigation measures required for St Mary's Church.	Assessment of St Mary's Church should reflect the complexity of its significance and be more detailed. Historic England has noted that there is likely to be considerable harm from the proposed Stour Park scheme but that suitable mitigation measures for both schemes could reduce the level of harm (APP-199 and APP-043, page 13, 14/00906/AS). Mitigation for St Mary's Church needs to be agreed with Historic England.	Agreed
3.2.11	Construction mitigation	Discussions are ongoing between Highways England and the County Archaeologist to agree the mitigation measures required for the construction of the Scheme.	Archaeological mitigation needs to be integrated into all aspects of the scheme, including the initial enabling works, ecological and drainage works. HE needs to put forward a meaningful construction programme with mechanisms in place to ensure archaeological mitigation is	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			suitably dealt with, including County Archaeologist sign off of detailed mitigation and agreement of post-excavation works.	
3.2.13	Lacton Green Conservation Area	A Cultural Heritage Assessment has been undertaken (Chapter 6; Cultural Heritage, Volume 6.1 of the Environmental Statement). As part of both heritage walkovers the Lacton Green Conservation Area was visited. It was clear from the walkovers that the conservation area was inward facing, with the key views being contained along 'The Street'. Filtering from the existing tree lines (to the rear of the properties) visually separates the asset from the A20 and the existing M20 junction and would also (along with the natural topography) filter the visibility of the new junction.	The visible impact on Lacton Green Conservation Area, 150m north of scheme boundary, should be checked. Robust consideration is needed in view of scale and height of new roundabout and possible increased traffic flows.	Agreed
3.2.14	Hatch Park	The methodology of the Cultural Heritage Assessment in Chapter 6; Cultural Heritage (Volume 6.1 of the Environmental Statement) is in accordance with Design Manual for Roads and Bridges, Environmental Assessment (Volume 11, Section 3, Part 2 – Cultural Heritage).	KCC disagrees with the Cultural Heritage assessment, which suggests that some designated heritage assets, such as Hatch Park parkland, can be of “high regional value”, as a designated heritage asset is generally considered to be of national importance.	Deferred to Historic England

Reference	Issue	Highways England position	Kent County Council position	Status
		Please see letter submitted by Historic England at Deadline 5.	Hatch Park is a designated parkland and designed landscape and should therefore be considered to be of national importance, unless otherwise indicated by Historic England.	
3.2.15	WSI and pre-construction intrusive evaluation	Highways England has prepared a Written Scheme of Investigation in consultation with Kent County Council. The pre-construction intrusive evaluation will be carried out in 2017.	The scheme area has only been partially evaluated. Many of the trenches were not excavated, partly due to ecological constraints. As such, there are areas north of St Mary's Church, which will be impacted by both the scheme and by the proposed site compound, which have not been reasonably evaluated. Further archaeological evaluation of this area ahead of initial scheme works is essential.	Agreed
3.2.16	Prehistoric background data from Ashford Orbital Park	The report came available after the assessment was undertaken. Due to the location of this archaeological site, the archaeological potential of the scheme is not affected and therefore there is no change to the likely effects. In this instance no update is required.	Additional prehistoric background data from the more recent findings from Ashford Orbital Park including 3 Iron Age funerary enclosures (Oxford Archaeology East 2015) should be included.	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.17	Historic lime kiln	The site of the lime kiln is located outside of the scheme area used in Chapter 6; Cultural Heritage (Volume 6.1 of the Environmental Statement) (20m north of the redline boundary). In addition, the area of the limekiln was subject to quarry in the mid-20th century and has subsequently been used as a landfill site.	There is no mention of a Lime kiln and its associated quarry which are identifiable on the 1st Ed OS map immediately north of the proposed Junction 10a. It is not clear whether this post medieval structure is within the scheme or not but recommendation that some assessment of this feature is required to ensure suitable assessment and mitigation if necessary.	Deferred to finalisation of Archaeological Framework Strategy described in DCO Rev D Schedule2 Requirement 9
3.2.18	Assessment methodology	The methodology of the Cultural Heritage Assessment in Chapter 6; Cultural Heritage (Volume 6.1 of the Environmental Statement) is in accordance with Design Manual for Roads and Bridges, Environmental Assessment (Volume 11, Section 3, Part 2 – Cultural Heritage). For an asset to be of moderate value then it has to be of equivalence of a conservation area/ Grade II Listed building. The evidence at this stage (may change after further evaluation) does not support a higher value.	The assessment of importance level of Palaeolithic remains is debateable. Palaeolithic remains are so rare that they are generally considered to be of importance, subject to their context. It should also be noted that river valleys, including the Aylesford Stream one, were favourable areas for prehistoric activity. This valley could also have high potential for palaeo-environmental evidence which could provide valuable information on the development of the stream in relation to the River Stour and the local environment during the Prehistoric and later periods. Palaeo-environmental	Agreed, subject to finalisation of Archaeological Framework Strategy described in DCO Rev D Schedule 2 Requirement 9.

