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Thu, 3/4 4:44PM • 1:10:48

00:01

Thank you. Good afternoon. Again, it's now 10 past three. And this hearing is now resumed.

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And without further ado, I'm going to move on to the next item on the agenda, which is mainland golf course.

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Now at the compulsory acquisition hearing on Monday, we did deal with the matters

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on land acquisition. So today, I want to look specifically at the concerns over the realignment of whole toe. And the concerns that are being raised by maylands.

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Now, I have looked at the question that I asked on this one, PC 1.4 and I have looked at the responses received from both luddington and the applicant on this matter. And

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whilst I've certainly got the applicants redesign of the suggested redesign of hole two, I was expecting to see that within the applicants own

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the app, sorry, I was expecting to see within it within maylands response rep to 32, their alternative design, the weather design,

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and perhaps I've missed it, but I didn't see it within that documents. So perhaps I'll start there. Some Is there anybody here representing?

01:36

It seems that Mr. Murray is not here. Is there anybody representing Luddington golf course.

01:51

Right. Okay. And

01:54

Miss Maier, this might be an item that we can't discuss. I understand he's not here. Mr. Challis. Could I ask you please? Could you I understand that discussions are ongoing between yourselves and Maylands golf course. And given that they're not here, perhaps you could just update the examination as to where you are with the discussions, please. On what number 32? Yeah, yes, of course, Mark travel is for highways England.

02:21

So the works that you have seen on which are the subject of our change three requests, and we appreciate you haven't yet determined that request. Now, what we propose to deal with the effects of the scheme on whole two, as a result of the cake and gas, pipeline diversion, and the new need to move the second whole tea.

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Our view is that

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our proposals are acceptable and proportionate in terms of the playability of the course, ecological matters, and cost both in terms of the works themselves. And compensation liabilities to highways, England, and so appreciate you may, we'll have some questions about that, for Mr. Stengel who can explain more about our proposal. But we do understand that the golf course operator is not content with our proposal, as they've explained it, our representations. And the point I really wanted to get over is our minds are not closed to accommodating the wishes of the course, if we can, indeed, you know, the ideal outcome as far as highways England's concerned is to accommodate the wishes of the course operator, if we can, and that means those proposals need to be acceptable both in terms of ecology, and cost and any other effects on our scheme. Now, until now, there's been considerable uncertainty about costs involved, not least as to whether

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in order to implement the Maylands scheme, there would need to be cost closures with attendant compensation liabilities, but

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that there has

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now been a lot of it rather more intense discussions about that and a good exchange of information between the parties, including as regards costs, and so, we are hopeful that it will be possible to implement a scheme of accommodation works for the golf course that

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is what the golf course operator wants to see. And actually, yesterday, we sent them

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a plan which I very much hope that they will agree to Now

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assuming that we can find a meeting of minds on this even at this stage of the examination.

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We would like to put that alternative before you and we do appreciate that will mean another

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change request upon which we haven't yet carried out a consultation in circumstances where there is already a change request for you, before you in relation to

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the course layout as we propose it, but we still hope you will accept that change. But I suppose I'm just taking the opportunity to alert you to the fact that there may well be another change request coming along. And as regards the timing issues, I do think there would still be time to accommodate a further change request within the examination period, providing, of course, that the compulsory acquisition regs aren't fully engaged, but

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so we're confident they wouldn't be. Because even if more land is involved, we would anticipate that the golf course operator and the landlord, Cleveland's who I think are represented today would readily give their consent. So we are hopeful, sir, that a way forward

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will shortly be before you which meets

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both highways, England's

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wishes to accommodate the golf course changes in an appropriate way, and is what the golf course operator wants to see. So that is that is where we are.

