

9. COMPULSORY ACQUISITION AND OTHER LAND MATTERS

CA9.1 With reference to para 8 of DCLG's *Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land*:

- i) **How can the ExA be assured that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored?**
 - ii) **Can the applicant set out in summary form what assessment/comparison has been made of the alternatives to the proposed acquisition of land or interests therein in each case?**
1. Highways England considers that the Department for Communities and Local Government ('DCLG') *Guidance on procedures related to Compulsory Acquisition under the Planning Act 2008* ('the DCLG Guidance'), gives support to the view that applicants for long linear schemes could make initial provision for compulsory acquisition of land within an application, with negotiations with landowners to continue through the Examination and detailed design.
 2. Paragraph 8 of the DCLG Guidance sets out the policy applicable to applications for development consent:
 3. *The applicant should be able to demonstrate to the satisfaction of the Secretary of State that all reasonable alternatives to compulsory acquisition (including modifications to the scheme) have been explored. The applicant will also need to demonstrate that the proposed interference with the rights of those with an interest in the land is for a legitimate purpose, and that it is necessary and proportionate.*
 4. The relaxation to the policy, which applies to linear projects such as the Scheme, which is 51km in length, is set out in Paragraph 25 of the DCLG Guidance:
 5. *Applicants should seek to acquire land by negotiation wherever practicable. As a general rule, authority to acquire land compulsorily should only be sought as part of an order granting development consent if attempts to acquire by agreement fail. Where proposals would entail the compulsory acquisition of many separate plots of land (such as for long, linear schemes) it may not always be practicable to acquire by agreement each plot of land. Where this is the case it is reasonable to include provision authorising compulsory acquisition covering all the land required at the outset.*
 6. The point made in the DCLG Guidance is important in demonstrating that there is support for Highways England's strategy of seeking, in parallel with efforts to negotiate to acquire by agreement, to acquire compulsorily land that it considers necessary for the Scheme. Highways England has followed the approach set out in Paragraph 25 of the DCLG Guidance as evidenced by the ongoing negotiations with landowners. Highways England will continue to progress negotiations through the detailed design stage.
 7. The ExA will note that the Scheme is proposed within a relatively constrained area. Most development is within the confines of the existing carriageway. This is because the Scheme has been engineered to avoid compulsory acquisition of larger areas of land and to minimise land-take. The alternatives to the Scheme that were considered are detailed in Section 7D of the Statement of Reasons.

8. Other alternatives to compulsory acquisition include negotiations with third parties. These are reported in the Consultation Report (Application Document Reference 5.1) and are the subject of updates in these Responses to Written Questions.
9. As set out in Section 7 of the Statement of Reasons (Application Document Reference 4.1) all owners, occupiers and others with an interest in land identified through diligent enquiry were consulted on the proposals for the Scheme and the effect on their interest. Detailed discussions are ongoing with a number of landowners and occupiers.

CA9.2 Paragraph 7.1.34 of the SoR APP-030 states that "The land identified to be subject to compulsory acquisition is no more than is reasonably required for the construction, operation and maintenance of the Scheme".

i) In connection with all nine temporary construction compounds shown on the Works Plan APP-13 to APP-17, and to assist with the consideration of whether the land to be temporarily possessed is no more than is reasonably required for the purposes of the development to which the development consent will relate, can the applicant explain how it has calculated the size of each of these compounds in relation to the works that they are required to facilitate?

1. The compound sizes have been based on the requirements for the scope of works associated with the Scheme outlined in the Summary of proposed development, Section 2.1 of the Engineering and Design Report (Application Document Reference Number 7-3). The criteria for construction compound selection are detailed in section 5.5 of the Outline Construction Environmental Management Plan which is appendix 4.2A of the Environmental Statement (Application Document Reference 6-3). A comparison has been made with site areas required for compounds for similar previous smart motorways projects as explained below.
2. For this exercise, the assessment has been undertaken by considering the Scheme construction to be undertaken in two sections, i.e. junction 12 to junction 8/9 and junction 8/9 to junction 3. This is as detailed in the Outline Construction Programme Annex B of the Engineering and Design Report (Application Document Reference 7-4). This is because the nature of works in these sections is different: the former is largely online, and will be undertaken first; and the latter involves greater areas of offline construction. The use of the construction compounds will be in accordance with the requirements within the CEMP, or as agreed with the relevant planning authority, as secured by Requirement 8(1) of the dDCO (Application Document Reference 3-1).
3. Comparison with similar previous Smart Motorway projects has been undertaken. The M3 junction 2 to junction 4a smart motorway project is approximately 22km in length and required approximately 9 hectares for temporary compounds. By comparison, the Scheme is 51km long and includes bridge replacement works not featured in the M3 scheme. Consequently a direct comparison with the M3 scheme would suggest a total construction compound area of 21ha would be required, without any allowance for the additional bridge replacement works. The total utilised area of compound proposed for the Scheme is 28.33ha minus the area of compound 9 for the park and ride facility, which is likely to reduce this area by around 1ha. Therefore, the total temporary construction compound area proposed for the Scheme is of a similar proportion as was required for the M3 Scheme.
4. The components to be located within each compound are explained below.
5. For the section between junction 12 and junction 8//9 on the M4 there are 4 proposed compounds:

Compound Reference	Area	Proposed Usage	Comments
Compound No 2 (Access to junction 12)	2.57ha	Vehicle recovery, traffic management, material storage, plant storage, concrete batching plant and offices and welfare facilities to support the western	

		end of the scheme.-	
Compound No 3 (Access to junction 11)	2.7ha	Material recycling/processing material storage, plant storage and welfare facilities.	
Compound No 4 (Access to junction 10)	7.44ha	Existing Highways England land ownership within Junction 10 Slip road configuration - Vehicle recovery area, small plant and material storage, site office and welfare.	Use of total area limited due to vegetation and limited sight lines available for safe access and egress.
Compound No 5 (Access to junction 8/9)	6.15ha	Main construction compound: staff offices, car parking, welfare, vehicle recovery and customer care centre, traffic management, plant & material storage, and concrete batching plant.	Located with good access to J8/9 and central to the Scheme and is consequently ideally positioned to operate as the main construction compound for the full Scheme i.e. M4 junction 3 to junction 12.

Additional notes on compound selection criteria for junction 12 to junction 8/9:

6. Compound 2 is located at the western limit of the project and is therefore a good location for expedient vehicle recovery, material storage or concrete batching plant to support the section of works between junction 12 and junction 10. The recovery area will equate to approximately 0.5 ha and the remaining area will provide offices, welfare, concrete batching plant and storage for construction materials e.g. pile reinforcement cages, sheet piles and verge infrastructure for the 2x16 km verge sections between junction 12 and junction 10.

Recovery and Reception area	0.50 ha
Traffic Management Facilities	0.20 ha
Materials Storage or Batching Plant (Drainage, followed by signage, communications, barriers etc)	0.80 ha
Container Stores area	0.20 ha
Plant Store area	0.50 ha
Section Office including parking	0.37 ha

7. Compound No 3 use will be subject to consultation with Wokingham and Reading Councils (subject to not creating an unacceptable effect on the park and ride scheme) as outlined in Section 5.5.3 (d) of the Outline Environmental Construction Plan Appendix 4.2A of the Environmental Statement (Application Document Reference Number 6.3). The uses within this compound will be material recycling/processing, material storage, plant storage and welfare facilities. Of the 2.7ha site area, approximately 0.4ha will be used for parking, office and welfare facilities and the remaining area, after reduction for Park and Ride constraints (assumed to be a 1 ha reduction), will be used for material processing and spoil storage.
8. The use of this location for material processing and recycling excavated material from site, either hard material or topsoil/subsoil, will minimise waste to landfill and reduce vehicle movements around the network.

Plant and Materials Store (Drainage, followed by signage, communications, barriers etc) and materials recycling	1.30 ha
Section Office including parking	0.40 ha

9. Compound 4 is land within the ownership of Highways England between the slip roads at junction 10 (across three sections north and south of the M4) which has a total area of 7.44ha. Approximately 6ha of this area is proposed for use as a compound providing vehicle recovery, small plant and material storage, site office and welfare. The remainder will be used as an environmental buffer to nearby properties.

Vehicle Recovery area	0.80 ha x 3
Small plant and material storage	0.80 ha x 3
Office including parking	0.60 ha x2
Environmental buffer	1.44 ha

10. Compound 5 is located centrally to the Scheme and will provide the main compound for the entire Scheme. Initially, the compound will support works from junction 12 to junction 8/9 and will then concurrently support the bridge works. Later, it will support the junction 8/9 to junction 3 works. The area of this compound covers 6.15ha.

Main Office setup including parking	1.50 ha
Recovery and Reception area	0.50 ha
Container Stores area	0.20 ha
Plant Store area	0.50 ha
Materials Store (Gantries etc) min	0.80 ha
Materials Store (Coms etc) min	0.50 ha

Materials Store (Drainage) min	0.65 ha
Concrete Batching Plant/materials Processing	1.50ha

11. Between junction 8/9 and junction 3, including compound 5, there are 6 compounds proposed for the works:

Compound Reference	Area	Proposed Usage	Comments
Compound No 5 (Access to junction 8/9)	6.15ha	Main construction compound: staff office, car parking, welfare, vehicle recovery and customer care centre, traffic management, plant & material storage, and concrete batching plant.	Located with good access to J8/9 and central to the Scheme and is consequently ideally positioned to operate as the main construction compound for the full Scheme i.e. M4 junction 3 to junction 12.
Compound No 6 (Access to junction 7)	3.06ha	This will support the construction of 3 overbridges. Office/welfare and material storage, formwork fabrication and laydown areas etc.	Supports Lake End Road, Huntercombe Spur and Oldway Lane.
Compound No 7 (Access to junction 6)	1.35ha	Supports Windsor Branch widening. Formwork fabrication, material storage for bridges, processing and storage of bridge demolition materials from other bridges. Satellite office and welfare.	Supports Windsor Branch widening
Compound No 8 (Access to Datchet Road)	2.02ha	Supports the demolition and construction of both Datchet Road and Riding Court Road Bridges. Formwork fabrication, material storage for bridges, Earthworks, processing/storage of bridge demolition materials.	Supports Datchet Road Bridge and Riding Court Road Bridge.
Compound No 9 (Access to junction 5)	3.4ha	Vehicle Recovery area, offices and welfare facilities, plant and material storage together with processing to support the eastern section of the main line works on the scheme. Additional facilities for formwork manufacture for culvert extensions and other ancillary	40% of compound associated with supporting Bridge works and ancillary structures.

		structures and Langley Under bridge widening works.	
Compound No 11 (Access to junction 4)	2.08ha	Vehicle Recovery area and material storage and welfare.	Provide critical vehicle recovery area and construction storage inside the M25.

Additional notes on compound selection criteria for junction 8/9 to junction 3:

12. Compound 5 – Comments as noted above under M4 J12-J8/9.
13. Compound 6 - Land within the ownership of Highways England within the slip roads at junction 7 and has an area of approx. 3.06ha. This area is proposed to be used initially as a compound to support the three overbridges at Lake End Road, Huntercombe Spur and Oldway Lane including office/welfare; fabrication and material storage. It is proposed that the compound will remain in operation throughout the bridge construction works and highway works between Junctions 8/9 and Junction 3. During the highways works phase the compound will be utilised for storage of materials appropriate for this stage of construction for linear progression of drainage, ducting and cabling for both lighting and communications, safety barriers etc. The office and welfare facilities would also be retained throughout the duration of the bridge replacement and highway works and the compound could be operational throughout the period of construction and commissioning of the M4 between junction 8/9 and junction 3

Office/Welfare	0.50 ha
Materials Storage / fabrication area	2.60 ha

14. Compound 7 is situated on land that was a previous compound off the A355, near junction 6. This area (1.35ha) is proposed to be used as a compound to initially support the Windsor Branch rail bridge widening including office/welfare; formwork fabrication, material storage for bridges, processing and storage of bridge demolition materials from other bridges. The compound will remain in operation during the bridge and highway works. The works on the highway includes earthworks, drainage, ducting, cabling for lighting and communications, gantry installation, safety barriers and traffic management. All of these operations will require materials to be stored at different times during the course of the works. Consequently it is proposed that the compound would be operational throughout the period of construction and commissioning of the M4 between junction 8/9 and junction 3.

