

# **M4 JUNCTIONS 3 TO 12 SMART MOTORWAY**

**The M4 Motorway (Junctions 3 to 12)(Smart Motorway)  
Development Consent Order 201[ ]**

**Planning Inspectorate Scheme Reference: TR010019**

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## **STATEMENT OF COMMON GROUND**

**between**

**(1) HIGHWAYS ENGLAND**

**and**

**(2) TRANSPORT FOR LONDON and the GREATER LONDON  
AUTHORITY**

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## STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Transport for London and the Greater London Authority.

Signed



**Lynne Stinson**  
Project Manager

on behalf of Highways England

Date: 8 October 2015

Signed



**Stewart Murray**  
Assistant Director - Planning

on behalf of Transport for London  
and the Greater London Authority

Date: 12 October 2015

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## 1 Introduction

### Purpose of Statement of Common Ground

- 1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of an application ("Application") made by the Highways Agency (which has now become the "Highways England Company Limited", known as "Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("DCO") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.2 The draft DCO is referred to as The M4 Motorway (Junctions 3 to 12) (Smart Motorway) Development Consent Order 201[\*] (the "Order"). The Order would grant powers to improve the M4 motorway ("M4") to a smart motorway between junction 3 (Hayes) in west London and junction 12 (Theale), which is near Reading (the "Scheme").
- 1.3 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).
- 1.4 Paragraph 58 confirms the basic function of SoCGs:

*"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."*

### Parties to this Statement of Common Ground

- 1.5 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Transport for London and the Greater London Authority.
- 1.6 The Application was made by the Highways Agency. On 1 April 2015, the Highways Agency became a government-owned Strategic Highways Company, limited by shares, with the Secretary of State as sole shareholder. Highways England is the new company. It is established as the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The

legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.

- 1.7 Transport for London is a local government body responsible for most aspects of the transport system in the area of Greater London. Its role is to implement the transport strategy and to manage transport services across London.
- 1.8 The Greater London Authority is the top-tier local authority and administrative body for the Greater London area and is responsible for coordinating land use planning. It is a strategic regional authority, with powers over transport, policing, economic development, and fire and emergency planning.

### **Summary of the Scheme**

- 1.9 The M4 is the main strategic route between London and the west of England, and on to South Wales. Major towns and cities along the M4 include London, Reading, Swindon, Bristol, Newport, Cardiff and Swansea.
- 1.10 The M4 between junctions 3 and 12 carries over 130,000 vehicles per day, and more in places. At peak times, traffic flows on many links are close to or exceed the total flow that the link is designed to handle. This causes heavy congestion on the M4, which can lead to unpredictable journey times.
- 1.11 The Scheme will help to relieve congestion by permanently converting the hard shoulder of the M4 to a running lane and using technology to vary speed limits and manage traffic. Signs and signals will be used to inform drivers of conditions on the highway network, when and where variable speed limits are in place, and when lanes are closed.
- 1.12 The Scheme is some 51 km (32 miles) in length and will have a number of principal elements:
  - 1.12.1 conversion of the hard shoulder to a permanent running lane and, where no hard shoulder is in place at present, the construction of a new lane. This will mainly take place between junction 4b and junction 8/9;
  - 1.12.2 replacement of overbridge structures where portals are too narrow to accommodate the improved motorway;

- 1.12.3 extension of underbridges and other structures such as culverts and subways to accommodate the improved motorway;
  - 1.12.4 changes to junctions and slip roads needed to accommodate traffic joining and leaving the improved motorway, and to allow use of the hard shoulder as a running lane, as well as allowing "through junction running" ("TJR");
  - 1.12.5 provision of new gantries and signs to allow the motorway to function as a smart motorway with a variable speed limit, and to provide messages to road users; and
  - 1.12.6 other infrastructure needed for the improved motorway, such as Emergency Refuge Areas ("ERAs"), enhanced communication systems, closed circuit television ("CCTV") and electrical supplies, as well as works to accommodate statutory undertakers' apparatus and other parties who may be affected by the Scheme.
- 1.13 The works are more particularly described in Part 1 of Schedule 1 of the Draft DCO (Application Document Reference 3.1).
- 1.14 The Application was submitted to the Planning Inspectorate on 30 March 2015, and the Planning Inspectorate, on behalf of the Secretary of State, accepted the Application on 27 April 2015.

