

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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and
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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)
C	May 2017	Mott MacDonald Sweco	Mott MacDonald Sweco Burgess Salmon	Highways England	DCO submission (post deadline 8)
D	May 2017	Mott MacDonald Sweco	Mott MacDonald Sweco Burgess Salmon	Highways England	DCO submission (deadline 9)

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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.
9 May 2016	Meeting with Kent County Council and	Emerging Environmental Statement Workshop A meeting to discuss the emerging ES including any key mitigation

Date Consulted	Form of Contact	Key issues raised / outcomes
	Ashford Borough Council	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.
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 scheme is also in accordance	Agreed.

Reference	Issue	Highways England position	Kent County Council position	Status
			with ABC transport policies. 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.	
	Policy	The Case for the Scheme (application document ref. 7.1) supplemented by the Local Impact Report prepared by ABC and KCC provides an accurate summary of the policies pertinent to the DCO application.	The Case for the Scheme, supplemented by the Local Impact Report submitted by ABC and KCC provides a full list of the relevant policies.	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>Under Requirement 12 of Schedule 2 Part 1 in the DCO KCC as the local highway authority will be consulted on the detailed design of the scheme.</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, 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

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 	<p>It remains KCC's view that despite the modelling undertaken by HE and the introduction of signage, vehicles travelling from north of J10 will opt to use the A20 corridor to access j10a and the coastbound carriageway – the same applies for</p>	Not agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>significant reduction of traffic flows on this section with the new J10a (remarkable for northbound/westbound vehicles). This confirms that the traffic using 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</p>	<p>the reverse journeys and the A20 corridor should become part of the trunk road network. Local knowledge and SatNav use will promote this route rather than utilising the new link road to j10a. Post scheme monitoring is to be undertaken by HE and KCC's request that the speed limit is reduced from 60mph to 40mph is to be addressed by HE outside the DCO process. The principle of trunking the A20 or providing traffic calming or commuted sums however cannot be agreed between the parties.</p>	

Reference	Issue	Highways England position	Kent County Council position	Status
		process as the currently red line boundary will not allow us to make this design change in the DCO.		

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. This is secured in Article 12(3) of the DCO.</p>	HE comments are noted and agreed.	Agreed.

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.	<p>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.</p> <p>Discussions are to be held with KCC Asset Managers during the detailed design phase so such matters can be addressed effectively.</p>	Agreed

Swatfield Bridge

Reference	Issue	Highways England position	Kent County Council position	Status
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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 and Highways England will not trunk the A20, see cl. 3.1.4 above.	KCC proposes that Highways England should be the operators and maintainers of the adjacent sections of the 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.	Not Agreed

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</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</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>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 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>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 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. 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. The level difference is therefore</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			being addressed as part of the detailed design process and the HE's design team will discuss with KCC Asset Managers.	

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. Agreed to implement 50mph speed limit and monitor the situation through the Road Safety Audit Stage 4.</p>	<p>Agreed -</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 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 to both the A20 and Bockham Lane. KCC supports this request. Equestrians and Non-Motorised Users are to be accommodated as part of the bridge construction, provision is therefore required to ensure continuity of the route. This road</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			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 including surfacing. This is secured in Article 12(4) of the DCO.	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 including surfacing. This is secured in Article 12(4) of the DCO.	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.	Agreed. 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	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			be 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.	Agreed. 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.	Agreed
	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	Agreed. 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	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		A2070, A20, J10 and Kingsford Street including the adjoining verges.	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.	