Office/Welfare inc parking	0.60 ha
Materials Storage	0.75 ha

Compound 8

15. The location of this proposed compound is sited in a triangle of land between the M4, Datchet Road and Recreation Ground access road. The compound area (2.1ha approx.) is proposed to

be used initially to support the demolition and construction of both Datchet Road and Riding Court Road bridges. However, it will be used throughout the period of construction and commissioning of the M4 between junction 8/9 and junction 3. It will be used to provide welfare and office facilities during the construction phase. The linear production nature of the highway works will require the compound to be used for the storage of different materials to suit the construction stage. This will include earthworks, drainage, ducting, cabling for lighting and communications, gantry installation, safety barriers and traffic management. Plant and equipment associated with these works will also be stored in the compound area during the works. Consequently it is proposed that the compound will be operational throughout the period of construction and commissioning of the M4 between junction 8/9 and junction 3.

Office/Welfare inc parking	0.40 ha
Formwork manufacture	0.40 ha
Container Stores area	0.20 ha
Plant Store area	0.40 ha
Materials Storage	0.50 ha
Earthworks materials/drainage	0.20 ha

Compound 9

16. The site of this compound provides good access to junction 5. This area (3.4ha) is suitably located to provide vehicle recovery and offices and welfare throughout the construction and commissioning phase of the works between junction 8/9 and junction 3. It is also proposed to use this compound to process materials for this Eastern section of the works. Consequently it is proposed that the compound would be operational throughout the period of construction and commissioning of the M4 between junction 8/9 and junction 3. During the bridge widening works it will be utilised for office/welfare; formwork fabrication, material storage for bridges, processing and storage of bridge demolition materials from other bridges. The compound will remain in operation both during the bridge and highway works. The works on the highway includes earthworks, drainage, ducting, cabling for lighting and communications, gantry installation, safety barriers and traffic management. All of these operations will require materials to be stored at different times during the course of the works.

Section Office inc parking	0.4 0 ha
Recovery	0.40 ha
Container Stores area	0.20 ha
Plant Store area	0.50 ha
Materials Store (Incl. Drainage; communication equipment etc) min	0.50 ha
Materials Store (FRC work initially then	0.50 ha

highway materials cables, etc)	
Material processing and preassembly area	0.60 ha
TM Equipment Store min	0.30 ha

Compound 11

17. This proposed site compound is located at Prologis Park off the A408 adjacent to junction 4 at the east end of the project. The compound (2.0ha) would be utilised for the recovery service during the highway works for the Eastern section between junction 8/9 and junction 3. It would also be used to store the various materials associated with the bridge and highway works. This would include drainage, plant and materials, drainage, safety barriers and traffic management equipment. Consequently it is proposed that the compound would be operational throughout the period of construction and commissioning of the M4 between junction 8/9 and junction 3.

Recovery and Reception area	0.50 ha
Plant and Materials Storage or Concrete Batching Facility (Drainage, followed by signage, communications, barriers etc)	1.10 ha
Section Office including parking	0.40 ha

ii) Can the applicant explain why there is no Construction Compound 1 or Construction Compound 10 shown on the Works Plan?

18. There is no construction compound 1 or construction compound 10 shown on the Works Plan as, whilst these were initially identified within the Preliminary Environmental Information Report, they were subsequently deemed unsuitable. Therefore, they have been omitted from the Scheme application as outlined in Section 8.2.3 of the Engineering and Design Report (Application Document Reference 7.3). The numbering was not adjusted in order to maintain consistency and to avoid confusion.

CA9.3 Para 7.1.43 of the SoR APP-030 states that the proposed powers of compulsory acquisition in the dDCO are necessary and proportionate for five reasons.

- i) How has the proportionality test been undertaken?**
- ii) In relation to each plot, can the applicant explain the proportionate approach which has been taken?**

1. As noted in the response to question CA9.1, the approach to the amount of land required for the Scheme has been to limit land take as much as possible. This means that relative to the case in favour of the Scheme, its effects are very limited. For instance, it is not necessary to acquire any homes for the implementation of the Scheme.
2. The High Court has found that compulsory acquisition in the public interest is proportionate, provided that the case for the compulsory purchase is made out. It has been held that the general requirement that there be a compelling case in the public interest to justify confirmation of compulsory purchase order will usually ensure that the requirements of the European Convention on Human Rights is met (see *Bexley LBC v Secretary of State for the Environment, Transport and the Regions* [2001] EWHC Admin 323 at 46; *Tesco Stores Limited v Secretary of State for Environment, Transport and the Regions* (2000) P&CR 427 at 429). The "compelling case" test is incorporated into section 22 PA 2008, meaning that, provided such a case is made out, the test of proportionality is met.
3. The NN NPS provides a presumption in favour of smart motorway projects, which is further supported in this case by the need to address congestion issues identified in the Thames Valley Multi Modal Study. The NN NPS states:

"[A]t a strategic level there is a **compelling** need for development of the national networks" (paragraph 2.10)" [emphasis added].
4. In light of the relatively low level use of areas of land affected by powers of compulsory acquisition, the balance between the right to peaceful enjoyment of property protected by Article 1 of the First Protocol of the Human Rights Act 1998 is made out.
5. The tests which are set out at paragraph 7.1.43 of the SoR have been undertaken on a Scheme-wide and on a plot-by-plot basis. The proportionate approach to each plot is as explained above by investigating the mixture of interests which Highways England seeks to acquire compulsorily - freehold interests, permanent rights and temporary possession. This is because certain land may only be required during construction, for example, for the purposes of providing construction compounds; and it would not be proportionate to seek permanent acquisition of these areas. Rights of over-sailing are required in respect of all plots. Again, in these cases, Highways England has adopted a proportionate approach and does not seek to acquire the freehold interest. This is the approach which was adopted in, for example, the East Anglia ONE Offshore Wind Farm Order 2014.
6. Highways England proposes to acquire no more land or interests than are absolutely required for the Scheme. The need for each plot has been repeatedly reviewed, and as the Scheme design has progressed, the requirements for compulsory acquisition have been revisited.

CA9.4 The table provided at page 35 through 59 of the SoR APP-030, entitled *Table 2: Purposes for land to be compulsorily acquired*, includes in column 2 a number of entries which refer to the 'possible' purpose for which land is required. These entries include the possible refurbishment of bridges and culverts, and a possible temporary access or route diversion.

Can the applicant explain how it envisages that the relevant statutory tests might be satisfied for the compulsory acquisition or temporary possession of land or rights which may not be required for the development, or required to facilitate or are incidental to the development?

1. Highways England has provided at Appendix A to this Response to Written Questions a table setting out the entries which refer to "possible" purposes, and clarifying the reasons for their inclusion in the Table.
2. For most of the entries, temporary access for the land is required in any event for access for inspection purposes. Should those inspections disclose any need for maintenance works, the same land will be required for access for maintenance purposes. At this stage it is not possible to predict which land will require access for maintenance purposes, hence the inclusion as a possibility. The ExA should be comforted by the fact that the same land is already required for temporary access, and for that reason, Highways England considers that the relevant statutory tests are met.
3. In relation to plots 23-07, 23-08, 26-09a, 26-10a 26-11, 26-12, 26-13 and 30-03 which may be required for access, diversion routes , or refurbishment of structures, and dependant on the appointed contractor's construction methodology, the land is required for purposes incidental to the Scheme, as the plots provide the necessary optionality which allows the contractor to construct the Scheme in the most efficient and cost-effective manner.
4. The use of estimates in determining the extent of compulsory acquisition met with the ExA and Secretary of State's favour in the Walney Extension Offshore Windfarm DCO 2014. In that DCO, the design of the cables and substation had not been finalised, and thus the size of the cable corridor required was an estimate. The ExA decided that as evidence had not been provided querying the extent of the land stated to be required in that respect, the ExA could be satisfied that the land take was proportionate. The Secretary of State agreed with the ExA's recommendation. The same rationale can be applied here.

CA9.5 Paragraph 7.1.11 of the SoR_{APP-030} states that *"The Agency [now Highways England] will seek to acquire the necessary interests in the Order land by private agreement in order to ensure completion of the Scheme"*.

Can the applicant please provide a schedule to identify those interests with whom private agreements are in place, which makes explicit each party's interest(s) (including plot numbers) and the general scope of any agreement? The schedule should also make clear in relation to which lands private agreements remain outstanding, and anticipated timeframes for their achievement.

1. A schedule has been provided at Appendix B to this Response to Written Questions.

CA9.6 For the avoidance of doubt, can the applicant confirm the total number of plots falling within each of the classes listed in paragraph 2.1.7 of the SoR APP-030 under which land or rights may be acquired permanently or land possessed temporarily?

1. The total number of plots falling within each of the classes listed in paragraph 2.1.7 of the Statement of Reasons “SoR” (Application Document Reference Number 4.1) are as follows.

Class listed in paragraph 2.1.7 of the SoR APP-030	Total number of plots	Notes
a) compulsory acquisition of estates in land (Article 20);	386	The number of pink plots listed on the Land plans as “unrestricted powers to acquire or use land” is 359. The number of grey plots that are “Unrestricted Powers to Acquire or Use Land at Motorway Level, Powers Limited to Temporary Use of Land Below Motorway Level” and blue plots “Unrestricted Powers to Acquire or Use Land at Motorway Level, Powers Limited to Acquisition of Permanent Rights and Temporary Use of Land Below Motorway Level” is 27. These have been added together.
b) compulsory acquisition of rights (Article 22);	27	This is the number for blue plots and grey plots.
c) extinguishment of private rights over land (Article 24);	(173) 386	This is the number of plots that are currently subject to private rights, which may be affected by the Scheme. However, the power is extended to all parcels since it covers rights created hereafter, in the same way that subsequently acquired estates are covered by powers of acquisition. Not to do so, risks implementation of the Scheme as a result of after-imposed private rights.
d) compulsory acquisition of subsoil or airspace only (Article 26);	386	This is the same as for plots falling under Article 20, as provided above. The power provides availability to acquire a lesser interest, reducing interference with the land.
e) compulsory acquisition of rights under or over streets (Article 28);	516	This is applied as a matter of routine on plot descriptions covering “public”, “road”, “motorway”, “embankment”, “verge”, “way”, “path”, “highway”, “close”. It enables services to be laid in such land.
f) temporary use of land for carrying out the Scheme (Article 29); and	278	This is the number for green, blue and grey plots.

g) temporary use of land for maintaining the Scheme (Article 30)	386	This is all land (including construction compounds) within the Order Limits.
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CA9.7 Paragraph 7.3.35 of the SoR APP-030 states that "the areas of land proposed to be acquired are very modest", and in para 9.1.5 that "The Agency [now Highways England] has concluded that the significant public benefits [of the scheme] outweigh its effects upon persons who have existing rights in the Order land".

Can the applicant explain what assessment, if any, has been made of the effect upon individual affected persons and their private loss that would result from the exercise of compulsory acquisition or temporary possession powers in each case?

1. The applicant's approach to compulsory acquisition has been to reduce the effect on private property where possible. Whilst the effect of acquisition upon individual persons (eg each family member in a household) has not been addressed, the approach to every acquisition has been to avoid acquiring plots altogether where possible, or to acquire a lesser right or area if not. This inevitably limits effects upon such persons.
2. The total number of plots within which an interest (freehold, leasehold, tenant or occupier) is held by an individual person (or household), resulting in a private loss is 122, which makes up 19.15% of all plots in the Scheme. Therefore, a total of 156 individual persons are affected by private loss, albeit, not in each case actual acquisition.

	Number of individuals affected	Number of plots owned by those individuals that are affected	Notes
Individual affected persons with private land ownership (e.g. freeholders, leaseholders), affected by compulsory acquisition of land or rights	73	38	Number of individuals affected is calculated as: No. individuals with a freehold or leasehold interest in a plot identified as pink, blue and grey on the Land plans Number of plots owned by those individuals that are affected is calculated as: No. pink, grey or blue plots owned by those individuals
Individual affected persons with private land ownership (e.g. freeholders, leaseholders), affected by temporary possession only	65	48	Number of individuals affected is calculated as: No. individuals with a freehold or leasehold interest in a plot identified as green, blue and grey on the Land plans Number of plots owned by those individuals that are affected is calculated as: No. green, grey or blue plots owned by those individuals
Individual affected persons with other private land interests (e.g. tenants,	9	9	Number of individuals affected is calculated as: No. individuals with a tenancy or occupational interest in a plot identified as pink, blue and grey

occupiers), affected by compulsory acquisition of land or rights			on the Land plans Number of plots owned by those individuals that are affected is calculated as: No. pink, grey or blue plots owned by those individuals
Individual affected persons with other private land interests (e.g. tenants, occupiers), affected by temporary possession only	52	38	Number of individuals affected is calculated as: No. individuals with a tenancy or occupational interest in a plot identified as green, blue and grey on the Land plans Number of plots owned by those individuals that are affected is calculated as: No. green, grey or blue plots owned by those individuals

3. The NN NPS provides a presumption in favour of smart motorway projects which is further supported in this case by the need to address congestion issues identified in the Thames Valley Multi Modal Study at [ref]. The NN NPS states:

"[A]t a strategic level there is a compelling need for development of the national networks" (paragraph 2.10)".