### **Structure of this Statement of Common Ground**

- 1.15 This SoCG has been prepared for the purposes of the Examination to be held by the Secretary of State in accordance with PA 2008. In this SoCG, Highways England has provided a summary of its assessment for each issue addressed, as recorded in the Application documentation and subsequent reports.
- 1.16 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) the Applicant and (2) Transport for London and the Greater London Authority. The phrase "It is not agreed...." is used as a precursor to any point that (1) the Applicant and (2) Transport for London and the Greater London Authority wish to state as clearly not yet agreed. Points that are "not agreed" will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.
- 1.17 This SoCG considers the items raised by Transport for London and the Greater

London Authority in their relevant representation on the Application. The SoCG has also been drafted having regard to the list of principal issues set out at Annex B of the Examining Authority's Rule 6 letter dated 7 August 2015. However, only the principal issues of concern to Transport for London and the Greater London Authority are addressed in this SoCG. Any of the principal issues identified which are not specifically referenced in this SoCG are to be taken to be agreed between the parties.

1.18 This SoCG considers the following items:

1.18.1 In principle support for the Scheme.

1.19 This SoCG considers data and assesses them in respect of the topics addressed in the SoCG and the methodologies set out in:

1.19.1 The Environmental Statement ("ES") (Application Document Reference 6.1).

1.20 Where items in the ES and/or the accompanying technical reports are agreed, this is stated with the relevant document reference. Where items of data are new or represent an agreed variation presented in a technical report or other document, then a list of those documents is provided in Appendix 1 to this SoCG.

1.21 The assessments include a combination of desk based studies, site investigations and technical assessment work. The ES sets out mitigation and remedial measures where appropriate, concluding with a summary of the residual effects following mitigation.

## 2 Overview of Previous Engagement

2.1 A summary of key meetings, workshops and consultation undertaken between (1) Highways England and (2) Transport for London and the Greater London Authority can be found in the following tables:

**Table 2.1.1: Pre-application Engagement**

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
8 May 2014 (Transport for London)	Invitation to attend a pre-application meeting to be held on 19 May 2014	Invitation to an informative meeting as part of initial stakeholder engagement and information exercise
19 May 2014 (Transport for London)	Pre-application meeting between Transport for London and Highways Agency	Information meeting to provide an overview of the Scheme, DCO process, suggested consultees and local proposed highway schemes
9 July 2014 (Greater London Authority)	Letter from Highways Agency requesting suitable dates for a pre-application notification meeting to discuss the Scheme proposals	Request for suitable dates when Highways Agency could meet with Greater London Authority during July and August 2014 to discuss the Scheme proposals and the local planning authorities' involvement in the DCO process
3 October 2014 (Greater London Authority)	Formal Issue of Draft Statement of Community Consultation for review under Section 47 of the Planning Act 2008	Formal consultation on Draft Statement of Community Consultation
17 October 2014 (Transport for London)	Letter from Highways Agency requesting completion of land ownership confirmation questionnaire	Questionnaire to obtain confirmation that the details previously provided regarding the Scheme are still valid and to offer the opportunity to provide any updates
21 October 2014 (Transport for London)	Response from Transport for London to request for land ownership confirmation questionnaire	Completed questionnaire on request for land ownership details



<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
10 November 2014 (Transport for London and Greater London Authority)	Planning Act 2008 Section 42: Notice of statutory pre-application consultation period	Notification of the formal pre-application consultation between 10 November and 21 December 2014 about the Scheme in accordance with Section 42 of the Planning Act 2008. Delivery of the Preliminary Environmental Information Report and Non-Technical Summary
10 November 2014 (Transport for London and Greater London Authority)	Planning Act 2008 Section 47: Notification Letter	Details of the pre-application consultation to be held between 10 November and 21 December 2014
26 November 2014 (Transport for London)	Planning Act 2008 Section 42 Preliminary Consultation Response from Transport for London	Key issues raised by Transport for London were transport modelling, 'smart management', management of incidents and air quality
3 December 2014 (Greater London Authority)	Letter from the Greater London Authority requesting information on cumulative developments	Request for details on relevant developments within 1km of the Scheme
9 December 2014 (Transport for London)	Consultation meeting between Transport for London and Highways Agency	Understanding the meaning of "smart motorway"; approach to air quality assessment; impact of the Scheme on air quality and noise within its jurisdiction; management of incidents and co-ordination with Transport for London's London Street Traffic Control Centre during operation; traffic modelling assumptions and results, particularly for the A4 and A312 areas
11 December 2014 (Transport for London)	Email from Transport for London to Highways Agency	Provision of notes from meeting held on 9 December 2014
11 December 2014	Email from Highways Agency to Transport for	Copies of the M4 J3 to 12 Smart Motorway Traffic