Reference	Issue	Highways England position	Kent County Council position	Status
			evaluation and assessment would need to be fully integrated into the formal programme of archaeological works.	
	Assessment methodology	The methodology of the Cultural Heritage Assessment in Chapter 6; Cultural Heritage (Volume 6.1 of the Environmental Statement) is in accordance with Design Manual for Roads and Bridges, Environmental Assessment (Volume 11, Section 3, Part 2 – Cultural Heritage). The evidence to date from the Stour Park site and M20 J10a trenches and geophysics point to only a discrete pattern of archaeological remains (largely associated with agricultural activity) around the scheme area, with significant settlement located to the south Court Lodge (rather than north of the Church). For an asset to be of moderate value then it has to be of equivalence of a conservation area/ Grade II Listed building. The evidence at this stage (may change after further evaluation) does not support a higher value.	<p>KCC disagrees with the assessment that the scheme is likely to only contain prehistoric or Roman features of “Low local value”. The archaeological fieldwork so far has been minimal and there was evidence of prehistoric activity. There is potential for this scheme to have an impact on archaeology of greater significance than “low local value”.</p> <p>KCC considers that the fieldwork undertaken to inform the assessment so far has been minimalist. Some trenching has been undertaken but there are many areas of the scheme which have not been subject to any archaeological field evaluation. It therefore cannot be confidently stated yet that there are no significant archaeological remains within the area of the scheme.</p>	Agreed, subject to implementation of 2 nd Stage Evaluation works agreed April 2017

Reference	Issue	Highways England position	Kent County Council position	Status
	Assessment methodology	<p>The methodology of the Cultural Heritage Assessment in Chapter 6; Cultural Heritage (Volume 6.1 of the Environmental Statement) is in accordance with Design Manual for Roads and Bridges, Environmental Assessment (Volume 11, Section 3, Part 2 – Cultural Heritage). The evidence for early med/medieval (largely associated with agricultural activity) is limited. The evidence from the geophysical survey and trial trenches (although limited) to the north of the church do not support the presence of significant settlement in the area of the proposed scheme. The settlement pattern in the wider area for this period indicates a historic core of a farm (Court Lodge) and a church. With later settlement development taking place at some distance from the church/farm core. As seen at Willesborough, Mersham and Aldington. For an asset to be of moderate value then it has to be of equivalence of a conservation area/ Grade II Listed building. The evidence at this stage (may change after further evaluation) does not support a higher value.</p>	<p>KCC disagrees with the assessment that the scheme is likely to contain early medieval or medieval remains of “low local value”. Early medieval remains are not common and in view of the proximity of St Marys Church Sevington and Court Lodge, suggestion that there is reasonable potential for remains which may be of greater significance than “low local value”.</p>	<p>Agreed, subject to finalisation of Archaeological Framework Strategy, described in DCO Rev D Schedule 2 Requirement 9</p>
	Assessment methodology	<p>A statement of significance has been prepared, which forms part of the</p>	<p>The Archaeological Potential and Value Assessment does not provide reasonable</p>	<p>Deferred to Historic England</p>