CA9.8 Paragraphs 8.1.47 through 8.1.48 of the SoR APP-030 refer to other consent that will be required in order to deliver and operate the scheme.

- i) **Can the applicant explain what progress has been made with each of the relevant bodies referred to in both the SoR and the application document entitled *Details of other consents and licences* App-083?**
- ii) **How can the Examining Authority be confident that the need for these other consents does not present any obstacle to the implementation of the M4 scheme?**

1. The table below outlines the progress made in relation to applications for consents and other licences.

	Nature of Consent	Legislation	Consenting Authority	Anticipated Application Date	Status
1	Protected Species Licence in respect of badgers	Protection of Badgers Act 1992 Referenced in error as "Conservation of Habitats and Species Regulations 2010" within Application Document Reference 5.5.	Natural England	Prior to Commencement	A badger licence application has been prepared and will be submitted to Natural England. This is recognised and agreed in paragraphs 3.8 and 3.9 of the Statement of Common Ground between Highways England and Natural England. In their relevant representation on the Application, Natural England raised no concerns in relation to protected species, stating " <i>we envisage no issues relating to protected species for the Project, however we note that Natural England licences will be required for some of the specific proposed works</i> ".
2	Badger disturbance licence	Protection of Badgers Act 1992	Natural England	Prior to Commencement	A badger licence application has been prepared and will be submitted to Natural England. This is recognised and agreed in paragraphs 3.8 and 3.9 of the Statement of Common Ground between Highways England and Natural England. In their relevant representation on the Application, Natural England raised no concerns in relation to protected species, stating " <i>we envisage no issues relating to protected species for the Project, however we</i>

					<i>note that Natural England licences will be required for some of the specific proposed works”.</i>
3	European Protected Species Licence in respect of bats	Conservation of Habitats and Species Regulations 2010	Natural England	Prior to Commencement	<p>A bat licence application has been prepared and will be submitted to Natural England. This is recognised and agreed in paragraphs 3.8 and 3.9 of the Statement of Common Ground between Highways England and Natural England.</p> <p>In their relevant representation on the Application, Natural England raised no concerns in relation to protected species, stating “we envisage no issues relating to protected species for the Project, however we note that Natural England licences will be required for some of the specific proposed works”.</p>
4	European Protected Species Licence in respect of great crested newts	Conservation of Habitats and Species Regulations 2010	Natural England	Prior to Commencement	<p>As stated in paragraph 9.4.40 of the ES (Application Document Reference 6.1), for each known great crested newt population, the need for a licence has been assessed using Natural England's 'Rapid Risk Assessment' calculator. Due to the small numbers of breeding ponds, their distance from the Order limits, and the small anticipated area of vegetation clearance in each case, the risk of an offence (i.e. direct mortality, injury or disturbance in a place of shelter or while breeding or the shelters’ obstruction or destruction) is considered to be 'highly unlikely'. Paragraphs 9.4.42 and 9.4.43 of the ES (Application Document Reference 6.1) set out the mitigation measures to further reduce any risk of an offence.</p>

					It is therefore not currently expected that any European Protected Species Licence in respect of great crested newts will be required. As set out in paragraph 9.4.41 of the ES (Application Document Reference 6.1), pre-construction surveys for great crested newt will be conducted, to confirm the continued absence of great crested newts from all ponds within the study area.
5	Licence to dispose of Japanese knotweed, giant hogweed and Indian balsam	Environmental Protection Act 1990	Environment Agency	Prior to Commencement	The requirement for this licence will be determined when the contractor identifies specific carriers / disposal sites. If these wastes are to be removed from site, a specific licence will not be required. However, Duty of Care will be adhered to in relation to these wastes i.e. that waste is removed by a suitably licensed waste carrier and disposed of at a suitably licensed site.
6	Consent to obstruct ordinary watercourses	Environmental Permitting Regulations 2010	Environment Agency	Prior to Commencement	<p>Consent has not been sought to date as detailed design information is required to support such applications (including construction details supported by drawings, maintenance details, details of any anticipated environmental effects and how these will be mitigated).</p> <p>Such consent would be required for any work (temporary or permanent) that has the potential to obstruct the flow in an ordinary watercourse. The relevant consenting authority is the Lead Local Flood Authority (typically the Local Planning Authority), with a determination period of two months.</p>
7	Consent to discharge	Environmental Permitting	Environment Agency	Prior to Commencement	Consent has not been sought to date as detailed design

	<p>into an available watercourse in respect of trade effluent during construction (if any welfare facilities in the construction compounds need to discharge to Surface water or groundwater)</p>	<p>Regulations 2010</p>			<p>information is required to support such applications (including information on the likely daily volumes of water to be discharged). Any proposed works will be undertaken within the protective provisions of Section 14 of the Outline Construction Environmental Management Plan, Appendix 4.2A of the Environmental Statement (ES) (Application Document Reference 6-3)</p> <p>Discharges of water from excavations are normally classed as trade effluent, and therefore require a permit. However, if the discharge meets the following requirements, no consent is required:</p> <ul style="list-style-type: none"> • the discharge is temporary, for an overall period of less than 3 consecutive months; • the discharge is made to a surface water (such as a river, stream or the sea); • the discharge does not pollute the surface water or adversely affect aquatic life, or designated sites or species; • the discharge location is not within, and is more than 500 metres upstream of a European site, SSSI or other nature conservation sites (for example local wildlife sites, ancient woodlands, Local and National Nature Reserves); • the discharge of water
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					<p>does not result in the spread of non-native invasive species, parasites or disease;</p> <ul style="list-style-type: none"> • the discharge does not cause flooding from the surface water; and/or • the discharge does not cause erosion of the banks or bed of the surface water. <p>The relevant consenting authority is the Environment Agency, with a determination period of four months.</p>
8	Consent to discharge into an available watercourse in respect of trade effluent generated from the dewatering of excavations (to be treated in a settlement system prior to discharge)	Environmental Permitting Regulations 2010	Environment Agency	Prior to Commencement	<p>Consent has not been sought to date as detailed design information is required to support such applications (including information on the likely daily volumes of water to be discharged).</p> <p>Discharges of water from excavations are normally classed as trade effluent, and therefore require a permit. However, if the discharge meets the following requirements, no consent is required:</p> <ul style="list-style-type: none"> • the discharge is temporary, for an overall period of less than 3 consecutive months; • the discharge is made to a surface water (such as a river, stream or the sea); • the discharge does not pollute the surface water or adversely affect aquatic life, or designated sites or species; • the discharge location is not within, and is

					<p>more than 500 metres upstream of a European site, SSSI or other nature conservation sites (for example local wildlife sites, ancient woodlands, Local and National Nature Reserves);</p> <ul style="list-style-type: none"> • the discharge of water does not result in the spread of non-native invasive species, parasites or disease; • the discharge does not cause flooding from the surface water; and/or • the discharge does not cause erosion of the banks or bed of the surface water. <p>The relevant consenting authority is the Environment Agency, with a determination period of four months.</p>
9	Hazardous waste consent (verges of motorway and asbestos)	Hazardous Waste (England and Wales) Regulations 2005	Environment Agency	Prior to Commencement	<p>Consent has not been sought to date. The Scheme will need to be registered with the Environment Agency if in excess of 500kg of hazardous waste per annum is to be produced. This will be determined once the volumes of hazardous waste have been defined during detailed design.</p>
10	Flood Defence Consent	Water Resources Act 1991	Environment Agency	Prior to Commencement	<p>Consent has not been sought to date as detailed design information is required to support such applications (including construction details supported by drawings, maintenance details, details of any anticipated environmental effects and how these will be mitigated).</p> <p>Such consent would be required for works (temporary</p>

					or permanent) within 8m of the top of bank of any Main River. The relevant consenting authority is the Environment Agency, with a determination period of two months. Any consent application made would need to be supported by a Water Framework Directive assessment.
11	Application to correct the commons register in respect of Plot 10-01a	Commons Act 2006	Wokingham Borough Council	In parallel with the DCO Application	Highways England has prepared an application to correct the commons register and it will be submitted shortly, subject to receipt of further information.
12	Planning permission for construction of badger sett for relocated badgers	Town and Country Planning Act 1990	Relevant Local Authority	Prior to Commencement	Should it be required, planning permission for the construction of the artificial badger sett will be applied for in due course.
14	Consent for work on construction sites	Control of Pollution Act 1974	Relevant Local Authority	Prior to Commencement	<p>Paragraph 5.2.1 of the Outline Construction Environmental Management Plan (Appendix 4.2A of the ES) (Application Document Reference 6-3) describes the requirements for the contractor to obtain S61 consent under the Control of Pollution Act 1974.</p> <p>The S61 consent application will be prepared by the contractor during the three month mobilisation period. The mobilisation period cannot commence until the Scheme has achieved Notice to Proceed to Construction (NB: Earliest date for this currently identified as October 2016). In order for the S61 consent application to be submitted to the relevant local authorities and to reflect current best practice, representative background noise levels must be obtained and a detailed construction programme that identifies</p>

					<p>specific construction activities must be realised.</p> <p>In order for the S61 consent application to be current, relevant and effective, it would not normally be prepared in advance of the mobilisation period. The statutory consultation period is 28 days.</p>
15	<p>Regulations need to be made under section 17(2) and (3) of the Road Traffic Regulation Act 1984 to enable implementation of Variable mandatory speed limits (VMSL) between junctions 3 to 12 of the M4 motorway</p>		<p>The Secretary of State makes the Regulations</p>		<p>The consultation period which gave interested parties and members of the public to comment on the proposals began on 12 January 2015 and closed on 22 February 2015. A document was issued in March 2015 which detailed the Highways Agency's response to comments raised during the consultation period.</p> <p>The Regulations are now being finalised with DfT before submission to the Secretary of State.</p>
16	<p>S61 consent under the Control of Pollution Act 1974.</p>	<p>Control of Pollution Act 1974</p>			<p>The S61 consent application will be prepared during the 3 month mobilisation period. The mobilisation period cannot commence until the Scheme has achieved Notice to Proceed to Construction (NB: Earliest date for this currently identified as October 2016). In order for the s61 application to be submitted to the relevant local authorities and to reflect current best practice we must obtain representative background noise levels and have a detailed construction programme that identifies the specific construction activities.</p> <p>In order for the S61 application to be current, relevant and effective it would</p>

					not normally be prepared in advance of the mobilisation period. There is a 28 day statutory consultation period which is consistent with this timescale.
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2. In the event that the application to correct the commons register is unsuccessful, Highways England will provide replacement land as detailed in Response to WQ 9.12.
3. As set out at paragraph 8.1.48 of the Statement of Reasons (Application Document Reference 4.1) there is no impediment to securing the required licenses and consents, and no licencing or consenting body has raised concerns in that regard in their Relevant Representations. That no concerns have been raised should provide the necessary comfort to the ExA that she can be confident that securing such consents and licences should be unproblematic.

2. **CA9.9** Since the application was submitted, the provisions of the Infrastructure Act 2015 have caused the Highways Agency to be replaced by Highways England; a strategic road company. It is the ExA's understanding that subsequent to these provisions land formerly vested in the Secretary of State for Transport (SST) has now transferred to Highways England. It is therefore no longer Crown land, and not subject to the tests in s135 of the PA2008.

- i) Can the applicant confirm the ExA's understanding, as set out above?
- ii) Can the applicant provide an itemised schedule of the plots that have transferred from SST to Highways England?
- iii) Can the applicant provide Land Registry evidence of the transfer of each of the plots itemised in the schedule requested above?
- iv) Where former Crown land has transferred to Highways England, can the applicant please reflect the effects of this change in a revised DCO and EM; an updated Land Plan; an updated Crown land Plan; an updated SoR; and an updated Book of Reference (BoR)? Updated versioning of these documents should be provided to the examination as soon as practicable, and no later than **Deadline III** in the examination timetable.