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Thank you. And

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I think I mean, I did have some questions on the current highways England design, because I think I do have

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some concerns with the design and some of the issues that have already been raised by luddington golf course. But I made this golf course. But I don't see the point in debating those if we are subsequently going to expect a change. So

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I think we might I think the what we have to do here is to let you run with this now and see where this is where this is going. But just in terms of time, Mr. Challis, when do you hope to put this change request in? Are you talking deadline five, or the deadline for

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will do? Well, I'm not sure I can pin it to an actual date or a deadline, we would have to carry out some a

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targeted consultation exercise with the parties involved, which wouldn't be very many, but there would have to be time for that to happen. Prepare some documentation around that. And then I would imagine that we would put a change request to you.

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Probably late.

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So by the latest April will be my guess I think mid to late April.

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Means would be preferable than late. Yes. I have a missed deadline five is the 13th of April. Yeah. If we could aim for that, that would that would obviously give the examination more time to absorb what changed what what's needed to be done.

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Mr. Bodley has his hand up, Mr. Bodley? Do you want to come back?

08:37

up there, first of all, Bodley.

08:41

And thank you, I just say a few brief words. And

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I represent Glebelands to the Freeholder named or not, not the operator of the golf course. But on this particular issue, and my client and luddington the operator are aligned. I, it can be a little bit surprise to me, actually, that luddington weren't represented here. I did speak briefly with their advisor yesterday. And I think potentially, it's a slight kind of misunderstanding of both the DCA process because they seem to think that the revised golf course alignment had been accepted, and therefore they didn't need

to turn up today. And I thought it best to turn up anyway just to find out what was said about it. But what I'd like to say is that

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we the proposals have been prepared by whether on behalf of luddington.

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We as Cleveland's the Freeholder and landlord, way, as I say, we're aligned with luddington on that. And we did have a meeting last week with highways England, which they indicated that they would run with this proposal. And so we're pleased with that. And that's what we want to do.

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possibly not putting as eloquently as I'd like. But I did want to put forward that we support this revised proposal. And we would like to sort of work with highways England in order to manage this change request to getting the revised course layout that we support.

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Thank you, Mr. Bodley.

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Then I don't like I said there is little point in US discussing the current scheme. When matters may move on relatively quickly. So I propose to just to just leave it there for them for the moment.

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I was going to again, or suggest, as with similar with Grove farm,

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that a requirement possibly could, could be inserted to deal with this, but it may not be necessary if all parties are about to come to an agreement. But that's something perhaps we can suggest to you at a later date in the examination. Mr. Challis, if indeed, if we, you know, we deem it to be to be necessary, but I think I think it's right at the moment just to let this play out a little longer, in the hope that a mutual solution can be can be found. So I'm going to move on then to

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to the NEC 5.3. This is the opportunity for

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interested parties to raise any other

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living conditions or people in communities issues that they want to discuss. And before I open it out, because Jane earlier, Jane Allen raised this issue about how mitigation or is going to be

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secured or what mitigation is being done to protect the residents of Woodstock Avenue. Woods. Mr. Challis, would you like to invite either yourself or one of your colleagues to perhaps just provide a response to that, please?

12:12

Yes, thank you. I mean, obviously, there are various aspects to this. And perhaps in terms of noise effects, and we don't think there are any significant noise effects, perhaps Mr. Lawrence could come back to explain.

12:33

Hello, yes, no, there are no significant effects at Woodstock happening from operation or from construction.

12:45

Thank you. But I mean, could I ask me, I think maybe what Jay might be wanting to get some information from you may not be the best person to answer this, Mr. Lawrence. But in terms of what there is the tree planting and the new bands that that are potentially going there. Are there any other measures that they you feel that would help integrate this development into its landscape so that it would it would not have an effect on the neighbours? I'm afraid landscape is not my expertise at all? Nope, perhaps no, I know that. But perhaps you can. You can tell us a bit you say that there's no noise effects. Why do you say that is progressors explained to Jane Ireland what why are you say there are no noise effects. It's predominantly due to the distance between Woodstock Avenue and the

13:45

and the scheme. So the houses at the southern end of Woodstock Avenue are very close to the a 12. Indeed, and then noise is driven entirely by traffic on the a 12. The properties at the northern end of Woodstock are more distant from the a 12. And they do get contribution of noise across from the M 25. And then from the scheme as well. So for the properties at the southern end of Woodstock, Illinois is predominantly driven by changes in traffic on the 812. There are no schema alterations there. So it's any change in noise is due to change in traffic of the northern end with further from the a 12 wheel. So we get contribution from the from the south, and we get a contribution from the M 25. across to the east. And those two noise sources combined together to give you noise levels at properties at the northern end. And then when the scheme comes in, it adds a tiny bit more but not enough to make a perceptible change.