Reference	Issue	Highways England position	Kent County Council position	Status
		Statement of Common Ground with Historic England.	statement of significance for St Mary's Church Sevington. St Mary's Church is a significant and complex archaeological and historic site and there is potential for the scheme to impact on remains directly associated with this asset as well as on its setting and character. KCC would advise that there needs to be a robust assessment of this designated heritage asset dealing with all areas of significance and value. Mitigation needs to be clearly informed and evidence-based. However, on this matter, KCC will defer to Historic England.	
3.2.19	Construction mitigation	Discussions are ongoing between Highways England and Historic England to agree the mitigation measures required.	The comments from Historic England submitted with the application details are noted, although it is focused on the proposed industrial development off Highfield Lane. HE's comments repeat the concerns over the level of harm to St Mary's Church and consider it is "substantial" but that mitigation could effectively reduce the level of harm. In view of this, there is a need for this Highways England scheme to also ensure that mitigation	Deferred to Historic England and to finalisation of Archaeological Framework Strategy described in DCO RevD Schedule 2 Requirement 9.

Reference	Issue	Highways England position	Kent County Council position	Status
			<p>measures for St Mary's church are robust and agreed with Historic England.</p> <p>The mitigation measures for St Mary's Church need to be agreed with KCC Heritage as well as Historic England – if only to ensure standard heritage/archaeological mitigation measures for the rest of the scheme do not replicate or conflict with the specific measures agreed for St Mary's Church.</p>	
	Construction mitigation	<p>Agree with evaluation and mitigation being undertaken in advance. Construction works around Aylesford stream are limited. Discussions on appropriate mitigation will proceed after evaluation stage.</p>	<p>Mitigation and Compensation Measures need to be more robust. Mitigation for heritage needs to be scheduled well in advance of construction work and integrated into every aspect of the scheme, including site compound set up, landscaping, drainage schemes etc. If there are intentions to undertake geotechnical work, especially along the Aylesford Stream area, it would be advantageous to include archaeological palaeo-environmental work.</p>	<p>Deferred to finalisation of Archaeological Framework Strategy described in DCO RevD Schedule2 Requirement 9.</p>

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.20	Non-Designated Assets drawing	Noted. These were produced as part of the previous M20 j10a scheme and the Stour Park scheme but have been used in the design of the evaluation works (as well as the assessment of the current scheme) and will be included with the Written Scheme of Investigation (WSI) for the evaluation.	Non-Designated Assets drawing (DCO Document 6.2, Figure 6.2) does not indicate the presence of known archaeological remains within the scheme area or within the study area, as suggested by the Archaeological Evaluation of Land West of Highfield Lane and by the Geophysical Survey.	Agreed
3.2.21	Evaluation Report and Geophysical Survey Report	The heritage assessment for the scheme was incorporated into the chapter rather than a standalone technical appendix. The evaluation reports were not produced as part of this scheme (but were referred to) and therefore could not be included within the Cultural Heritage Appendix (Volume 6.3 of the Environmental Statement). The reports are available in the KCC Historic Environmental Records.	Reports of any archaeological fieldwork in Kent should ideally be placed on the Historic Environment Record for Kent, especially if they are part of formal development schemes. The reports can be deposited but treated as confidential. Copyright stays with the author even if the reports are deposited on the county HER. So copyright should not be an issue.	Agreed
3.2.22	Archaeological potential map	An archaeological potential map would be useful but due to the limited nature of the evidence then this would be best produced as part of the evaluation.	There appear to be only two figures showing heritage assets and areas. This is rather limited and it would be helpful to have more detailed Cultural Heritage figures, especially ones showing areas	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			of impact on known heritage assets.	

Chapter 7: Landscape

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.21	Landscape	<p>The Landscape Chapter (Chapter 7) of the Environmental Statement and associated figures and technical appendices (Volumes 6.1, 6.2 and 6.3) properly assess the potential impacts of the Scheme on landscape and the methodology used is appropriate. The assessment of impacts, proposed mitigation measures and conclusions regarding landscape are agreed between Highways England and the County Council.</p> <p>Refer to Appendix A for a copy of the Ashford Borough Council Statement of Common Ground which provides a response to the Ashford Borough Council Relevant Representation.</p>	KCC will rely on comments made by ABC on this matter.	Deferred to ABC
3.2.22	Environmental Masterplan	The mitigation measures outlined in the Environmental Masterplan for both the Main Scheme and Alternative Scheme (Figures 2.6a to g and Figures 2.7a to c, Volume 6.2 of the Environmental Statement) properly address the potential impacts of the scheme and the methodology used is	<p>There is a need for Kingsford Street mitigation to be agreed</p> <p>For other matters under this clause, KCC will rely on comments made by ABC on this matter.</p>	<p>Kingsford Street mitigation needs to be agreed.</p> <p>Deferred to ABC</p>