1. The ExA's understanding is correct. As it is no longer Crown land, the test in s135 of the PA2008 no longer applies. Section 15 of the Infrastructure Act 2015 provides that the SST may make one or more schemes for the transfer of property, rights and liabilities. The Transfer Scheme made on 30 March under Section 15 transfers to Highways England all land previously held by the SST for the purposes of the SST's functions as highways authority of the Strategic Road Network. Although legal ownership has transferred by virtue of the Transfer Scheme, the Land Registry continues to show some of the land registered in the name of the SST. A team within Highways England is currently tasked with putting title into the name of Highways England.
2. An itemised schedule of the plots that have transferred from SST to Highways England is provided in Appendix C. One Land Registry title within the limits of the Scheme (a caution (BK461004) claiming rights contained in a deed of grant dated 14 April 2014) has not been transferred to Highways England and remains in the name of SST. The plots associated with this title are part of plots 27-12 and 27-13.
3. Evidence of the transfers from the Land Registry is provided at Confidential Appendix D to this Response. Due to the volume of documents that form this appendix it is being provided as a CD. The Land Registry has strict rules regarding the confidentiality of transfer information provided by it. As such this information is being provided to the ExA in confidence and Highways England requests that it is not published on the Planning Inspectorate website.
4. The ExA's direction is noted. The relevant documents will be updated to reflect the change in ownership of former Crown land, and updated versions of the relevant documents will be provided by Deadline III.

1. **CA9.10 Paras 8.1.5 through 8.1.9 of the SoR_{APP-030} describe plots within the Order lands which are subject to the interest of the Secretary of State for the Environment, Food and Rural Affairs (SoSEFRA) and the Treasury Solicitor's Department (TSoL).**

Can the applicant provide an update in relation to its pursuit of associated Crown land consent from SoSEFRA and TSoL?

Secretary of State for Environment and Rural Affairs ("SoSEFRA")

1. The SoS for Environment, Food and Rural Affairs is listed in the Book of Reference in relation to The Cut in the following plots:
 - 1.1 16-04 (occupational interest);
 - 1.2 16-06 (occupational interest);
 - 1.3 17-04c (rights in respect of rights to construct and maintain The Cut and occupational interest);
 - 1.4 17-05 (rights in respect of rights to construct and maintain The Cut and occupational interest);
 - 1.5 17-08 (rights in respect of rights to construct and maintain The Cut and occupational interest); and
 - 1.6 18-24 (occupational interest).
2. A Land Registry title covering part of The Cut specifies that SoSEFRA has "The right to construct and maintain a new watercourse and to divert stream known as The Cut to flow".
3. Those acting on behalf of what was then the Highways Agency, wrote to SoSEFRA on 30 March 2015 seeking its consent under s.135 of the Planning Act 2008 to the inclusion of powers of compulsory acquisition in the Order in relation to the land identified above, and the provisions therein generally in relation to Crown Land. Highways England did not receive a response to that letter, so wrote again to the SoSEFRA on 27 July 2015. Both of these letters are appended to this response at Appendix E.
4. When no response was received from SoSEFRA to the letter of 27 July 2015, Highways England contacted the SoSEFRA, who explained that the SoSEFRA is unsure as to the ownership of the relevant land and believed that it may have been transferred to another Government Department. Therefore, Highways England is currently checking with the Government Clearing House to establish the ownership of the parcels of land identified above, and will update the ExA as soon as possible.

TSoL Bona Vacantia Division

5. TSoL Bona Vacantia Division ("TSoL BVD") is now the Government Legal Department Bona Vacantia Division ("GLD BVD"). Those acting on behalf of what was then the Highways Agency wrote to TSoL BVD on 30 March 2015 seeking its consent under s.135 of the Planning Act 2008 to the inclusion of powers of compulsory acquisition in the Order in relation to the land identified above, and the provisions therein generally in relation to Crown Land. GLD BVD replied to that letter on 1 May 2015 requesting some additional information regarding the proposed acquisition. Those acting on behalf of Highways England responded by letter dated 11 June 2015. Following receipt of that letter, GLD BVD wrote to Highways

England on 19 June 2015 confirming that the Treasury Solicitors consents to the inclusion of powers of compulsory acquisition in the Order in relation to the bona vacantia land.

6. The correspondence between those acting on behalf of the Highways Agency/Highways England and GLD BVD is provided at Appendix F to this response.

CA9.11 Paras 8.1.33 and 8.1.34 of the SoR_{APP-030} state that plot 21.12a is incorrectly identified in the BoR_{APP-038} as open space that is proposed to be compulsorily acquired.

Can the applicant ensure that the correction described in these paragraphs is provided in the updated BoR requested to Deadline III?

1. The correction described in Paragraphs 8.1.33 and 8.1.34 of the Statement of Reasons (Application Document Reference 4.1) has been updated in the Book of Reference (Application Document Reference 4.3) that will be issued as requested to Deadline III. Plot 21.12a has been removed from Part 5 of the Book of Reference and is no longer listed as open space.

CA9.12 Paras 8.1.15 through 8.1.23 of the SoR_{APP-030} describe the status of plots 10-01a and 10-01b as registered common land at the point of application. In the eventuality that Wokingham Borough Council are unwilling or unable to correct the commons register in advance of the expiry of the examination, the compulsory acquisition of the plots in question will be subject to the tests in s131 and s132 of the PA2008.

i) Can the applicant provide any update about its progress in seeking to have the lands comprising plots 10-01a and 10-01b deregistered as common land?

1. Highways England has prepared the application for correction of the commons register in respect of plots 10-01a and 10-01b. This will be submitted shortly, subject to receipt of further information to include in the application

ii) Can the applicant remove the Replacement Land Plan provided as an appendix to the SoR_{APP-030} and secure it separately through Article 45 in the dDCO?

2. The Replacement Land Plan will be secured through Article 45 of the DCO and removed from the Statement of Reasons (Application Document Reference 4.1).

iii) Can the applicant include plot 10-01c (shown on the Replacement Land Plan) in an updated Land Plan and updated BoR request to Deadline III?

3. Yes. Highways England will include Plot 10-01c in the updated Land Plan and updated Book of Reference by Deadline III.

iv) Can the applicant provide an annotated map showing the relationship of the proposed replacement common land with other land subject to rights of common in the vicinity of the scheme?

4. Yes. An annotated map showing the relationship between the proposed replacement common land with other land subject to rights of common in the vicinity of the Scheme is provided at Appendix G.

v) Can the applicant identify in the application documentation where any appraisal of the proposed replacement land is to be found, and with whom consultations about its suitability have been carried out?

5. The Replacement Land was assessed in terms of ownership and size at para 8.1.21 of the Statement of Reasons. As plots 10-01a and 10-01b form part of the existing M4 motorway, it is self-evident that land which is accessible and where rights of common and other rights may be exercised is more advantageous to persons entitled to exercise those rights than the land currently affected by the M4 motorway. Re-provision of the same area is inevitably superior to the status quo. Consultation as to the suitability of the proposed replacement land is not required under PA 2008. The assessment of the replacement land is an objective, rather than a subjective, test. Section 131(12) PA 2008 provides that:

"replacement land" means land which is not less in area than the order land and which is no less advantageous to the persons, if any, entitled to rights of common or other rights and to the public".

CA9.13 Can the applicant provide a position statement identifying all affected statutory undertakers and telecom providers confirming their status for the purposes of s127 and s138 of the PA2008 in relation to each relevant plot in the BoR APP-038?

1. This can be found at Appendix 138 to these Responses to Written Questions.

CA9.14 Can the applicant confirm that the BoR APP-038 accurately sets out the various plots and interests or provide a schedule of all amendments submitted since the application was made on 30 March 2015?

1. The Book of Reference (Application Document Reference Number 4.3) sets out the various plots and interests as identified through diligent inquiry up to 30 March 2015. Between 31 March 2015 and 7 July 2015 (the date the section 59 certificate was submitted) some amendments were identified and listed in an annex to the [section 59 certificate](#). Since 7 July 2015, further amendments have been identified and recorded in the schedule below.

Plot number	Name and address	Amendment
26-18 and 26-19	Colin Rayner (trading as Rayner Farms)	Tenant added to plots
26-18 and 26-19	William Boyer and Sons Limited	Removed as an occupier, but remain as freeholder
08-01	Hicks Developments Limited	Qualifier added “in respect of part”
16-06	Ursula Mary Wheeler	Interest removed
16-06	David Alberto	Interest added
27-17	Joan Ada Gogol	Address changed
Various plots formerly owned by SST	Highways England Company Limited	Name and registered address change
21-12a	N/A	Plot is no longer listed as open space

2. All of the amendments made since 30 March 2015 will be incorporated in the updated Book of Reference requested for Deadline III.

CA9.15 Paras 7.1.16 and 7.1.17 of the SoR APP-030 state that diligent inquiry has been made in the applicant's identification of persons with an interest in the Order lands.

Can the applicant set out in full the steps that were taken by way of making diligent inquiry to identify those persons with relevant land interests in relation to all the land and interests proposed to be compulsorily acquired or taken possession of temporarily?

1. The steps that were taken out by way of making diligent inquiry to identify those persons with relevant land interests in relation to all the land and interests proposed to be compulsorily acquired or taken possession of temporarily was set out in Chapter 8 of the Consultation Report (Application Document Reference Number 5.1). The methodology used is extracted below:

8 LANDOWNER IDENTIFICATION

8.1 Introduction – land referencing

8.1.1 *The PA 2008 stipulates, under s42 that all persons having an interest in the Order land (comprising persons within one of the categories of persons set-out in s44) should be consulted in respect of the proposed application. In order to identify such persons for the purpose of consultation it is necessary for a process to be undertaken known as land referencing. This is the investigation of public registers and contact with potential owners in order to establish such information. It also informs the compilation of the Land Plans and Book of Reference which accompany the development consent for the Scheme.*

8.1.2 *Under s44, an applicant for a DCO is required to conduct ‘diligent inquiry’ to ascertain relevant interests in the land to which the application relates, for the purposes of identifying interested parties with whom to consult. In order to fulfil this requirement of diligent inquiry, the steps described in this section were undertaken to identify those persons with relevant interests in the land to which the DCO relates.*

8.2 Setting the referencing limits

8.2.1 *The limits within which the land referencing would be undertaken for the purposes of consultation were initially developed, and subsequently refined as more information became available through the Scheme’s development.*

8.2.2 *The referencing limits were set in November 2013 to include the following:*

- a) *all land within the assumed motorway boundary, plus a 10m buffer around that boundary; and*
- b) *all land identified as potentially required for the replacement of bridges according to the preliminary design at that time, plus a 25m buffer around those boundaries.*

8.2.3 *In June 2014, as part of the scoping stage for EIA a ‘red line’ boundary was drawn, which set out the notional maximum extent of land over which works would be completed, (plus the addition of temporary compounds). This red line incorporated land potentially required for both on-line and off-line realignment options at bridges where carriageway works are proposed beneath overbridges or above underbridges (and similar structures). The referencing limits were matched to the new red line boundary, which meant some land was added and therefore additional referencing was required, whilst there were other locations where properties were removed from the referencing limits.*

8.2.4 *In Autumn 2014, environmental surveys were completed and subsequent data modelling identified properties where the environmental impact of the project could be significant. Properties*

identified as potentially affected by environmental impacts were included in the referencing limits for the purposes of landowner consultation under s42 of the PA 2008.

8.2.5 *Based on these referencing limits, land owners were identified.*

8.3 *HM Land Registry information*

8.3.1 *HM Land Registry ("HMLR") data was procured to cover the extent of the land referencing limits. Land Registry Micro Strategy Reports were conducted by HMLR to identify any transfers and subsequent changes of ownership over the course of the Scheme's development prior to consultation and submission of the Application for the Scheme.*

8.3.2 *All original and updated Land Registry titles were interrogated to establish any freehold, leasehold, mortgagee, other charges or restrictive covenant information. The information gathered was stored within a bespoke land referencing database.*

8.4 *Major land owner information*

8.4.1 *Land interest information was requested from major landowners (including local authorities). Access was requested to the local authorities' land terrier mapping; information about public highways and private roads; special category land; statutory undertakers (e.g. gas, water, electricity, media service providers); and planning permissions (which may alter the ownership details of land parcels) within the referencing limits. Local authorities were also queried regarding the highway boundaries within those authorities' area.*

8.4.2 *Following the requests for information, major land owners (including local authorities) were also sent requests for confirmation of their land interests, third party interests, highway information and statutory undertaker information to confirm currency and to give them an opportunity to update our records.*

8.4.3 *Statutory utilities were identified through the 'Statutory Undertakers inquiry process'. C2 (preliminary inquiry) information requests were initially undertaken for part of the Scheme in 2009, to identify any apparatus owned by statutory utility companies within the Order limits. Updated information was requested again in 2013, using the initial contact list from the 2009 inquiry as the basis for this inquiry. Further statutory undertakers were also consulted if it was known that they were likely to have apparatus within the area.*

8.4.4 *C2 information request letters were produced and distributed to these statutory utility companies in March 2013. Their replies to information requests either confirmed that none of their apparatus would be affected by the works, or provided drawings/plans showing an overview of the apparatus they have in the area. Some requests did not receive replies. For those companies that advised of apparatus being present within the limits of the scheme, discussions have progressed to C3 (budget estimate) stage, whereby the Agency is working with the various utility companies to identify the effect of the scheme on their assets, including any permanent and temporary diversions, and any budgetary implications.*

8.4.5 *Where statutory utility companies had not advised that they hold no apparatus within the area referenced (i.e. they either responded to the C2 requests to say that they owned apparatus within the limits of the scheme, or they did not respond at all), the parties*

were identified and included as consultees under s42. Therefore, their inclusion in consultation took place on a precautionary basis.