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.	HE and KCC have agreed to enter into an agreement confirming that: 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.	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			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.	
	Congestion	It is agreed the issue of congestion around Barrey Road lies outside this NSIP scheme and all parties are actively seeking a solution. It is agreed that KCC and HE will each use best endeavours to identify funding for an improvement to the A2070/Barrey Road junction from within their respective organisations and from third parties. Equally KCC and HE will each use best endeavours to deliver such an improvement	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 required, alongside the j10a scheme 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.	Agreed
	Safety	It is agreed the issue of congestion around Barrey Road lies outside this NSIP scheme and all parties are actively seeking a solution. It is agreed	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	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		that KCC and HE will each use best endeavours to identify funding for an improvement to the A2070/Barrey Road junction from within their respective organisations and from third parties. Equally KCC and HE will each use best endeavours to deliver such an improvement	seeking a solution. KCC therefore seeks HE's commitment for appropriate improvement if required, alongside the j10a scheme.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.	
	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> <p>Please see cl. 3.1.16 below for response regarding Kingsford Street issue.</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 	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			project permitted by the DCO is completed and HE has vacated the land.	
3.1.16	Highfield Lane	<p>Highways England considers this request to be outside of the scheme's 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 is entering into an agreement with Kent County Council (which has now been agreed and is being circulated for execution) confirming that:</p> <p>1.HE will not obstruct or prevent the delivery of the turning circle.</p> <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</p>	<p>HE and KCC have agreed to enter into an agreement confirming that:</p> <p>1.HE will not obstruct or prevent the delivery of the turning circle.</p> <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>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		will not carry out the turning circle works until the project permitted by the DCO is completed and HE has vacated the land.		

Draft Development Consent Order (DCO)

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>The required further provisions have been submitted as comments on the draft DCO 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> <p>KCC does note that there were a few amendments that may be required by the EA and ABC, which are being discussed between relevant parties.</p>	Agreed

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 Statement (Volumes 6.1, 6.2 and 6.3) properly assesses the social and economic impacts of the Scheme.	Agreed	Agreed

3.2 Environmental Statement related issues

General

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.1	Limits of deviation	<p>The Limits of Deviation have been selected to allow the detailed design to have some flexibility within it and not restrict any value engineering when developing the scheme design.</p> <p>Under Requirement 12 of Schedule 2 Part 1 in the DCO KCC as the local highway authority will be consulted on the detailed design of the scheme, which would include any changes in the limits of deviation compared to the preliminary design.</p>	<p>Agreed. 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. HE have asserted that they do not expect a great variation in levels</p>	Agreed

Chapter 5: Air Quality

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 the impact on Sevington	Deferred to Historic England

Reference	Issue	Highways England position	Kent County Council position	Status
			Church.	
3.2.6	Consultation with Heritage Conservation Dept. and KCC	<p>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.</p> <p>This is secured by Requirement 9 of Schedule 2 to the DCO.</p>	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
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.	The communication links with the County Archaeologist are not ideal, but at this stage, KCC accepts the clarification provided by Mott MacDonald, KCC would request opportunity to discuss its concerns further.	Agreed
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). 	In summary, the assessment of Cultural Heritage issues is reasonable. There is potential for the scheme to impact on prehistoric, Roman, Early Medieval and Medieval remains, which may be considered of greater importance than “low local value” only. The evaluation work so far is too limited to	Agreed

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 <p>Highways England confirm that they will implement the 2nd stage evaluation works agreed in April 2017.</p>	<p>suggest there are no significant remains within the scheme area.</p>	
3.2.9	Designated milestone (HA no: 1276471)	<p>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</p>	<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</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>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> <p>Highways England confirms that it will make a provision for an archaeological watching brief.</p>	<p>specified by Highways England, the milestone has not been found. KCC recommends that provision is made for an archaeological watching brief 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).</p>	
3.2.10	Mitigation measures for St Mary's Church	<p>Discussions are ongoing between Highways England and Historic England to agree the mitigation measures required for St Mary's Church.</p>	<p>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.</p>	Agreed
3.2.11	Construction mitigation	<p>Discussions are ongoing between Highways England and the County Archaeologist to agree the mitigation measures required for the construction of the Scheme.</p>	<p>Archaeological mitigation needs to be integrated into all aspects of the scheme, including the initial enabling works, ecological and drainage works.</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
			A meaningful construction programme is required, with mechanisms in place to ensure archaeological mitigation is suitably dealt with, including County Archaeologist sign off of detailed mitigation and agreement of post-excavation works. The details will be covered in the Archaeological Framework Strategy required through the DCO.	
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 has been checked. Robust consideration will continue to be needed in view of scale and height of new roundabout and possible increased traffic flows as the detailed design progresses.	Agreed
3.2.14	Hatch Park	The methodology of the Cultural Heritage Assessment in Chapter 6;	KCC disagrees with the Cultural Heritage assessment,	Deferred to Historic England