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>appropriate. The proposed mitigation measures are agreed between Highways England and the County Council. This includes provisions for Kingsford Street.</p> <p>Refer to Appendix A for a copy of the Ashford Borough Council Statement of Common Ground which provides a response to the Ashford Borough Council Relevant Representation.</p>		

Chapter 8: Nature Conservation

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.23	Nature Conservation	<p>The Nature Conservation Chapter (Chapter 8) of the Environmental Statement and associated figures and technical appendices (Volumes 6.1, 6.2 and 6.3) properly assess the potential impacts of the Scheme on nature conservation and the methodology used is appropriate. The assessment of impacts, proposed mitigation measures and conclusions regarding nature conservation are agreed between Highways England and the County Council.</p> <p>Additional surveys will be carried out in 2017 for protected species,</p>	<p>The mitigation works are not due to commence until 2018, so there may be a need for updated surveys to update the mitigation strategies or inform the EPS licences.</p> <p>The timetable highlights that the enhancement works to the receptor sites will also commence in 2018. If possible, HE should be implementing the enhancement works in 2017 to give them time to establish and ensure that they are suitable to be used as mitigation.</p>	Agreed, subject to clarity on points raised by KKC and updating of surveys where necessary.

Reference	Issue	Highways England position	Kent County Council position	Status
		to update the mitigation strategies, if required, and inform EPS licences, Consideration is being given to the advancement of mitigation works.		
3.2.24	Outline Construction Environmental Management Plan	The Nature Conservation measures included in the Outline Construction Environmental Management Plan (Appendix 17.1, Volume 6.3 of the Environmental Statement) are appropriate and are agreed between Highways England and the County Council.	As above, in 3.2.23	Agreed, subject to clarity on points raised by KCC and updating of surveys where necessary
3.2.25	Habitat creation	<p>Advanced habitat enhancement and creation has been considered in the Ghost licenses and approved by Natural England. A Letter of No Impediment has now been issued by NE.</p> <p>Consideration is being given to the advancement of mitigation works, to facilitate the construction works, and discussions are ongoing between the Schemes' Contractor and the ecologists to ensure mitigation and construction programmes are aligned.</p>	<p>KCC is satisfied that a sound understanding of what species and habitats are present and what mitigation is required has been demonstrated.</p> <p>However, there is a need to ensure that the time to create/enhance the habitat for the required mitigation is factored in to the development timetable. This will ensure that development works are not delayed waiting for habitat to establish before the mitigation is implemented, nor that substandard mitigation is</p>	Agreed, subject to provision of development timetable content, as stated

Reference	Issue	Highways England position	Kent County Council position	Status
			carried out at the risk of the mitigation being unsuccessful (e.g. species dying as there is not sufficient food to support them).	
3.2.26	Habitat creation	<p>Advanced habitat enhancement and creation has been considered in the Ghost licenses and approved by Natural England. A Letter of No Impediment has now been issued by NE.</p> <p>Consideration is being given to the advancement of mitigation works, to facilitate the construction works, and discussions are ongoing between the Schemes' Contractor and the ecologists to ensure mitigation and construction programmes are aligned.</p>	<p>Habitat enhancements should be carried out as soon as possible to give them sufficient time to establish. For instance, it is noted that the dormouse mitigation is proposing to create a dormouse feeding station; this can only be a short-term mitigation measure, and long-term habitats must be created that provide suitable foraging habitat for dormouse. Measures must be in place to ensure the feeding station is stocked up for as long as required.</p>	Agreed, subject to measures incorporated for habitat enhancements
3.2.27	Habitat creation	<p>Advanced habitat enhancement and creation has been considered in the Ghost licenses and approved by Natural England. A Letter of No Impediment has now been issued by NE.</p> <p>Consideration is being given to the advancement of mitigation works, to facilitate the</p>	<p>To address this and wider concerns about the timetable for such works, it is suggested that a timetable is produced, clearly setting out the programme for the proposed habitat enhancements/creation and species/habitat mitigation. This will ensure the</p>	Agreed, subject to incorporation of timetable

