

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

STATEMENT OF COMMON GROUND

between

(1) HIGHWAYS ENGLAND

and

(2) WOKINGHAM TOWN COUNCIL

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Wokingham Town Council.

Signed


Lynne Stinson
Project Manager

on behalf of Highways England

Date: 8 October 2015

Signed


Mike Dunstan
Planning & Transportation Officer

on behalf of Wokingham Town
Council

Date: 8th 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

- 1.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Wokingham Town Council.
- 1.5 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.

- 1.6 Wokingham Town Council is the relevant community council responsible for the town of Wokingham within the county of Berkshire.

Summary of the Scheme

- 1.7 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.

- 1.8 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.

- 1.9 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.

- 1.10 The Scheme is some 51 km (32 miles) in length and will have a number of principal elements:

1.10.1 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;

1.10.2 replacement of overbridge structures where portals are too narrow to accommodate the improved motorway;

1.10.3 extension of underbridges and other structures such as culverts and subways to accommodate the improved motorway;

1.10.4 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");

1.10.5 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

1.10.6 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.

1.11 The works are more particularly described in Part 1 of Schedule 1 of the Draft DCO (Application Document Reference 3.1).

1.2 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

1.12 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.

1.3 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) Wokingham Town Council. The phrase “It is not agreed....” is used as a precursor to any point that (1) the Applicant and (2) Wokingham Town Council, wish to state as clearly not yet agreed. Points that are “not agreed” will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties.

1.13 This SoCG considers the items raised by Wokingham Town Council in a meeting held with Highways England on 29 June 2015 to discuss the Application (in the absence of a relevant representation). 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 Wokingham Town Council 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.

1.14 This SoCG considers the following items:

1.14.1 Construction programme and phasing; and

1.14.2 Signage arrangements.

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

1.15.1 The Environmental Statement ("ES") (Application Document Reference 6.1);

1.15.2 The Outline Environmental Management Plan (Appendix 4.2 of the ES)
(Application Document Reference 6.3);

1.15.3 The Outline Construction Environmental Management Plan (Appendix 4.2A of the ES) (Application Document Reference 6.3); and

1.15.4 Engineering and Design Report (Application Document Reference 7.3).

1.16 Where items in the ES (Application Document Reference 6.1) 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.

1.17 The assessments include a combination of desk based studies, site investigations and technical assessment work. The ES (Application Document Reference 6.1) sets out mitigation and remedial measures where appropriate, concluding with a summary of the residual effects following mitigation. [The mitigation referred to in the ES (Application Document Reference 6.1) has been refined and enhanced during the course of the Examination as set out in this SoCG and Highways England's submissions to the Examining Authority.]

2 Overview of Previous Engagement

2.1 A summary of key meetings, workshops and consultation undertaken between (1) Highways England and (2) Wokingham Town Council can be found in the following tables:

Table 2.1.1: Pre-application Engagement

Date	Form of Contact	Summary
15 August 2014	Scoping Response Opinion	Wokingham Town Council did not wish to comment on the Scoping Report
10 November 2014	Planning Act 2008 Section 47: Notification Letter	Details of the pre-application consultation to be held between 10 November and 21 December 2014
10 November 2014	Planning Act 2008 Section 42: Notice of statutory Pre-application consultation	Notification of the formal pre-application consultation on the Scheme between 10 November and 21 December 2014 in accordance with Section 42 of the Planning Act 2008. Delivery of the Preliminary Environmental Information Report and Non-Technical Summary
19 December 2014	Planning Act 2008 Section 42 Consultation Response	<p>Wokingham Town Council stated that the overall timeframe for the project should be published, as “a period greater than 18 months” is open-ended, with the timeframe for each phase and stage of the works being specified.</p> <p>The construction work on the highway and structures should be staggered to minimise disruption to commuter journeys, both on the motorways and on adjacent feeder routes.</p>