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Thank you, Mr. Lawrence. Mr. Hutchins, you've you want to contribute, I believe as well.

14:58

Yes, I can contribute from the

15:00

Skipping facials so a good indication for the residents of Woodstock Avenue is we've selected maidens cottages as a receptor. They are on the same side of the loop prod as Woodstock Avenue However,

they are closer they are approximately 160 metres closer to the proposed loop road than the nearest residence on Woodstock Avenue. So, the photo montage was a few point D maidens cottages

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as 005 and rep one zero 21 to this summer and winter photo montage as they provide a good representation of the anticipated view from melons cottages. I guess they were stuck having you off further, further back, but they on the same side of the loop road.

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Within those photo montages, what's visible is the environmental bond which is proposed

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sort of to the southwest of the loop road, which will act as aids the screenings are particularly low level screening if the leak protein that location. And there is, as this been discussed before, so the area of woodland planting along the western side of the looproad, which is in matures. And you can see from the photo montage this year 15 it provides a dense and visual screen to a large portion of the affiliate credit on that side. So again, the residence woodstock Avenue. That's photomontages are a good representation of anticipated view from Proctor's on that side of the road.

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But as we discussed earlier in trees and not wishing to revisit that we don't have an exact planting schedule, as yet, do we that's not before us. That's your detailed design stage. Is that correct? It will be in detailed. So we've in the length, there is suggested tree species, which will native tree species, which are you know, sort of within the locality. In terms of it, we've given it a density will be similar to what's shown on the photo montage.

17:00

Thank you.

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And does any other interested party want to raise anything in respect of

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people in communities matters? That hasn't already been raised?

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Yes, Jane.

17:23

Yeah, okay. Obviously, there is a bigger picture here with visuals and noise. And, you know, and the underlying most problematic issue that we seem to have is this inability for the applicant to recognise that we have only one option, you know, to go round that round about to travel west. And we are looking at the comments in this pc 1.2, where it says

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that the Harold Park receptor covers the properties, basically, on both sides of the a 12. The same, but that's not the case, because

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the other side of the 12, they don't have to go around junction 28 to, you know, to get any, whereas we do, and I don't want to go into great lengths and revisit what we spoke about the open forum hearing, but I'm hoping that that message is loud and clear. And that some sort of collaborative approach can be taken between TfL London Borough of hiring highways England, whoever, and as seems to be the case with what was referred to this morning about, I don't really understand it properly integrating the traffic lights, it seems to be it seemed to be quite an easy fix that highways England would work with TfL. And similarly, I've got the same impression for the slip road issues, you know, rather than it be TfL it makes more sense for highways England to take the lead. So could we, you know, I know different organisations are responsible, if you like legally for different parts of the roads, the pavements and the roundabouts and the slip roads. But it The point is that what goes on with an M 25, or the a 12 on the roundabout has an impact on the surrounding roads, whether they're owned by London borough of Havering, TfL or Essex County Council or whoever. So I don't want to hear this. It's not our responsibility. That's TfL because that's what we heard at the open forum hearing. And I sit really close for me, and I know my neighbours do. It's just that I happen to have time on my hands to kind of I've made time to listen to this because it really does concern me that we're getting nowhere after years of

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people

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raising this as a genuine issue, and doing a 12 mile detour and Park, you know, being expected to leave your car somewhere else where there is nowhere else to leave your car if there's slip roads going, because it's just not adequate.