8.5 Postal correspondence

8.5.1 Correspondence was sent to properties within the Order limits in three main phases.

8.5.2 First, 511 Land Interest Questionnaires ("LIQs") were posted to all properties within referencing limits during April 2014 to gather information to be used for consultation. The LIQs requested information relating to:

- a) relevant owners and occupiers;
- b) relevant executors, trustees and partners;
- c) nature of interest;
- d) term/demise of any leases;
- e) information relating to the occupants' landlords and mortgagees;
- f) information relating to any other individuals or organisations with interests in the properties; and
- g) rights of way and easements.

8.5.3 The purpose of the exercise was to obtain further information from those parties from whom data had already been obtained (such as from HMLR), and also to establish information from individuals where no previous information had been obtained.

8.5.4 Included with the questionnaires were individual plans showing land ownership boundaries, as identified through land registry interpretation. Respondents were asked to complete the questionnaires and amend the boundary plans highlighting any modifications required and return the completed packages to the project team using a self-addressed pre-paid envelope provided, or by email or phone. The land referencing team analysed the returned information, conducted follow-up enquires as necessary (through telephone, email or further site visits) and updated the

8.5.5 Secondly, Request for Confirmation Questionnaires (similar to an LIQ but pre-populated with information already held) or an LIQ (where no information was already held) were sent to all properties in referencing limits during October 2014, to update information in the lead up to consultation.

8.6 Site referencing

8.6.1 Site visits were undertaken by the Land Referencing Team in order to familiarise the Team with the land and to identify potentially complicated sites (e.g. unregistered land or likely multiple rights of access issues). Features not depicted on OS mapping and evidence of occupying interests were noted.

8.6.2 Further site visits were undertaken during Summer 2014 to contact landowners and identify the ownership and occupation details for properties (owners and occupiers - i.e. lessees/tenants of properties and persons with rights across land) in addition to confirming

details which had already been gathered through the HMLR checks and for other unregistered land and properties.

8.6.3 Where no responses were received from properties, LIQs were left for occupants to complete and return by post using the self-addressed pre-paid envelope provided, or by email. Contact details were also provided to assist recipients of LIQs in completing these questionnaires. Where no responses were received, properties were visited on at least a further two occasions in an attempt to gather the required information. Where land interests made comments on the design as part of this process, the comments were passed on to the Agency to respond to the queries raised. In further follow up visits, calling cards were left to prompt occupiers of properties to get in touch with the Land Referencing Team.

2. Additional desktop research processes were undertaken to identify beneficiaries of agri-environment schemes, registered and accurate addresses using Companies House, Quick Address Searches and Royal Mail. Information about land interests were also recorded during consultation events and incorporated into the Book of Reference to capture any further potential parties that may have attended.

CA9.16 Paragraph 1.4.2 of the Book of Reference (BoR) ^{APP-038} states that "Part 2 in each section of the BoR is split into Part 2A and Part 2B. Where a person has an identified easement or other private right within the Order land (and therefore within a plot) the person is included against the relevant plot number in Part 2A. Where a person has an interest outside the Order land but, it is the Agency's opinion that they should be included in Part 2 (as potentially being entitled to make relevant claim as above), the person is listed in Part 2B".

Can the applicant explain why the BoR does not appear to follow the format asserted in this introductory paragraph?

1. The reference in the introductory paragraph has been included in error. There are no interests that have been identified outside the Order land but where it is Highways England's view that they should be included in Part 2 (as potentially being entitled to make a relevant claim as having a listing in part 2B).
2. The Book of Reference format is correct in its current form, and the introductory paragraph (1.4.2) will be replaced to read as follows:

"Part 2 in the Book of Reference lists persons who have an identified easement or other private right within the Order land (and therefore within a plot). The person is included against the relevant plot number in Part 2."

CA9.17 The heading to Part 2 of the BoR refers to "*Potential claims under S10 Compulsory Purchase Act 1965 or Part 1 Land Compensation Act 1973*". As set out in para 1.4.1, there is a third potential category of claim, under s152(3) of the PA2008. Should the heading be amended to include this third category?

1. The heading for Part 2 of the Book of Reference that refers to "Potential claims under S10 Compulsory Purchase Act 1965 or Part 1 Land Compensation Act 1973" should also include the third category listed in paragraph 1.4.1. Section 152(2) of the Planning Act 2008 was also in mind when drafting this Part of the BoR.
2. The heading for Part 2 has been updated and now reads:

"Potential claims under S10 Compulsory Purchase Act 1965, Part 1 Land Compensation Act 1973 or Section 152 (3) of the Planning Act 2008".
3. This will be included in the updated Book of Reference which will be provided for Deadline III.
4. The potential for such claims has been considered, and is not considered to arise so as to alter the content of the BoR.

CA9.18 Para 2.1.7 of the SoR_{App-038} sets out the powers that would be conferred on the applicant if the dDCO was made. Column 2 of the BoR helpfully distinguishes which plots comprising the Order lands are attributed to the powers in article 20, 22 and 29 of the dDCO. The BoR is silent however on the attribution to plots of the powers provided in draft articles 24, 26, 28 and 30.

Can the applicant prepare a schedule identifying which plots are affected by articles 24, 26, 28 and 30?

Article 24 (Private rights over land)

1. Article 24 applies to all plots over which existing private rights of access exist. These are currently all of the plots listed in Part 3 of the Book of Reference. For the avoidance of doubt, Appendix I is a schedule setting out these plots.

Article 26 (Acquisition of subsoil or air-space only)

2. Article 26 applies to all plots. If the applicant only requires subsoil or air-space rights over land (for example, for construction purposes), the applicant will seek to acquire those rights only. This is a proportionate approach. For the avoidance of doubt, Appendix J sets out a list of plots to which Article 26 applies.

Article 28

3. Article 28 applies to all plots over public roads and rights of way laid out as a street across the Scheme. For the avoidance of doubt, Appendix K is an up to date schedule setting out these plots.

Article 30 (Temporary use of land for maintaining authorised development)

4. Article 30 applies to all land within the Order Limits (i.e. each and every plot listed in the Book of Reference).

CA9.19 Attached to these questions is a schedule of objections to compulsory acquisition and temporary possession powers. The schedule arises from the ExA's reading of the relevant representations, and comprises:

- **Objections to the compulsory acquisition of land and/or rights.**
- **Objections from those with a potential category 3 interest within the meaning of s44(4) of the Planning Act 2008 (as amended) (PA2008) i.e. those who may be able to make a claim for compensation under section 10 of the Compulsory Purchase Act 1965 and/or Section 1 of the Land Compensation Act 1973.**

The applicant is requested to provide a response to the objections listed in Table 1 and to confirm whether the schedule reflects its understanding of all the objections to compulsory acquisition and temporary possession received to date, and if not to explain why.

In responding to each of the objections listed, and with reference to the specific plots in question, can the applicant please:

- **Explain in detail why in its assembly of the proposed Order lands it has been deemed necessary for the dDCO to include provision for the associated land/rights to be compulsorily acquired or for land/rights to be taken possession of temporarily?**
- **With reference to relevant evidence in the ES and any draft environmental management plans, where applicable, explain how it is proposed that any interference with third party land/rights would be mitigated or compensated for?**
- **With reference to the ES, explain what consideration has been given to the socio-economic consequences of any interference with land/rights?**
- **Explain what degree of importance has been attributed to the existing use of the land proposed to be compulsorily acquired or temporarily possessed, and why?**
- **Where relevant, provide an update on the progress of discussions with the affected interest; in particular where any agreement has been reached, or where disagreement remains, in relation to the compatibility/safeguarding of future development proposals in the vicinity of the scheme?**

In relation to Table 2, can the applicant confirm that consideration has been given as to whether or not each party listed would have a category 3 interest?

1. In relation to third party land/rights, Highways England is in communication with local landowners affected by the Scheme. Where agreement cannot be reached either as to the principle of acquisition, the amount of compensation, or both, it will be possible for affected persons to make claims under, and determined in accordance with, the Compensation Code.
2. Land assembly, the consideration given to socio-economic consequences and an explanation of the degree of importance attributed to the existing use of land in respect of that land proposed to be compulsorily acquired or temporarily possessed is outlined in the table below.
3. An update on the progress of the discussions with affected interests is provided in CA9.5, which refers to the schedule which has been provided at Appendix B to this Response to Written Questions.

4. Highways England has reviewed Table 2 as provided by the ExA. Highways England confirms that all of the parties identified in Table 2 have been considered in relation to whether or not they would have a category 3 interest. This consideration identified three groups within the parties.

Group 1

5. These are parties known by Highways England as a result of consultation, etc., including information on their location of their properties. These parties have been considered, and it has been concluded that none of them would be entitled to make a claim under s10 Compulsory Purchase Act 1965. This is because they do not have interests in land which have been identified that would be subject to injurious affection.
6. Similarly, as Part 1 Land Compensation Act 1973 relates to physical effects, and the effects assessed as part of the EIA are not sufficient to give rise to nuisance, none of the parties will be entitled to make a claim under Part 1, a claim to which section 153 Planning Act 2008 applies.

Group 2 and 3

7. Group 2 parties are parties for which Highways England has identified the relevant local authority is known to the Scheme, but the precise location of the party's land is not known. Group 3 parties are those where the location of the property is not known at all. Had members of these groups owned relevant, affected interests they would have been identified through land referencing, and it would be known whether or not the party would have a claim to which Category 3 in s57 PA 2008 applies.
8. In light of the above, Highways England confirms that none of the parties listed in the Examining Authority's table are Part 3 parties. This is demonstrated by the table at appendix M. All parties identified as close the Scheme are in fact either likely to experience benefits or be outside the zone of the influence of the Scheme.

Table 1

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
18	Slough Motex Parc	Slough BC	Temporary	23-32	N	Plot 23-32 relates to the area of land in the vicinity of and including part of the Recreation Ground Overbridge at Upton Court Park. Paragraph	Upton Court Park is a locally important recreation area and as such has been accorded a low sensitivity.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>4.7.13 of the Socio-Economic Report (Application Document Reference 7.2) notes that Upton Court Park is one of Slough's largest parkland areas and includes a mixture of uses from sports pitches through to semi-natural areas. Walking and cycling routes exist throughout the park. The overbridge linking Upton Court Park to the north of the M4 with Datchet Road to the south provides a route for NCN61 which links Maidenhead with Hoddesdon.</p> <p>Paragraph 5.8.2 of the Socio-Economic Report (Application Document Reference 7.2) identifies that</p>	<p>The motocross site adjacent to the Recreation Ground Overbridge and to the M4 carriageway has also been accorded a low sensitivity as a local employment site.</p>

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>on-line construction of the Recreation Ground Overbridge has potential implications for walkers and cyclists, including those accessing Upton Court Park itself for recreation purposes, as well as those utilising the overbridge as part of a wider route, with the proposed diversion route for pedestrians during construction works being via Datchet Road and Upton Court Road, a distance of some 2km.</p> <p>Paragraph 6.8.15 of the Socio-Economic Report (Application Document Reference 7.2) notes the presence of a motocross site located in the immediate</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						vicinity of the Recreation Ground Overbridge; the Report notes that the use of this site may be affected by construction works in this location, as may the walking/cycling route north to Upton Park Road which falls within the development boundary for the Scheme.	
			Temporary	23-33	N	Plot 23-33 relates to the approach path to the Recreation Ground Overbridge at Upton Court Park. Paragraph 4.7.13 of the Socio-Economic Report (Application Document Reference 7.2) notes that Upton Court Park is one of Slough's largest parkland areas and includes a	Upton Court Park is a locally important recreation area and as such has been accorded a low sensitivity. The motocross site adjacent to the Recreation Ground Overbridge and to the M4 carriageway has also been accorded a

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>mixture of uses from sports pitches through to semi-natural areas. Walking and cycling routes exist throughout the park. The overbridge linking Upton Court Park to the north of the M4 with Datchet Road to the south provides a route for NCN61 which links Maidenhead with Hoddesdon.</p> <p>Paragraph 5.8.2 of the Socio-Economic Report (Application Document Reference 7.2) identifies that on-line construction of the Recreation Ground Overbridge has potential implications for walkers and cyclists, including those accessing Upton Court Park itself for recreation</p>	<p>low sensitivity as a local employment site.</p>