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>construction works, and discussions are ongoing between the Schemes' Contractor and the ecologists to ensure mitigation and construction programmes are aligned.</p>	<p>development timetable can be designed accordingly.</p>	
3.2.28	Habitat creation	<p>Advanced habitat enhancement and creation has been considered in the Ghost licenses and approved by Natural England. A Letter of No Impediment has now been issued by NE.</p> <p>Maintenance work for the Main and Alternative Scheme will be managed by Highways England 'Area 4' team, which is operationally responsible for the local road network.</p>	<p>In respect of long-term management, there is a need to ensure that the created/enhanced management is managed long-term to ensure that the mitigation will be successful. This means either changing long-term management plans for Highways England land or ensuring landowners (where enhancements will be carried out) can, and are willing to, manage the habitat appropriately. For example, the receptor site for reptiles is proposed to be located on the London Bound M20 Highways verge, which is currently unsuitable for reptiles (as it is regularly cut), so there is a need to ensure that the maintenance team understands that the management of this area has changed.</p>	<p>Agreed, subject to points on long-term management being addressed</p>

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.29	Habitat creation	<p>Advanced habitat enhancement and creation has been considered in the Ghost licenses and approved by Natural England. A Letter of No Impediment has now been issued by NE.</p> <p>Discussions are ongoing with the Stour Park developer to ensure that the proposed mitigation measures for the areas where the M20 Junction 10a Schemes and the Stour Park development overlap do not conflict.</p>	<p>There are other developments being delivered or proposed within this area. HE needs to ensure they are aware of any developments within the surrounding area to confirm the mitigation proposed remains suitable; there may be a need to tweak / change the mitigation due to other works being carried out within the immediate area.</p>	Agreed, subject to confirmation on suitability of mitigation.

Chapter 9: Geology and Soils

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.30	Geology and Soils	<p>The Geology and Soils Chapter (Chapter 9) of the Environmental Statement (Volumes 6.1) properly assesses the potential impacts of the Scheme on geology and soils and minerals.</p>	<p>Highways England has reappraised the minerals safeguarding issues by looking all the economic geology (Wealden Clay, Sub-Alluvial sands and Gravels and the Hythe Formation) in a Mineral Assessment. KCC can conclude that the presumption to safeguard the identifiable economic geologies (at the M20 Junction 10a highway scheme works) according to the Kent Minerals and Waste Local Plan</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			2013-30 is not required. The investigative geological data shows that the relevant criteria of Policy DM 7, as set in the letter's conclusions, can be invoked to satisfy the exemption from the need to safeguard these minerals.	
	Geology and Soils	The Geology and Soils Chapter (Chapter 9) of the Environmental Statement (Volumes 6.1) properly has used the appropriate methodology.	Agreed	Agreed
	Geology and Soils	The Geology and Soils Chapter (Chapter 9) of the Environmental Statement (Volumes 6.1) properly assesses proposed mitigation measures.	Agreed	Agreed
	Geology and Soils	An update to the Minerals Assessment has been produced, in discussion with KCC, which further addresses potential effects on the other safeguarded minerals in relation to Policy DM7.	Highways England has reappraised the minerals safeguarding issues by looking all the economic geology (Wealden Clay, Sub-Alluvial sands and Gravels and the Hythe Formation) in a Mineral Assessment. KCC can conclude that the presumption to safeguard the identifiable economic geologies (at the M20 Junction 10a highway scheme works) according to the Kent Minerals and Waste Local Plan 2013-30 is not required. The	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			investigative geological data shows that the relevant criteria of Policy DM 7, as set in the letter's conclusions, can be invoked to satisfy the exemption from the need to safeguard these minerals.	
	Geology and Soils	Noted	The Mineral and Waste Policy Team are not able to comment on all the subjects, as this includes geotechnical and contaminated soils information for which we do not have the particular expertise on.	
	Contaminated Land Desk Study and Preliminary Interpretative Report	The Contaminated Land Desk Study and Preliminary Interpretative Report (DCO document 7.4) properly assess the baseline conditions for the Scheme.	As above	Agreed
	Contaminated Land Desk Study and Preliminary Interpretative Report	The Contaminated Land Desk Study and Preliminary Interpretative Report (DCO document 7.4) has used the appropriate methodology.	As above	Agreed
	Contaminated Land Desk Study and Preliminary Interpretative Report	The Contaminated Land Desk Study and Preliminary Interpretative Report (DCO document 7.4) properly assess the recommendations for the management and mitigation of identified contamination risks are agreed between Highways England and the County Council.	As above	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
	Outline Construction Environmental Management Plan	The Geology and Soils measures included in the Outline Construction Environmental Management Plan (Appendix 17.1, Volume 6.3 of the Environmental Statement) are appropriate and are agreed between Highways England and the County Council.	As above	