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Thank you.

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Does any other interested parties want to raise anything?

20:29

Okay.

20:32

Does the applicant want to respond to gain or wins give you the opportunity before I move on to this item on the agenda. Mr. Challis. Thank you. So no, I don't think so other than to say that the issues that Jane has raised, I think they've been well covered up till now. So

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I don't think we've got anything to add to what's already been said. But thank you. Okay. Thank you very much, indeed. So that we're now going to move on to item six on the agenda, which is the matters for clarification.

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You'll know that we dealt with six for earlier in the day. And we're going to deal with six, one and six, five together.

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And Mr. McCarthy is going to take that Mr. McArthur.

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Thank you, Mr. Allen. It's in two sections. That's dealing with the outline camp. To begin with. At deadline three a, the applicant submitted

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some revised documents within the outline, or some additional documents rather within the outline camp, which included outline dust noise and nuisance management plan and an outline surface water management plan. Can I ask

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interested parties, in particular London borough paving TfL and Essex County Council whether they have had a chance to review these submissions, whether they have any comments to raise at this hearing? Or alternatively, whether they'll be responsible for

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Mr. Douglas, please.

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Thank you, sir. Yes, Lundberg haven has had an opportunity to, to, to have a look at the outline camp. And we do have some comments to raise. At this hearing, we will be providing a more formal response deadline for as per the rule like letter

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are the main areas of concern that we do have all I'll just outline here

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we've got a concern around the relationship between the react the register of environmental actions commitments and the camp.

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And our concern is really, we're aware that the React forms part of the outline camp,

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but we are concerned about how

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how secure the commitments are contained within the React really are

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when the final camp won't be determined until post consent, and by the appointed contractor. And if the if the final camp, if there are changes made to it.

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Our concern is that that will make some of the measures that are contained within the React not feasible or viable. So we've got to concern over security. Hope that

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a couple of other points that I'll just make around the around the camp, we're aware of Section 5.3 of the camp refers to the working hours that are taken that will be undertaken, certainly nighttime working hours between 11 o'clock in the evening at seven o'clock in the morning.

24:00

And, you know, we would expect those hours to be agreed under Section 61 of the control and Pollution Act of 1974.

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And a couple of other points that we'll just want to make on the camp is around some of the some of the language used in some of the paragraphs. And the concern that we've got around what that means in terms of security for the camp. Paragraph 13 point 5.1

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states that the camp can be reviewed as often as necessary to include the significant changes in equipment, whisk and scope of works, circumstances, people or other organisational change. And

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that for us springs into a question how secure I final camp would actually be because it seems to it seems to imply that the contracts are

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will have the ability as on when issues arrive to, to revise the camp. And that kind of brings into in

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into question

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how secure some of the some of the particular requirements will be.

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And the other the other key area that companies wanted to bring to your attention, sir, is the table 12.1, which outlines the kind of mitigation measures that are set out within the outline camp.

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That they're not very specific as far as we were concerned that there isn't any detail there. And again, 12, paragraph 12. Point 1.5

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says that further details of mitigation and monitoring requirements,

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will be provided by the principal contractor who will update table 12.1 once a decio has been approved.

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And again, I think our concern would be

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what say the London Borough of haven would have on those that mitigation, we're aware that we would be consulted on the final camp. But I would just reiterate our opposition that we would like to see the final camp agreed with the London Borough of haven before it goes to the Secretary of State for approval. Thank you.

26:21

Thank you, Mr. Douglas. Mr. Rheinberg. Appreciate you have your hand up. But there were a number of issues there. I'd like to ask Mr. Challis to respond before we come to you, if you don't mind. So thank you, Mark trellis for highways England as regards the securing of the camp. And indeed, the matters in the riak, which need to be reflected in the camp. Well, sorry. Mr. Challis, I'll just interrupt you there. And I think we'd prefer to deal with that in a bit more detail tomorrow. I don't mind. Yeah, that's absolutely fine.