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>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).</p> <p>Please see letter submitted by Historic England at Deadline 5.</p>	<p>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.</p> <p>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.</p>	
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	Archaeological findings are being made all the time, such	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		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.	as from Ashford Orbital Park including 3 Iron Age funerary enclosures (Oxford Archaeology East 2015). These need to be taken into account as the scheme progresses.	
3.2.17	Historic lime kiln	<p>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.</p> <p>Highways England confirm that they will finalise the Archaeological Framework Strategy as secured in Schedule 2 Requirement 9 of the DCO.</p>	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 the recommendation is that some assessment of this feature is required to ensure suitable assessment and mitigation if necessary.	Agreed
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	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	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>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>Highways England confirm that they will finalise the Archaeological Framework Strategy as secured in Schedule 2 Requirement 9 of the DCO.</p>	<p>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 evaluation and assessment would need to be fully integrated into the formal programme of archaeological works.</p>	
	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 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</p>	<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</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>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>Highways England confirm that they will implement the 2nd stage evaluation works agreed in April 2017.</p>	<p>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. Suitable fieldwork should clarify this issue.</p>	
	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.</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, the suggestion that there is reasonable potential for remains which may be of greater significance than “low local value”. Suitable fieldwork should clarify this issue.</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>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>Highways England confirm that they will finalise the Archaeological Framework Strategy as secured in Schedule 2 Requirement 9 of the DCO.</p>		
	Assessment methodology	A statement of significance has been prepared, which forms part of the Statement of Common Ground with Historic England.	The Archaeological Potential and Value Assessment does not provide reasonable 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	Deferred to Historic England.

Reference	Issue	Highways England position	Kent County Council position	Status
			matter, KCC will defer to Historic England.	
3.2.19	Construction mitigation	<p>Discussions are ongoing between Highways England and Historic England to agree the mitigation measures required.</p> <p>Highways England confirm that they will finalise the Archaeological Framework Strategy as secured in Schedule 2 Requirement 9 of the DCO.</p>	<p>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 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>	Deferred to Historic England.

Reference	Issue	Highways England position	Kent County Council position	Status
	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>Highways England confirm that they will finalise the Archaeological Framework Strategy as secured in Schedule 2 Requirement 9 of the DCO.</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>	Agreed
3.2.20	Non-Designated Assets drawing	<p>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.</p>	<p>Non-Designated Assets drawing (DCO Document 6.2 Figure 6.2) is not up to date and the Archaeological Framework Strategy should use up to date data.</p>	Agreed
3.2.21	Evaluation Report and Geophysical Survey Report	<p>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)</p>	<p>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</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		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.	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.	
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 of impact on known heritage assets. This should be demonstrated in the Archaeological Framework Strategy.	Agreed

Chapter 7: Landscape

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.21	Landscape	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	KCC will rely on comments made by ABC on this matter.	Deferred to ABC