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>purposes, as well as those utilising the overbridge as part of a wider route, with the proposed diversion route for pedestrians during construction works being via Datchet Road and Upton Court Road, a distance of some 2km.</p> <p>Paragraph 6.8.15 of the Socio-Economic Report (Application Document Reference 7.2) notes the presence of a motocross site located in the immediate vicinity of the Recreation Ground Overbridge; the Report notes that the use of this site may be affected by construction works in this location, as may the walking/cycling route north to</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						Upton Park Road which falls within the development boundary for the Scheme.	
			Temporary	23-33	N	<p>Plot 23-33 relates to the approach path to the Recreation Ground Overbridge at Upton Court Park. Paragraph 4.7.13 of the Socio-Economic Report (Application Document Reference 7.2) notes that Upton Court Park is one of Slough's largest parkland areas and includes a mixture of uses from sports pitches through to semi-natural areas. Walking and cycling routes exist throughout the park. The overbridge linking Upton Court Park to the north of the M4 with</p>	<p>Upton Court Park is a locally important recreation area and as such has been accorded a low sensitivity.</p> <p>The motocross site adjacent to the Recreation Ground Overbridge and to the M4 carriageway has also been accorded a low sensitivity as a local employment site.</p>

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>Datchet Road to the south provides a route for NCN61 which links Maidenhead with Hoddesdon.</p> <p>Paragraph 5.8.2 of the Socio-Economic Report (Application Document Reference 7.2) identifies that on-line construction of the Recreation Ground Overbridge has potential implications for walkers and cyclists, including those accessing Upton Court Park itself for recreation purposes, as well as those utilising the overbridge as part of a wider route, with the proposed diversion route for pedestrians during construction works being via Datchet Road and Upton</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>Court Road, a distance of some 2km.</p> <p>Paragraph 6.8.15 of the Socio-Economic Report (Application Document Reference 7.2) notes the presence of a motocross site located in the immediate vicinity of the Recreation Ground Overbridge; the Report notes that the use of this site may be affected by construction works in this location, as may the walking/cycling route north to Upton Park Road which falls within the development boundary for the Scheme.</p>	
25	Oxford Diocesan Board of Finance	SBDC	Temporary	19-61, 19-62	N	The plots of land refer to areas required as part of the construction of the Marsh Lane Overbridge.	The plots of land have been considered as low sensitivity, by virtue of

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>Paragraph 6.6.9 of the Socio-Economic Report (Application Document Reference 7.2) identifies that temporary land-take is required here that may affect private residential and commercial assets, including agricultural land and part of a garden.</p> <p>Paragraph 14.5.16 of the ES (Application Document Reference 6.1) notes that, for local businesses and residents, construction of the Scheme may lead to some temporary reductions in amenity as a result of potential changes to air quality from construction dust, vehicle emissions and traffic management,</p>	<p>the fact that the land forms a small part of a garden of a residential property.</p>

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>increased noise disturbance and some loss of visual amenity. However, residual effects are not considered to be significant (refer to Chapter 6 (Air Quality) of the ES (Application Document Reference 6.1), Chapter 8 (Landscape) of the ES (Application Document Reference 6.1) and Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 6.1) for further detail). Measures to mitigate adverse effects have been identified in the relevant chapters as appropriate and are referred to in the Outline Construction Environmental Management Plan (Appendix</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						4.2A of the ES (Application Document Reference 6.3)).	
34	Dorney Village Hall	SBDC	n/a	19-56	N	The access track to the side of Dorney Village Hall to which this plot of land relates, has been identified as part of the community facility within the baseline chapter of the Socio-Economic Report (Application Document Reference 7.2).	The plot forms part of an access track to the side of Dorney Village Hall. As a local facility, the use of land has been accorded a low sensitivity.
			Temporary	19-56	N	As above.	As above.
38	Manpartap Singh	RBWM	Permanent	18-15	Y	Paragraph 14.5.16 of the ES (Application Document Reference 6.1) notes that, for local businesses and residents, construction of the Scheme may lead to some temporary reductions in amenity as a result of	The plot forms part of Ascot Road and is identified as public highway.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>potential changes to air quality from construction dust, vehicle emissions and traffic management, increased noise disturbance and some loss of visual amenity. However, residual effects are not considered to be significant (refer to Chapter 6 (Air Quality) of the ES (Application Document Reference 6.1), Chapter 8 (Landscape) of the ES (Application Document Reference 6.1) and Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 6.1) for further detail). Measures to mitigate adverse effects have been identified in the relevant</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						chapters as appropriate and are referred to in the Outline Construction Environmental Management Plan (Appendix 4.2A of the ES (Application Document Reference 6.3)).	
60	South Bucks	SBDC	Temporary	19-45, 19-49	N	<p>Plot 19-45 relates to the tow path carrying public footpath (DOR/18/5). The tow path forms part of the Thames National Trail. Socio-economic consequences associated with the interference with this plot of land/rights are identified in paragraph 6.6.21 of the Socio-Economic Report (Application Document Reference 7.2).</p> <p>In relation to plot 19-49, paragraph 6.6.10 of the</p>	<p>Plot 19-45 forms part of a National Trail and has been attributed a high level of sensitivity accordingly.</p> <p>Plot 19-49 forms part of Trumpers Field, a community facility associated with Dorney School. The field has been accorded a low sensitivity as a local recreation feature.</p>

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						Socio-Economic Report (Application Document Reference 7.2) identifies that temporary land-take in this area includes part of the Trumpers Field recreation area. The field is associated with Dorney School and as such is used by school children on a regular basis. The proportion of the field identifies for temporary land-take as a result of the Scheme is small, and the consequent interference with use of the field considered to be minor.	
			Temporary	19-56	N	The access track to the side of Dorney Village Hall to which this plot of land relates, has been identified as part of the community facility within the baseline	The plot forms part of an access track to the side of Dorney Village Hall. As a local facility, the use of land has been accorded a

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						chapter of the Socio-Economic Report (Application Document Reference 7.2).	low sensitivity.
			Temporary	19-56	N	As above.	As above.
84	Lesley Rose Rieseberg	RBWM	Temporary	24-13	N	No socio-economic consequences associated with the interference with the land/rights have been identified at this location, other than through the use of the land for agricultural purposes. The area of land under consideration is small.	The plot comprises agricultural land; assessment of the existing land use has attributed this a low sensitivity.
130	Teresa McGuinness	SBDC	Temporary	19-58	N	The parcel of land has been identified as used for agricultural purposes, nb the grazing of animals. Land-take at this location is temporary in nature, with the site to be restored to its original condition	The plot comprises agricultural land; assessment of the existing land use has attributed this a low sensitivity.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						thereafter, limiting any interference with land or rights to the short-term.	
149	SE Water	RBWM	Temporary	19-11, 19-11a, 19-14, 19-14a	N	No socio-economic consequences associated with the interference with the land/rights have been identified at this location, other than through the use of the land for agricultural purposes.	The plot comprises agricultural land; assessment of the existing land use has attributed this a low sensitivity.
			Permanent	19-12, 19-12a	Y	As above.	As above.
			n/a	19-04, 19-04a, 19-04b, 19-07, 19-09, 19-09a, 19-09b, 19-10b	N	As above.	As above.
			Permanent	19-04	Y	As above.	As above.
			Temporary	19-06	N	As above.	As above.
			n/a	19-06	N	As above.	As above.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
190	National Foundation for Education Research	Slough BC	Permanent	23-05	Y	<p>Socio-economic consequences associated with the interference with these plots of land/rights are identified in paragraph 6.8.7 and 6.8.11 of the Socio-Economic Report (Application Document Reference 7.2), which identifies that temporary land-take affecting access to the Bentley Centre may be necessary.</p> <p>Paragraph 14.5.16 of the ES (Application Document Reference 6.1) notes that, for local businesses and residents, construction of the Scheme may lead to some temporary reductions in amenity as a result of potential changes to air quality from construction</p>	The Bentley Education Centre is identified as a local education facility and accorded a low sensitivity as a result.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>dust, vehicle emissions and traffic management, increased noise disturbance and some loss of visual amenity. However, residual effects are not considered to be significant (refer to Chapter 6 (Air Quality) of the ES (Application Document Reference 6.1), Chapter 8 (Landscape) of the ES (Application Document Reference 6.1) and Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 6.1) for further detail). Measures to mitigate adverse effects have been identified in the relevant chapters as appropriate and are referred to in the Outline</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						Construction Environmental Management Plan (Appendix 4.2A of the ES (Application Document Reference 6.3)).	
			Temporary	23-08	N	As above.	As above.
			n/a	23-07	N	As above.	As above.
199	Tim Hancock for BP Oil Ltd	West Berks DC	Temporary	03-07, 03-12	N	The Reading MSA has been identified as a commercial venture within this link of the Scheme and the importance of maintaining access at all times has been identified. Paragraph 14.5.6 of the ES (Application Document Reference 6.1) notes that site specific mitigation between Junction 12 to 11 relates to the need for appropriate temporary signage to be erected to advise travellers of the	Professional judgment has been used here to reflect awareness of the MSA as a commercial venture and the socio-economic consequences that may entail if access to the MSA is not maintained during construction of the Scheme. With mitigation as described, the significance of socio-economic effects is considered to

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						continued operation of Reading MSA during construction works.	be negligible.
			n/a	03-04, 03-05, 03-08, 03-13	N	The Reading MSA has been identified as a commercial venture within this link of the Scheme and the importance of maintaining access at all times has been identified. Paragraph 14.5.6 of the ES (Application Document Reference 6.1) notes that site specific mitigation between Junction 12 to 11 relates to the need for appropriate temporary signage to be erected to advise travellers of the continued operation of Reading MSA during construction works.	Professional judgment has been used here to reflect awareness of the MSA as a commercial venture and the socio-economic consequences that may entail if access to the MSA is not maintained during construction of the Scheme. With mitigation as described, the significance of socio-economic effects is considered to be negligible.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
			n/a	03-04, 03-05, 03-08, 03-13	Y	The Reading MSA has been identified as a commercial venture within this link of the Scheme and the importance of maintaining access at all times has been identified. Paragraph 14.5.6 of the ES (Application Document Reference 6.1) notes that site specific mitigation between Junction 12 to 11 relates to the need for appropriate temporary signage to be erected to advise travellers of the continued operation of Reading MSA during construction works.	Professional judgment has been used here to reflect awareness of the MSA as a commercial venture and the socio-economic consequences that may entail if access to the MSA is not maintained during construction of the Scheme. With mitigation as described, the significance of socio-economic effects is considered to be negligible.
216	Moto Hospitality Ltd	West Berks DC	Temporary	03-07, 03-12	N	The Reading MSA has been identified as a commercial venture within this link of the Scheme and the	Professional judgment has been used here to reflect awareness of the MSA as a

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						importance of maintaining access at all times has been identified. Paragraph 14.5.6 of the ES (Application Document Reference 6.1) notes that site specific mitigation between Junction 12 to 11 relates to the need for appropriate temporary signage to be erected to advise travellers of the continued operation of Reading MSA during construction works.	commercial venture and the socio-economic consequences that may entail if access to the MSA is not maintained during construction of the Scheme. With mitigation as described, the significance of socio-economic effects is considered to be negligible.
220	Dunelm Ltd	West Berks DC	n/a	02-01, 02-02	N	Industrial and commercial land in the immediate vicinity of junction 12 includes the Pincents Kiln Industrial Park to the north of the junction (comprising modern industrial and	The plots of land referred to are identified in the Book of Reference (Application Document Reference 4.3) as public verge, motorway, embankment and public

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>warehouse units) and a retail park adjacent to Pincents Kiln. These uses have been identified as part of baseline features in Chapter 4 of the Socio-Economic Report (Application Document Reference 7.2).</p> <p>Paragraph 14.5.16 of the ES (Application Document Reference 6.1) notes that, for local businesses and residents, construction of the Scheme may lead to some temporary reductions in amenity as a result of potential changes to air quality from construction dust, vehicle emissions and traffic management, increased noise disturbance and</p>	<p>road. The land therefore forms part of the public highway; the degree of importance of the existing use of this land, in terms of maintaining access at this junction for businesses and residents within the surrounding area, is high. This has been taken into consideration in the design of the Scheme accordingly.</p>