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As regards the other details,

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he's behaving well. So there was the consent point. Would you like me to deal with that? Or would you like that to be dealt with? Yes, please? Well, as, as you know, maybe we will. I'm sure we probably will come back to this tomorrow as well. We don't think it's appropriate for the camp to be agreed with hazing before it's submitted to the Secretary of State for approval, because, in effect, that means it has to be approved by both hazing and the Secretary of State. And for reasons which we've discussed previously, we don't think that's appropriate. We think the Secretary of State is the appropriate body to give the final approval, although, of course, favouring will be consulted, and its views made known to the Secretary of State and therefore, if he doesn't think that

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the final camp should be approved in the light of those consultation responses, then

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he presumably wouldn't, wouldn't approve it. But we think the camp is well secured by the mechanism in the requirements as regard to the other matters. The points of detail about how things are worded. Could I ask

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Miss Maier to deal with those, please, before you do

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on the on the approval issue, then would it would it be reasonable and I don't want to put words into your mouth? Would it be reasonable to say that at this stage, it is it is the intention of the applicant that wherever reasonable, the matters that will go for approval to the Secretary state and the camp will be agreed with London borough hearing in advance of going to the Secretary of State? Well, so we're happy to have discussions with hovering and,

28:44

you know, the more that they can agree with what we've put forward? You know, that would certainly be a satisfactory situation, what we are concerned about, and what I've made clear previously, is, we don't think Avery ought to have a right of approval such that they could delay or even veto things by not giving their approval. But we do want to work with Avery, of course. And I would hope that by the time that we submit the document to the Secretary of State for approval, there will have been a good level of discussion with hovering.

29:18

And, you know, it may well be substantially agreed by Avery we just don't think it should have to be approved by anything.

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Thank you. That's, that's helpful. And as you say, with that, there may be more discussion to come on the subject.

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Could I hand over to miss Miller on the on the other boys?

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Thank you.

29:44

Hi, um, I think you know my on behalf of pirates England

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with regards to the point raised by law number of favouring

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paragraph 13 point 5.1

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I would like to mention that

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the

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construction environmental management plan would need to be

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prepared in line with the ISO 14,001

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requirements. And this is not something which is unforeseen. You know, it's not, it's not

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something unusual to see in an environmental management plan. This paragraph here

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is trying to make sure to say that the constructed environmental management plan has to be fit for purpose. So, if there are going to be changes, which may need to be put in front of the Secretary of State for approval, then the construction environmental management plan has to reflect those changes which are agreed by the Secretary of State. So, if the principal contractor or the client would like to promote a change, once the show is made, then the construction environmental management plan would need to reflect that once it's approved.

31:08

Thank you,

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did you also want to Did you also want

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to table 12 point 1.1.

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At this stage in the you know, in the process, we have outlined some of the consents required to deliver the scheme but that doesn't mean that the principal contractor might require further consent to deliver

the works. So, we are not able to provide a comprehensive list of consents and permits until the construction methodologies and the detailed design is fully defined. And we fully understand the level of

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you know, permits and consents required. So, for that reason, we would envisage that this table would need to be

32:03

defined in the detailed design construction stage and all these permits will need to be obtained and this will be above and beyond probably what is in rehab at this stage.

32:17

Thank you Miss Martin, is it reasonable to say that the London interested parties in general will have the ability to view these documents as they evolve through the detailed design stage and to comment as appropriate? Yes, they we have worked collaborative deeply until now, we have shared draft plans with low number borrow Hey bring and we have taken into consideration that their feedback and this is reflected in the application we put so far. So, we would like that to continue and

32:56

obviously the principal contractor would have to take

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the work we have done and implemented the requirements we have identified for the next stage in the process and react tables reflect the you know, the requirements for the detailed design stage for the construction and the operational stage. So those things will need to be taken forward and implemented in the scheme.

33:22

Okay, thank you. Thank you very much. I will I will move on to Mr. Rheinberg. Unless you have anything further to admire.