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
(Transport for London)	London	Model Validation Report and Traffic Model Forecasting Report provided for Transport for London review and an independent assessment of the Scheme on the Transport for London road network
16 December 2014 (Transport for London)	Email from Highways Agency to Transport for London providing air quality information, as requested in consultation meeting held on 9 December 2014	Provision of direction to relevant aspects of the Preliminary Environmental Information Report for the Transport for London road network
17 December 2014 (Transport for London)	Email from Transport for London to Highways Agency	Confirmation that the air quality information provided on 16 December 2014 addresses Transport for London's air quality comments in its Planning Act 2008 Section 42 Preliminary Consultation Response
18 December 2014 (Transport for London)	Email from Highways Agency to Transport for London providing noise information, as requested in consultation meeting held on 9 December 2014	Provision of direction to relevant aspects of the Preliminary Environmental Information Report for the Transport for London road network
19 December 2014 (Transport for London and Greater London Authority)	Planning Act 2008 Section 42 Secondary Consultation Response	Stated that the Greater London Authority and Transport for London could not support the Scheme due to concerns over traffic modelling; relevant issues and corresponding policy; and impact on air quality and noise in their jurisdiction
6 January 2015 (Greater London Authority)	Invitation to attend an Environmental Information Workshop – Preliminary Environmental Information Report, to be held on 20 January 2015	Invitation to an information meeting to discuss the Preliminary Environmental Information Report
20 January 2015	Environmental Information Workshop – Preliminary	Greater London Authority

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
	Environmental Information Report	did not attend
19 February 2015 (Transport for London)	Letter from Highways Agency requesting confirmation of Interests	Request for confirmation that the information on Transport for London held by Highways Agency was correct at the time of writing as outlined in the Book of Reference. Request for confirmation of information by 6 March 2015
9 March 2015 (Transport for London)	Response to request for land ownership confirmation	Completed confirmation on request for land ownership details

**Table 2.1.2: Post-application Engagement**

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
22 May 2015 (Transport for London)	Email request from Highways England for Statement of Common Ground ("SoCG") meeting dates	Requested availability for a number of potential meeting dates in June 2015 to discuss the draft SoCG
22 May 2015 (Greater London Authority)	Email request from Highways England for Statement of Common Ground ("SoCG") meeting dates	Requested availability for a number of potential meeting dates in June 2015 to discuss the draft SoCG
27 May 2015 (Transport for London)	Email exchange between Highways England and Transport for London Borough regarding SoCG meeting (replied to email of 22 May 2015)	Discussion regarding purpose of the meeting and the potential duration
28 May 2015 (Transport for London and Greater London Authority)	Section 56 notice of acceptance of an application for a Development Consent Order	Copy of the Section 56 letter sent to the relevant local planning authorities for information
2 June 2015 (Transport for London)	Telephone call from Transport for London followed up by email confirmation by Highways England regarding SoCG	Discussion regarding the DCO process and purpose of the SoCG

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
	meeting	
5 June 2015 (Greater London Authority)	Repeat email request from Highways England for SoCG meeting dates (originally requested 22 May 2015)	Requested availability for a number of potential meeting dates in June and July 2015 to discuss the draft SoCG
8 June 2015 (Transport for London)	Email from Transport for London to Highways England regarding SoCG meeting	Response to Highways England email dated 22 May 2015 providing confirming dates available to attend meeting
8 June 2015 (Transport for London)	Letter from Highways England regarding Freehold Land Interests	Requesting confirmation whether Transport for London is willing to enter into negotiating terms relating to the purchase of land
22 June 2015 (Greater London Authority)	Email from Greater London Authority confirming attendance with Transport for London at SoCG meeting on 26 June 2015	Confirmation that issues are the same as Transport for London, and they will therefore attend the same meeting. Arrangements regarding location and timing of meeting
23 June 2015 (Transport for London and Greater London Authority)	Email from Highways England to Transport for London and Greater London Authority	Provision of agenda for SoCG meeting on 26 June 2015
24 June 2015 (Transport for London)	Telephone call from Transport for London followed up by email confirmation by Highways England regarding SoCG meeting	Agreed to Transport for London's request to amend the meeting time, that Highways England would chair the meeting, and that Highways England's environmental specialists would join the meeting by phone if required
26 June 2015 (Transport for London and Greater London Authority)	SoCG meeting between Highways England, Greater London Authority and Transport for London	Issue discussed: traffic modelling approach; air quality impacts; noise impacts; potential for collaborative traffic management; Greater London Authority and Transport for London land

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
		interests near M4 junction 3
26 June 2015 (Transport for London and Greater London Authority)	Email from Highways England to Transport for London and Greater London Authority	Provision of links to the M4 J3 to J12 Scheme noise assessment information on the Planning Inspectorate website, as requested at SoCG meeting held on 26 June 2015
30 June 2015 (Transport for London and Greater London Authority)	Email from Highways England to Transport for London and Greater London Authority	Copy of Section 56 notice and land plan with reference details of Transport for London registered ownership which fall within the Order limits and are included within the Book of Reference
3 July 2015 (Greater London Authority and Transport for London)	Letter from Greater London Authority to Highways England	Withdrawal of concerns raised in the pre-application consultation responses and offer in principle support for the Scheme in strategic planning terms
6 July 2015 (Greater London Authority and Transport for London)	Relevant Representation	Withdrawal of concerns raised in the pre-application consultation responses and offer in principle support for the Scheme in strategic planning terms
28 July 2015 (Transport for London)	Email from Highways England to Transport for London	Provision of draft minutes from SoCG meeting held on 26 June 2015
29 July 2015 (Transport for London)	Repeat letter from Highways England regarding Freehold Land Interests (originally requested 8 June 2015)	Requesting confirmation whether Transport for London is willing to enter into negotiating terms relating to the purchase of land
30 July 2015 (Transport for London)	Email from Transport for London to Highways England regarding key contact	Request to send all future correspondence to Kate Keane as she is coordinating Transport for London's response