Chapter 10: Materials

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.31	Materials	The Materials Chapter (Chapter 10) of the Environmental Statement (Volumes 6.1 and 6.3) properly assesses the potential impacts of the Scheme.	Agreed	Agreed
	Materials	The Materials Chapter (Chapter 10) of the Environmental Statement (Volumes 6.1 and 6.3) has used the appropriate methodology.	Agreed	Agreed
	Materials	The Materials Chapter (Chapter 10) of the Environmental Statement (Volumes 6.1 and 6.3) properly assesses the impacts.	Agreed	Agreed
	Materials	The Materials Chapter (Chapter 10) of the Environmental Statement (Volumes 6.1 and 6.3) properly assesses the proposed mitigation	Agreed	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
	Materials	The Materials Chapter (Chapter 10) of the Environmental Statement (Volumes 6.1 and 6.3) properly assesses the conclusions regarding materials.	Agreed	Agreed
	Waste Management Sites	In response to KCC's comment on the waste management sites in Kent, this has been noted. No changes will be made to the Environmental Statement as the location of the waste management sites provides background to the assessment and would not change the conclusions of the assessment. Up to date information in the Kent County Council Annual Monitoring reports will be used to identify waste management facilities in the Site Waste Management Plan which will be produced by the Contractor prior to construction.	<p>With regards to Chapter 10, which details the sourcing and disposal of material, Highways England has listed a number of waste management sites that appear to be based on the licenses issued by the Environment Agency.</p> <p>The County Council would like to add that whilst a license has been issued, it does not necessarily mean that a waste management site is operational.</p> <p>The KCC Annual Monitoring Reports will provide a more accurate representation of operational waste management sites in Kent. This is also the case for mineral supply sites and it would be advisable for Highways England to use the most up-to-date information available and to be aware of any changes to the operational mineral supply and waste</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			management sites in Kent each year.	
	Outline Construction Environmental Management Plan	The Materials measures included in the Outline Construction Environmental Management Plan (Appendix 17.1, Volume 6.3 of the Environmental Statement) are appropriate and are agreed between Highways England and the County Council.	Agreed	Agreed

Chapter 11: Noise and Vibration

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.32	Noise and Vibration	<p>The Noise and Vibration Chapter (Chapter 11) of the Environmental Statement (Volumes 6.1, 6.2 and 6.3) properly assesses the potential impacts of the Scheme on noise and vibration and the methodology used is appropriate. The assessment of impacts, proposed mitigation measures and conclusions regarding noise and vibration are agreed between Highways England and the County Council.</p> <p>Refer to Appendix A for a copy of the Ashford Borough Council Statement of Common Ground which provides a response to the Ashford Borough Council Relevant Representation.</p>		Deferred to ABC

Reference	Issue	Highways England position	Kent County Council position	Status
	Outline Construction Environmental Management Plan	<p>The Noise and Vibration measures included in the Outline Construction Environmental Management Plan (Appendix 17.1, Volume 6.3 of the Environmental Statement) are appropriate and are agreed between Highways England and the County Council.</p> <p>Refer to Appendix A for a copy of the Ashford Borough Council Statement of Common Ground which provides a response to the Ashford Borough Council Relevant Representation.</p>		Deferred to ABC

Chapter 12: Effects on All Travellers

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.33	All Travellers	<p>The Effects on All Travellers Chapter (Chapter 12) of the Environmental Statement (Volumes 6.1, 6.2 and 6.3) properly assesses the potential impacts of the Scheme on effects on all travellers and the methodology used is appropriate. The assessment of impacts, proposed mitigation measures and conclusions regarding effects on all travellers are agreed between Highways England and the County Council.</p> <p>Refer to Appendix A for a copy of the Ashford Borough Council Statement of Common Ground which provides a</p>	KCC does not have any comments.	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		response to the Ashford Borough Council Relevant Representation.		