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>some loss of visual amenity. However, residual effects are not considered to be significant (refer to Chapter 6 (Air Quality) of the ES (Application Document Reference 6.1), Chapter 8 (Landscape) of the ES (Application Document Reference 6.1) and Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 6.1) for further detail). Measures to mitigate adverse effects have been identified in the relevant chapters as appropriate and are referred to in the Outline Construction Environmental Management Plan (Appendix 4.2A of the ES (Application</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						Document Reference 6.3)).	
			Permanent	02-01, 02-02	Y	Industrial and commercial land in the immediate vicinity of junction 12 includes the Pincents Kiln Industrial Park to the north of the junction (comprising modern industrial and warehouse units) and a retail park adjacent to Pincents Kiln. These uses have been identified as part of baseline features in Chapter 4 of the Socio-Economic Report (Application Document Reference 7.2). Paragraph 14.5.16 of the ES (Application Document Reference 6.1) notes that, for local businesses and residents,	The plots of land referred to are identified in the Book of Reference (Application Document reference 4.3) as public verge, motorway, embankment and public road. The land therefore forms part of the public highway; the degree of importance of the existing use of this land, in terms of maintaining access at this junction for businesses and residents within the surrounding area, is high. This has been taken into consideration in the design of the Scheme

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>construction of the Scheme may lead to some temporary reductions in amenity as a result of potential changes to air quality from construction dust, vehicle emissions and traffic management, increased noise disturbance and some loss of visual amenity. However, residual effects are not considered to be significant (refer to Chapter 6 (Air Quality) of the ES (Application Document Reference 6.1), Chapter 8 (Landscape) of the ES (Application Document Reference 6.1) and Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 6.1)</p>	accordingly.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						for further detail). Measures to mitigate adverse effects have been identified in the relevant chapters as appropriate and are referred to in the Outline Construction Environmental Management Plan (Appendix 4.2A of the ES (Application Document Reference 6.3)).	
232	Graham Wrigglesworth for Goodman Colnbrook	SBDC	n/a	26-17	N	The plot of land referred to relates to Old Slade Lane, which provides access across the M4 to a sewage treatment works, forms part of the Colne Valley Trail and acts as farm access. It is acknowledged in paragraph 6.9.5 of the Socio-Economic Report (Application Document	Old Slade Lane has been judged to be a route of medium sensitivity, by virtue of the fact that the Colne Valley Trail is a regional route, lying within the Colne Valley Regional Park.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						Reference 7.2) that the consequences of rebuilding Old Slade Lane on-line will include effects on road users, pedestrians, cyclists and equestrians travelling to and from destinations on either side. The lack of suitable alternative routes for pedestrians has resulted in a moderate to large adverse residual effect being attributed during construction of the Scheme.	
			Permanent	26-17	Y	The plot of land referred to relates to Old Slade Lane, which provides access across the M4 to a sewage treatment works, forms part of the Colne Valley Trail and acts as farm access. It is acknowledged in paragraph	Old Slade Lane has been judged to be a route of medium sensitivity, by virtue of the fact that the Colne Valley Trail is a regional route, lying within the Colne Valley Regional Park.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						6.9.5 of the Socio-Economic Report (Application Document Reference 7.2) that the consequences of rebuilding Old Slade Lane on-line will include effects on road users, pedestrians, cyclists and equestrians travelling to and from destinations on either side. The lack of suitable alternative routes for pedestrians has resulted in a moderate to large adverse residual effect being attributed during construction of the Scheme.	
			Temporary	26-06, 26-10, 26-10a, 27-09	N	This area relates to Old Slade Lane, which provides access across the M4 to a sewage treatment works, forms part of the Colne Valley	Old Slade Lane has been judged to be a route of medium sensitivity, by virtue of the fact that the Colne Valley Trail is a regional

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						Trail and acts as farm access. It is acknowledged in paragraph 6.9.5 of the Socio-Economic Report (Application Document Reference 7.2) that the consequences of rebuilding Old Slade Lane on-line will include effects on road users, pedestrians, cyclists and equestrians travelling to and from destinations on either side. The lack of suitable alternative routes for pedestrians has resulted in a moderate to large adverse residual effect being attributed during construction of the Scheme.	route, lying within the Colne Valley Regional Park.
			n/a	26-04, 26-04a	N	Plot 26-04 relates to public motorway. Plot 26-04a relates to Old Slade Lane, which	Old Slade Lane has been judged to be a route of medium sensitivity,

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>provides access across the M4 to a sewage treatment works, forms part of the Colne Valley Trail and acts as farm access. It is acknowledged in paragraph 6.9.5 of the Socio-Economic Report (Application Document Reference 7.2) that the consequences of rebuilding Old Slade Lane on-line will include effects on road users, pedestrians, cyclists and equestrians travelling to and from destinations on either side. The lack of suitable alternative routes for pedestrians has resulted in a moderate to large adverse residual effect being attributed during construction of</p>	<p>by virtue of the fact that the Colne Valley Trail is a regional route, lying within the Colne Valley Regional Park.</p>

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						the Scheme.	
			Permanent	26-04, 26-04a	Y	Plot 26-04 relates to public motorway. 26-04a relates to Old Slade Lane, which provides access across the M4 to a sewage treatment works, forms part of the Colne Valley Trail and acts as farm access. It is acknowledged in paragraph 6.9.5 of the Socio-Economic Report (Application Document Reference 7.2) that the consequences of rebuilding Old Slade Lane on-line will include effects on road users, pedestrians, cyclists and equestrians travelling to and from destinations on either side. The lack of suitable alternative routes for pedestrians has	Old Slade Lane has been judged to be a route of medium sensitivity, by virtue of the fact that the Colne Valley Trail is a regional route, lying within the Colne Valley Regional Park.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						resulted in a moderate to large adverse residual effect being attributed during construction of the Scheme.	
234	The Animal Sanctuary UK	SBDC	Temporary	20-02	N	The presence of an animal sanctuary at this location was considered in paragraph 4.5.16 of the baseline assessment in the Socio-Economic Report (Application Document Reference 7.2). The status of the animal sanctuary had not been finalised at the time of submitting the Development Consent Order (an appeal decision was awaited).	The degree of importance attributed to the various plots of land associated with the animal sanctuary is low, as a local facility.
			Permanent	20-02a	Y	As above.	As above.
			n/a	20-05	N	As above.	As above.
			Permanent	20-05	Y	As above.	As above.
235	Louisa Maxwell-	SBDC	n/a	19-53,	N	Socio-economic	As above.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
	Watters			19-54		consequences associated with the interference with these plots of land/rights are identified in paragraph 6.6.7 of the Socio-Economic Report (Application Document Reference 7.2).	
			Temporary	19-53, 19-54	N	Socio-economic consequences associated with the interference with these plots of land/rights are identified in paragraph 6.6.7 of the Socio-Economic Report (Application Document Reference 7.2).	As above.
237	Satinder Jaswal	SBDC	Permanent	20-14	Y	Paragraph 14.5.16 of the ES (Application Document Reference 6.1) notes that, for local businesses and residents, construction of the Scheme may lead to some temporary reductions in	The plot of land relates to public highway from which access to residential properties can be gained.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>amenity as a result of potential changes to air quality from construction dust, vehicle emissions and traffic management, increased noise disturbance and some loss of visual amenity. However, residual effects are not considered to be significant (refer to Chapter 6 (Air Quality) of the ES (Application Document Reference 6.1), Chapter 8 (Landscape) of the ES (Application Document Reference 6.1) and Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 6.1) for further detail). Measures to mitigate adverse effects have been</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						identified in the relevant chapters as appropriate and are referred to in the Outline Construction Environmental Management Plan (Appendix 4.2A of the ES (Application Document Reference 6.3)).	
238	John Buttanshaw for Stockley Park Consortium	LB Hillingdon	Temporary	29-01, 29-03	N	The existing land use at this location has been identified as agricultural land in the Book of Reference (Application Document Reference 4.3). Construction compound 11 is proposed to be situated here, with existing socio-economic land-uses in the vicinity of the site having been identified in paragraph 6.11.7.	The plots of land relate to areas of hardstanding and agricultural land off Stockley Road.
239	Virginia Blackman for RBS	SBDC	Permanent	19-66, 19-69	Y	Paragraph 14.5.16 of the ES (Application Document	The Book of Reference (Application Document Reference

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						Reference 6.1) notes that, for local businesses and residents, construction of the Scheme may lead to some temporary reductions in amenity as a result of potential changes to air quality from construction dust, vehicle emissions and traffic management, increased noise disturbance and some loss of visual amenity. However, residual effects are not considered to be significant (refer to Chapter 6 (Air Quality) of the ES (Application Document Reference 6.1), Chapter 8 (Landscape) of the ES (Application Document Reference 6.1) and Chapter 12 (Noise and Vibration) of	4.3) identifies plot 19-66 as hedgerow and plot 19-69 as 2sqm of garden. Accordingly, the level of importance attributed to these areas is low.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						the ES (Application Document Reference 6.1) for further detail). Measures to mitigate adverse effects have been identified in the relevant chapters as appropriate and are referred to in the Outline Construction Environmental Management Plan (Appendix 4.2A of the ES (Application Document Reference 6.3)).	
		Slough BC	Temporary	23-08	N	Socio-economic consequences associated with the interference with these plots of land/rights are identified in paragraph 6.8.7 and 6.8.11 of the Socio-Economic Report (Application Document Reference 7.2), which identifies that temporary land-take	The Bentley Education Centre is identified as a local education facility and accorded a low sensitivity as a result.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>affecting access to the Bentley Centre may be necessary.</p> <p>Paragraph 14.5.16 of the ES (Application Document Reference 6.1) notes that, for local businesses and residents, construction of the Scheme may lead to some temporary reductions in amenity as a result of potential changes to air quality from construction dust, vehicle emissions and traffic management, increased noise disturbance and some loss of visual amenity. However, residual effects are not considered to be significant (refer to Chapter 6 (Air Quality) of the ES (Application Document</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						Reference 6.1), Chapter 8 (Landscape) of the ES (Application Document Reference 6.1) and Chapter 12 (Noise and Vibration) of the ES (Application Document Reference 6.1) for further detail). Measures to mitigate adverse effects have been identified in the relevant chapters as appropriate and are referred to in the Outline Construction Environmental Management Plan (Appendix 4.2A of the ES (Application Document Reference 6.3)).	
		LB Hillingdon	Temporary	28-11	N	This plot of land is identified as an area of access and hardstanding off Sipson Road. Consideration	The plot of land comprises an access for local employment and is accorded a low

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						of construction works in the Sipson Road area and the associated socio-economic consequences are described in paragraph 6.10.6 of the Socio-Economic Report (Application Document Reference 7.2).	sensitivity accordingly.
267	Lynn Adams	RBWM	Temporary	24-09	N	No socio-economic consequences associated with the interference with the land/rights have been identified at this location, other than through the use of the land for agricultural purposes. The area of land under consideration is small.	The plot comprises agricultural land; assessment of the existing land use has attributed this a low sensitivity.
277	CEMEX UK Operations Ltd	RBWM	Permanent	24-28, 24-29	Y	Socio-economic consequences associated with the interference with land or access rights in relation to this plot of land are	The plots of land are associated with the rebuilding of Riding Court Farm Overbridge. In addition to

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						identified in paragraph 4.7.15 of the Socio-Economic Report (Application Document Reference 7.2).	the existing land-use, the potential land-use resulting from the planning application described in paragraph 4.7.15 of the Socio-Economic Technical report has also been considered. The site is considered to be of low sensitivity.
			Temporary	24-32	N	As above.	As above.
			Temporary	20-12, 20-20, 20-22	N	Socio-economic consequences associated with the interference with land or access rights in relation to these plots of land are broadly identified in paragraph 4.7.15 of the Socio-Economic Report (Application Document Reference 7.2).	The site is considered to be of low sensitivity.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
			Permanent	20-12a, 20-23	Y	As above.	As above.
279	James Luntz for Iris Software Group	RBWM	n/a	24-30	N	<p>Socio-economic consequences associated with the interference with this plot of land/rights are identified in paragraph 6.8.12 of the Socio-Economic Report (Application Document Reference 7.2).</p> <p>Appropriate mitigation measures for disruption as a result of Scheme construction are identified in paragraph 5.8.1 of the Socio-Technical Report and set out further in the Outline Construction Environmental Management Plan (Appendix 4.2A of the ES (Application Document Reference 6.3)).</p>	The plot of land refers to part of the access to the Computer Associates premises. As a local employment site, this has been attributed a low sensitivity.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
			n/a	24-31	N	As above.	As above.
			Temporary	24-30, 24-31	N	As above.	As above.
283	David Hutchison for Persimmon Homes Ltd		Permanent	09-07	Y	This stretch of the motorway passes through an area where potential levels of future development may be significant. Paragraph 4.3.13 of the Socio-Economic Report (Application Document Reference 7.2) identifies four Strategic Development Locations (from within the Wokingham Borough Council Core Strategy) in the vicinity of the M4 here, including Arborfield Garrison, 'land south of the M4', and mixed use developments at North and South Wokingham. Paragraph 4.3.14 also	The plot of land is identified as a bridge carrying a public road over the motorway.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>identifies the Easter Relief Road Scheme and construction of a new bridge over the M4 at Shinfield. Paragraph 6.4.18 of the Socio-Economic Report (Application Document Reference 7.2) identifies that construction of the Scheme is considered unlikely to have any adverse effect on these areas; paragraph 6.4.21 identifies that operation of the Scheme would help to service these areas and provide future residents and employees with improved infrastructure to reach homes and jobs.</p>	
			Permanent	10-22	Y	This stretch of the motorway passes through an area where potential levels of future	The plot of land is identified as part of the public motorway;