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>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>		
3.2.22	Environmental Masterplan	<p>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 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> <p>KCC will be consulted on the CEMP in accordance with Schedule 2 Requirement 3 of the DCO.</p>	<p>KCC confirms that the species rich grassland will be created at the corner of Higham Lane to mitigate for the impact on the RNR and this needs to be included within the Construction Management Plan.</p> <p>The maps detailed by Mott MacDonald in correspondence demonstrate that landscaping (a mixture of wildflower meadow and native scrub species) will be planted within the LNR to address the impact of the footbridge.</p> <p>KCC is satisfied that these arrangements are sufficient. For other matters under this clause, KCC will rely on comments made by ABC on this matter.</p>	<p>Kingsford Street mitigation is agreed.</p> <p>All other matters within this clause are deferred to ABC.</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, to update the mitigation strategies, if required, and inform EPS licences. Consideration is being given to the advancement of mitigation works.</p> <p>Highways England will clarify points raised by KCC and update surveys where necessary.</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
3.2.24	Outline Construction Environmental Management Plan	The Nature Conservation measures included in the Outline Construction Environmental Management Plan (Appendix	As above, in 3.2.23	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		17.1, Volume 6.3 of the Environmental Statement) are appropriate and are agreed between Highways England and the County Council.		
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>Highways England to provide a development timetable to KCC.</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 carried out at the risk of the mitigation being unsuccessful (e.g. species dying as there is not sufficient food to support them).</p>	Agreed
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</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</p>	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		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. Highways England to incorporate measures for habitat enhancements.	must be in place to ensure the feeding station is stocked up for as long as required.	
3.2.27	Habitat creation	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. 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. Highways England to incorporate the programme for proposed habitat creation etc. into its development timetable.	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 development timetable can be designed accordingly.	Agreed
3.2.28	Habitat creation	Advanced habitat enhancement	In respect of long-term management, there	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		<p>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>Highways England to ensure that the long-term management is address.</p>	<p>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>	
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>Highways England will consider other developments and consult</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

Reference	Issue	Highways England position	Kent County Council position	Status
		on the mitigation with KCC.		

Chapter 9: Geology and Soils

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.30	Geology and Soils	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.	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 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.	Agreed
	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	Agreed	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		(Chapter 9) of the Environmental Statement (Volumes 6.1) properly assesses proposed mitigation measures.		
	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 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.	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 baseline conditions for the Scheme. Highways England are working with		Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		the Environment Agency on contaminated land issues.		
	Contaminated Land Desk Study and Preliminary Interpretative Report	<p>The Contaminated Land Desk Study and Preliminary Interpretative Report (DCO document 7.4) has used the appropriate methodology.</p> <p>Highways England are working with the Environment Agency on contaminated land issues.</p>		Agreed
	Contaminated Land Desk Study and Preliminary Interpretative Report	<p>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.</p> <p>Highways England are working with the Environment Agency on contaminated land issues.</p>		Agreed
	Outline Construction Environmental Management Plan	<p>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.</p>		Agreed

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
	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	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	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		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>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 management sites in Kent each year.</p>	
	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
	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

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 response to the Ashford Borough Council Relevant Representation.</p>	KCC does not have any comments.	Agreed

Chapter 13: Community and Private Assets

Reference	Issue	Highways England position	Kent County Council position	Status
3.2.34	Community and Private Assets	<p>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</p>	Agreed.	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		mitigation measures and conclusions regarding community and private assets are agreed between Highways England and the County Council.		
	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.	Agreed

Chapter 14: Road Drainage and the Water Environment

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)	Agreed Matters relating to the Water	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
		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.	Framework Directive have generally been developed in consultation with the Environment Agency.	
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 Examination and the Environment Agency on the 30 th March 2017. 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.	KCC defers to the EA on this matter	Defer to the EA
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	The Water Environment and Road	Matters relating to the Outline	Agreed

Reference	Issue	Highways England position	Kent County Council position	Status
	Management Plan	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.	Construction Environmental Management Plan (3.2.26) have generally been developed in consultation with the Environment Agency.	
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

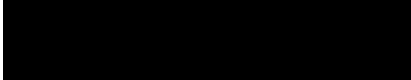
Signature: 

Position: Project Manager

On behalf of: Highways England

Date: _____

Name: Katie Stewart

Signature: 

Position: Director for Environment, Planning and Enforcement

On behalf of: Kent County Council

Date: _____