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
11 September 2015 (Greater London Authority and Transport for London)	Email from Highways England to Greater London Authority and Transport for London	Issue of draft SoCG
24 September 2015 (Greater London Authority and Transport for London)	Email from Highways England to Greater London Authority and Transport for London	Seeking confirmation that draft SoCG had been received
25 September 2015 (Greater London Authority and Transport for London)	Email from Greater London Authority to Highways England	Confirming receipt of the draft SoCG and that it is being reviewed
28 September 2015 (Greater London Authority)	Email from Greater London Authority to Highways England	Confirmed that Greater London Authority are generally comfortable with the draft SoCG but that they have comments to discuss with Transport for London
8 October 2015 (Greater London Authority and Transport for London)	Email from Greater London Authority to Highways England	Confirmation that, having reviewed the draft SoCG the strategic authorities are satisfied that it accurately reflects the position with respect to previous engagement and matters agreed. The strategic authorities confirm that there are now no matters not agreed with Highways England. An agreed draft SoCG was attached and note made of one typographical correction on page 8.
8 October 2015 (Greater London Authority and Transport for London)	Email from Highways England to Greater London Authority and Transport for London	Issue of revised SoCG, signed by Highways England, correcting typographical error and updating table 2.1.2

2.2 It is agreed that this is an accurate record of the key meetings, workshops and consultation between (1) Highways England and (2) Transport for London and the Greater London Authority, in relation to the issues addressed in this SoCG.

### **3 Matters Agreed**

#### **3.1 In principle support for the Scheme**

3.2 It is agreed that the impact of the Scheme on traffic and journey times (on both surrounding local roads, as well as destinations in central London) would be minimal and acceptable as outlined in the Engineering and Design Report (Application Document Reference 7.3) paragraphs 4.3.3 and 4.3.4 and Table 2 - 'Forecast ratios of traffic flow to capacity without implementation of the Scheme' and Table 3 - 'Forecast ratios of traffic flow to capacity with implementation of the Scheme'.

3.3 It is noted that despite a minimal impact on traffic and journey times, the Scheme would result in an increased volume of traffic. However, it is agreed that this increased volume of traffic would not be significant, as detailed in the Traffic Forecasting Report M4 Junctions 3 to 12 Smart Motorway (Ref 514451-MUH-DD-ZZ-RP-PM-300128), and in the three supplemental technical traffic flow papers for the forecast A4, A 312 and M4 average weekday and peak hour flows as referenced in Appendix 1 to this SoCG.

3.4 It is agreed that the impact of the Scheme in terms of air quality is not significant, as detailed in Chapter 6 of the ES (Application Document Reference 6.1), paragraphs 6.12.9 and 6.13.11.

3.5 It is agreed that the impact of the Scheme in terms of noise and vibration is not significant, as detailed in Chapter 12 of the ES (Application Document Reference 6.1), paragraphs 12.12.11, 12.12.12, 12.12.13, 12.13.11, 12.13.12 and 12.13.13.

3.6 The Strategic Authorities of the Greater London Authority and Transport for London withdraw their concerns raised within the pre-application consultation responses and wish to express their in principle support for the M4 junctions 3 to 12 Smart Motorway, as detailed in the relevant representation dated 3 July 2015 by Stewart Murray on behalf of the Greater London Authority and Transport for London.

#### **3.7 DCO Requirements**

3.8 Transport for London and the Greater London Authority have reviewed the draft requirements in Schedule 2 to the draft DCO and agrees that they are appropriate to secure the mitigation and other matters to be addressed in that Schedule.

#### **4 Matters Not Agreed**

4.1 There are no matters that are not agreed.



## Appendix 1: Supplementary Technical information

Date	Form of Document	Summary
9 December 2014 (Transport for London)	Meeting presentation of traffic flow data at three periods	Three sheets tabled at meeting detailing the forecast Average Weekday and Peak hour traffic flows along the A4, A312 and M4, with and without the Scheme in 2022 and 2037
11 December 2014 (Transport for London)	Report	M4 J3 to 12 Smart Motorway Traffic Model Validation Report (Ref 1044049-D04-006) and Traffic Model Forecasting Report (Ref 514451-MUH-00-ZZ-RP-PM-300128)