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>development may be significant. Paragraph 4.3.13 of the Socio-Economic Report (Application Document Reference 7.2) identifies four Strategic Development Locations (from within the Wokingham Borough Council Core Strategy) in the vicinity of the M4 here, including Arborfield Garrison, 'land south of the M4', and mixed use developments at North and South Wokingham. Paragraph 4.3.14 also identifies the Easter Relief Road Scheme and construction of a new bridge over the M4 at Shinfield. Paragraph 6.4.18 of the Socio-</p>	<p>the possible use of the land in this area for development purposes, for example a new road link, has been identified.</p>

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						Economic Report (Application Document Reference 7.2) identifies that construction of the Scheme is considered unlikely to have any adverse effect on these areas; paragraph 6.4.21 identifies that operation of the Scheme would help to service these areas and provide future residents and employees with improved infrastructure to reach homes and jobs.	
			Temporary	07-05	N	The plot of land relates to an area of public road (Lower Earley Way (West)).	
			Permanent	07-07	Y	The plot of land relates to an area of verge at Lower Earley Way (West). The plot currently forms part of land used in connection with	The land has been identified as being of medium sensitivity, in view of its prospective inclusion within the

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						the Cutbush Lane transmission station as identified in paragraph 6.4.4 of the Socio-Economic Report (Application Document Reference 7.2). The land may also form part of an outline planning permission associated with Hatch Farm Dairies (planning application reference O/2006/8687).	Hatch Farm Dairies development and as part of the provision of continued access to the transmission station.
294	Douglas Bond for Anita Thomas	RBWM	Permanent	17-11	Y	Potential socio-economic considerations have been taken into account including paragraph 4.5.20 of the Socio-Economic Report (Application Document Reference 7.2).	The plot is identified as motorway verge and embankment.
			Temporary	17-12, 18-02	Y	As above.	Plot 17-12 is identified as land and woodland in the Book of

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
							<p>Reference (Application Document Reference 4.3). As such it is accorded a low level of sensitivity.</p> <p>Plot 18-02 is identified as field, agricultural land and disused car park in the Book of Reference (Application Document Reference 4.3). As such it is accorded a low level of sensitivity.</p>
297	Clarke Vallance for Railway Pension Nominees Ltd	RBWM	Temporary	18-07, 18-08	N	<p>Priors Way Industrial Estate is identified in paragraph 4.5.3 of the baseline section of the Socio-Economic Report (Application Document Reference 7.2).</p> <p>Socio-</p>	The Industrial Estate is a local employment site and as such, buildings within it are considered to be of low sensitivity.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						economic consequences associated with the interference with this plot of land/rights are identified in paragraph 6.6.4 of the Socio-Economic Report (Application Document Reference 7.2).	
300	Douglas Bond for Bloor Homes Southern [NB: Also include effects of app]	RBWM	Temporary	18-02	N	Socio-economic consequences associated with the interference with this plot of land/rights are identified in paragraph 6.6.28 of the Socio-Economic Report (Application Document Reference 7.2).	The site currently comprises agricultural land and has been assessed as of low sensitivity.
301	Michael Knowles for University of Reading	Wokingham BC	Permanent	07-03	Y	This stretch of the motorway passes through an area where potential levels of future development may be significant. Paragraph 4.3.13 of the Socio-Economic	The plot of land as identified in the Book of Reference (Application Document Reference 4.3) refers to public motorway.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						<p>Report (Application Document Reference 7.2) identifies four Strategic Development Locations (from within the Wokingham Borough Council Core Strategy) in the vicinity of the M4 here, including Arborfield Garrison, 'land south of the M4', and mixed use developments at North and South Wokingham. Paragraph 4.3.14 also identifies the Easter Relief Road Scheme and construction of a new bridge over the M4 at Shinfield. Paragraph 6.4.18 of the Socio-Economic Report (Application Document Reference 7.2) identifies that construction of</p>	

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						the Scheme is considered unlikely to have any adverse effect on these areas; paragraph 6.4.21 identifies that operation of the Scheme would help to service these areas and provide future residents and employees with improved infrastructure to reach homes and jobs.	
			n/a	08-01, 08-04	N	As above.	Refers to public motorway and land to which there is a right of drainage.
			Permanent	08-01, 08-04	Y	As above.	Refers to public motorway and land to which there is a right of drainage.
307	Katie Scuoler for A1 Grab Hire Ltd	SBDC	Temporary	20-02	N	The presence of an animal sanctuary at this location was considered in paragraph 4.5.16 of the baseline	The area comprises agricultural land and an access road to Dorney Farm. As a local socio-

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						assessment in the Socio-Economic Report (Application Document Reference 7.2). The status of the animal sanctuary had not been finalised at the time of submitting the Development Consent Order (an appeal decision was awaited).	economic receptor, a low sensitivity has been attributed to this parcel of land.
			Permanent	20-02a, 20-05	Y	The presence of an animal sanctuary at this location was considered in paragraph 4.5.16 of the baseline assessment in the Socio-Economic Report (Application Document Reference 7.2). The status of the animal sanctuary had not been finalised at the time of submitting the Development Consent Order (an appeal	The area comprises agricultural land, an access road and part of the verge to the access road to Dorney Farm. As a local socio-economic receptor, a low sensitivity has been attributed to these parcels of land.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						decision was awaited).	
313	John Watters	SBDC	n/a	19-53, 19-54	N	Socio-economic consequences associated with the interference with these plots of land/rights are identified in paragraph 6.6.7 of the Socio-Economic Report (Application Document Reference 7.2).	As above.
			Temporary		N	As above.	As above.
323	Beverley Hakesley	SBDC	Temporary	19-41, 19-47	N	Socio-economic consequences associated with the interference with this plot of land/rights are identified in paragraph 6.6.7 of the Socio-Economic Report (Application Document Reference 7.2).	The plots of land refer to land forming of Amerden Caravan Park. As a local employment and visitor site, this has been attributed a low sensitivity.
			Permanent	19-42, 19-48	Y	Socio-economic consequences associated with the interference with these plots of land/rights are identified in	As above.

RR no.	Name/Organisation	Local Authority	Temporary /Permanent	Plot(s)	Compulsory Acquisition Y/N	Consideration given to socio-economic consequences of interference with land/rights	Degree of importance attributed to the existing use of the land and why?
						paragraph 6.6.7 of the Socio-Economic Report (Application Document Reference 7.2).	
			n/a	19-53, 19-54	N	Socio-economic consequences associated with the interference with these plots of land/rights are identified in paragraph 6.6.7 of the Socio-Economic Report (Application Document Reference 7.2).	As above.
			Temporary	19-53, 19-54	N	Socio-economic consequences associated with the interference with this plot of land/rights are identified in paragraph 6.6.7 of the Socio-Economic Report (Application Document Reference 7.2).	As above.

CA9.20SEW express concern that the development impinges on source protection zones (SPZ) for public water supply RR-149

- i) Can SEW provide an update on any progress in terms of the applicant's engagement in response to the concerns raised in SEW's letter dated 18 December 2014?**
- ii) Can SEW provide a map(s) identifying the SPZs referred to in its RR?**
- iii) Are any changes to the dDCO sought by SEW in order to protect the SPZs referred to in its RR?**

1. In relation to point (i) above Highways England received a letter from South East Water ("SEW") dated 18 September 2014 regarding the potential impact of the Scheme on Groundwater Protection Zones in the Bray area. SEW also submitted a Relevant Representation (reference number 149) on 24 June 2015.
2. Highways England wrote to SEW on 28 September 2015 acknowledging the letter of 18 September 2014 and the relevant representation made by South East Water and addressing in turn each of the concerns raised by SEW.
3. The Highways England letter confirmed that the issues raised by SEW were considered when drafting the Environmental Statement ("ES") for the Scheme, in particular, when assessing the impacts on ground water and public water supply within chapters 10 and 15 of the ES (Application Document Reference 6.1). Chapter 10 (Geology and Soils) addresses the impacts on groundwater in general and, in particular, the impacts on Groundwater Protection Zones and chapter 15 (Road Drainage and the Water Environment) address the impacts on water quality as a result of changes to the surface water drainage. In particular the issues raised by SEW are addressed in the following paragraphs of chapters 10 and 15: 10.4.7, 10.5.4 and 10.5.5 and Tables 10.9, 10.10 and 10.11 and paragraphs 15.1, 15.2.1, 15.2.4, 15.4.39, 15.4.40 to 15.4.48 of chapter 15.
4. Further, Highways England confirmed in their letter that a targeted ground investigation is to be undertaken in key areas, such as Monkey Island, to confirm the ground and groundwater conditions. Highways England also confirmed to SEW that a Hydrogeological Impact Assessment will be undertaken once the ground investigation data has been collated.

CA9.21NG, AW and BPA are statutory undertakers and all confirm the presence of apparatus within the Order lands REP-303, REP-208 and REP-044.

Can NG, AW and BPA explain whether the protective provisions provided at Schedule 9 to the dDCO are adequate in their current form? If they are not, what precise protective provisions do the interests seek to be included in the dDCO, and why?

1. An engagement letter was sent to National Grid on 16 June 2015 enclosing a copy of the draft protective provisions which had already been included in the dDCO. A further letter was sent on 28 July seeking to advance negotiations to resolve any potential objections to the provisions. National Grid are concerned to understand whether enough protective provisions have been put in place around the Sipson Subway area. Negotiations between Highways England and National Grid are on-going to establish exactly what National Grid require.
2. An engagement letter was sent to Affinity Water ("AW") on 16 June 2015, enclosing a copy of the draft protective provisions which had already been included in the dDCO. Following a request from AW, electronic versions were forwarded on 30 June. A further letter was sent on 28 July and received comments on the protective provisions from AW on 31 July 2015 (and in hard copy form on 5 August). The protective provisions were understood to be largely satisfactory to AW. AW and Highways England are in the process of organising a meeting to discuss these proposed amendments.
3. An engagement letter was sent to the British Pipeline Agency ("BPA") on 16 June 2015, enclosing a copy of the draft protective provisions which had already been included in the dDCO. BPA replied on 25 June, providing a plan showing proximity to a pipeline system operated by BPA and providing methods of contact. Highways England's advisors spoke with BPA on 28 July. An explanation of the Scheme was provided, BPA is understood to be content that their concerns are covered by the protective provisions.
4. Though not mentioned in the question, negotiations in respect of protective provisions have, in addition, taken place with BT, South East Water and Network Rail.

CA9.22GCL express concern about the potential for the M4 scheme to prejudice the interest's promotion of infrastructure to serve a strategic rail freight interchange (SRFI) ^{RR-232}.

i) Can GCL provide an annotated map showing how it envisages the plans for the proposed SRFI could interact or overlap with the Highways England scheme?

1. This question is not addressed to Highways England.

CA9.23 RBS express concern in relation to the impact of the proposed scheme on its interests RR-239.

Can RBS clarify where any concerns remain residual from those raised in its RR dated 2 July 2015?

1. This question is not addressed to Highways England.

CA9.24 CEMEX UK Operations Ltd express concern in relation to land in which it is interested at the proposed Riding Court Bridge, and its associated ability to implement planning permission 13/01667/FUL RR-277.

Can CEMEX provide an annotated map showing how it envisages the working of minerals associated with PP 13/01667/FUL could interact or overlap with the M4 scheme?

1. This question is not addressed to Highways England.

CA9.25PHBH express concern in relation to an overlap in land subject to extant outline planning permission 0/2006/8687 with the Order lands proposed in the M4 Ddco REP-283.

Can PHBH provide an annotated map to show where the land in question overlaps with the Order lands proposed in the M4 dDCO?

1. This question is not addressed to Highways England.

CA9.26 Can Ms Rieseberg present or summarise to the examination any dialogue between the interest and Royal Borough of Windsor and Maidenhead Council in relation to the re-zoning of the land in question?

1. This question is not addressed to Highways England.