Chapter 13: Community and Private Assets

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.34	Community and Private Assets	The Community and Private Assets Chapter (Chapter 13) of the Environmental Statement (Volumes 6.1, 6.2 and 6.3) properly assesses the potential impacts of the Scheme on community and private assets and the methodology used is appropriate. The assessment of impacts, proposed mitigation measures and conclusions regarding community and private assets are agreed between Highways England and the County Council.	Agreed , subject to the PROW matters being addressed	Agreed , subject to the PROW matters being addressed
	Outline Construction Environmental Management Plan	The Community and Private Assets measures included in the Outline Construction Environmental Management Plan (Appendix 17.1, Volume 6.3 of the Environmental Statement) are appropriate and are agreed between Highways England and the County Council.	Agreed , subject to the PROW matters being addressed	Agreed , subject to the PROW matters being addressed

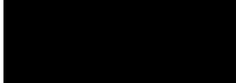
Reference	Issue	Highways England position	Kent County Council position	Status
3.2.35	Road Drainage and Water Environment	The Road Drainage and Water Environment Chapter (Chapter 14) of the Environmental Statement (Volumes 6.1, 6.2 and 6.3) properly assesses the potential impacts of the Scheme on road drainage and water environment and the methodology used is appropriate. The assessment of impacts, proposed mitigation measures and conclusions regarding road drainage and water environment are agreed between Highways England and the County Council.	Agreed	Agreed
3.2.36	Water Framework Directive Assessment	The Water Framework Directive Assessment (Appendix 14.1, Volume 6.3 of the Environmental Statement) properly assesses the potential impacts of the Scheme and the methodology used is appropriate. The assessment of impacts of the Scheme against the WFD status and objectives for water bodies in the Scheme area and conclusions are agreed between Highways England and the County Council.	Agreed Matters relating to the Water Framework Directive have generally been developed in consultation with the Environment Agency.	Agreed
3.2.37	Flood Risk Assessment	Further detailed assessment, including flood modelling and an update to the FRA (Appendix 14.2, Volume 6.3 of the Environmental Statement), has been carried out and a Flood Risk Modelling addendum (DCO Document 13.7) was submitted to the	KCC defers to the EA on this matter	Defer to the EA

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>Examination and the Environment Agency on the 30th March 2017.</p> <p>Refer to Appendix A for a copy of the Ashford Borough Council Statement of Common Ground which provides a response to the Ashford Borough Council Relevant Representation.</p>		
3.2.38	Drainage Strategy	The Drainage Strategy (Appendix A of Appendix 14.2 Flood Risk Assessment, Volume 6.3 of the Environmental Statement) for dealing with highway drainage is satisfactory and the proposals set out in it are agreed between Highways England and the County Council.	Measures within the drainage strategy are proposed for the control of pollution in order to minimise impact of surface water drainage upon receiving waters and as such KCC has no further comments to make on these matters at this time.	Agreed
3.2.39	Outline Construction Environmental Management Plan	The Water Environment and Road Drainage measures included in the Outline Construction Environmental Management Plan (Appendix 17.1, Volume 6.3 of the Environmental Statement) are appropriate and are agreed between Highways England and the County Council.	Matters relating to the Outline Construction Environmental Management Plan (3.2.26) have generally been developed in consultation with the Environment Agency.	Agreed
3.2.40	Flood Risk Assessment and drainage strategy	Noted	KCC has reviewed the flood risk assessments and drainage strategy information and is generally satisfied with the proposals for the management of surface water generated by the scheme.	Agreed

4. Agreement on this Statement of Common Ground

This Statement of Common Ground has been jointly prepared and agreed by:

Name: Salvatore Zappala

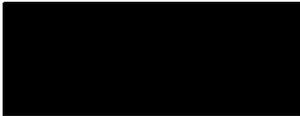
Signature: 

Position: Project Manager

On behalf of: Highways England

Date: 2 May 2017

Name: Katie Stewart

Signature: 

Position: Director for Environment, Planning and Enforcement

On behalf of: Kent County Council

Date: 2 May 2017