Table 2.1.2: Post-application Engagement

Date	Form of Contact	Summary
22 May 2015	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
26 May 2015	Email from Wokingham Town Council to Highways England responding to 22 May 2015 email	Advised that the request for a SoCG meeting would be added to the next Town Council agenda and will provide response by 3 June 2015
28 May 2015	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
3 June 2015	Email from Wokingham Town Council to Highways England	Wokingham Town Council does not require a meeting, and instead Wokingham Borough Council to represent Wokingham Town Council at SoCG meeting
5 June 2015	Email response to Wokingham Town Council email of 3 June 2015	Requesting confirmation that Wokingham Town Council had confirmed with Wokingham Borough Council that they would represent them at the meeting. This was confirmed.
23 June 2015	Agenda for SoCG meeting issued by Highways England to Wokingham Town Council and Wokingham Borough Council	Agenda for SoCG meeting
29 June 2015	SoCG meeting between Highways England, Wokingham Borough Council and Wokingham Town Council (the latter of whom was represented at the meeting)	Construction programme and phasing concerns discussed

Date	Form of Contact	Summary
27 July 2015	Minutes of SoCG meeting (held on 29 June 2015) issued by Highways England to Wokingham Town Council and Wokingham Borough Council	Minutes of SoCG meeting held on 29 June 2015

2.2 It is agreed that this is an accurate record of the key meetings, workshops and consultation undertaken between (1) Highways England and (2) Wokingham Town Council, in relation to the issues addressed in this SoCG.

3 Matters Agreed

3.1 Construction Programme and Phasing

3.2 Wokingham Town Council sought clarification on the construction programme and phasing.

3.3 The outline construction programme is described in paragraphs 4.12.20 to 4.12.22 of the ES (Application Document Reference 6.1) and an outline programme chart is provided in the Engineering and Design Report (Application Document Reference 7.3), paragraphs 8.3.7 to 8.3.10, and specific information for the links between Junctions 11 and 8/9 in paragraphs 8.3.12 and 8.3.13 and an outline programme chart in Annex B. Details of the construction phasing and associated traffic management will be developed further by the contractor with the earliest possible start of construction (based on the likely DCO timings) being November 2016, as indicated in paragraph 8.3.7 of the Engineering and Design Report (Application Document Reference 7.3).

3.4 The outline traffic management proposals during the construction period are set out in the Outline Construction Environmental Management Plan, Annex E Construction Traffic Management Plan (Appendix 4.2A of the ES) (Application Document Reference 6.3) which is based upon a worst case scenario of three construction phases with up to 28km of narrow lanes. Prior to the start of construction, options will be explored to establish the most appropriate delivery sequence with the contractor. The contractor will be required to develop and implement a Construction Environmental Management Plan in consultation with the relevant local planning authorities, as explained in paragraphs 2.2.4 to 2.2.8 of the Outline Environmental Management Plan (Appendix 4.2 of the ES) (Application Document Reference 6.3) and as required pursuant to requirement 8 in Schedule 2 to the Draft DCO (Application Document Reference 3.1). This will provide local authorities with an opportunity to discuss the construction programme, phasing, and diversions with the contractor.

3.5 Signage Arrangements

3.6 Wokingham Town Council enquired whether there could be opportunities to share signage for roadworks so that drivers on the M4 could be informed of road works on the M4 and also on the adjacent local road network. This would help to inform drivers of the relative merits of diverting from the M4 onto the local highway network during the construction phase.

3.7 Temporary signage arrangements for the Scheme will be subject to agreement between the contractor, the highways authority, and other local authorities including Wokingham Town Council. The contractor will be required to liaise with the local authorities concerning traffic management on local roads and construction access routes, as discussed in paragraphs 13.5.1 to 13.5.3 and 13.8.1 and 13.8.3 of the Outline Construction Environmental Management Plan (Appendix 4.2A of the ES) (Application Document Reference 6.3). The contractor will be required to develop and implement the Outline Construction Environmental Management Plan and the Outline Construction Traffic Management Plan (Annex E of Appendix 4.2A of the ES) (Application Document Reference 6.3). The preparation of the Construction Environmental Management Plan and approval by the relevant authorities is secured under regulation 8 in Schedule 2 of the Draft DCO (Application Document Reference 3. 1).

1.18 DCO Requirements

1.19 The Wokingham Town Council has 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.