33:31

Nothing. Thank you. Thank you. Mr. Rheinberg. I see both you and your colleagues have your hands up. I'll come to you first. Okay. Thank you, sir. Yes, Matthew Rheinberg Transport for London. There were just a few points we'd like to make on the camp.

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The first one, the main issue we had was that originally TfL has Highway Authority wasn't going to be consulted on the camp. So we're very much welcomed that being added into the draft DC our deadline to by the applicant.

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We are we are generally content overall with the camper there are there are some issues but we would like to raise in particular.

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So we welcome the some of the environmental control plans coming forward. So for example, the outline surface water management plan

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was included in the most recent update of a camp and that's of relevance to Transport for London because the draft decio proposes but TfL would take responsibility for some of the drainage assets delivered as part of a scheme. We do note it is very outline at the moment it is quite generic. And while it it's helpful in setting a framework of the sort of structure of a document and what's going to be included. It's quite difficult at the moment to draw anything substantial from it. It doesn't really reflect anything about the local situation currently. So we would we would sort of like to see as per design

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develops, we would like to be involved in that plan and others of it's of the same type. As may develop further,

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we did, we do also have concerns about some of the environmental control plans not being shared in outline form as part of the decio examination, which may not give Transport for London the assurance it needs on some matters.

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One example of that, there is some environmental control plans, which may influence planting in areas that TfL may be asked to maintain, for example, so I think the ecological habitats and species plan could be relevant in that case.

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And the final point really, which was briefly discussed yesterday about code of construction practice. So, for point was made by the applicant yesterday, but much of the material that would appear in a code or construction practice is already included within the application. But we feel it's probably spread across the camp, the registering of environmental actions and commitments to react and various environmental control plans. And we feel it would be helpful if they were brought together into a single code of construction practice document.

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So that was first the final point we wanted to make.

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Thank you, Mr. Mr. Rheinberg, I think the examining authority shares, shares the view that it would be helpful for a lot of this information to be brought together

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in a somewhat more concentrated fashion, but Mr. Mr. Smedegaard regards, please. Yes, and thank you, Steen Smedegaard on behalf of TfL is just in relation to responses and to consultations by consultees and what's going to happen to those responses, because I think Mark mentioned

36:54

that the views will be made known to the Secretary of State. And so question if the intention is that responses will be just forwarded to the Secretary of State or whether there will be an obligation in the order to take into consideration any representations made by consultees. A quick word search after the order mentions consideration twice, but it doesn't seem to be a global obligation to take into consideration or consultation responses.

37:26

Thank you, Mr. Smedegaard, I will ask the applicant, if they would like to respond.

37:33

Thank you, Mark Ellis for I was England. In response. The obligation in requirement 17 is for in submitting to the Secretary of State matters for approval under the requirements to be accompanied by a summary report setting out the consultation undertaken. And obviously that must be an accurate Summary Report. And it may well be simply forwarding on what's been said, may also just take that one away and

38:03

consider whether that ought to be changed. I mean, as regards the

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requirement to or a requirement to take what has been said in the consultation exercise into account? Well, you know, it's part of a proper consultation exercise that one does consider what is said. But of course, ultimately, the Secretary of State as the determining authority will decide whether that exercise has been done properly. And he will, you know, take that into account in deciding whether to give his approval or not.

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No to that, by all means, by all means, do come back with further thoughts. And when do you think you would come back to us with

38:47

whatever else you need to tell us?

38:51

Well,

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the next deadline, I'm sure would give us ample chance to do that. Wonderful. Thank you. Thank you very much. I will I will move on to Mr. Smith. Oh, God. Is your hands still up? Yes. Just very quickly on

the consultation responses that are raised, I would expect that to be discussed tomorrow. So presumably, if I miss England would be able to come back by the end dealt with that would be helpful.

39:20

And, Jane?

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I'll come to I'll go to Jane. Ellen first, Mr. Challis. And I'll come back to you if that's okay. Just to comment, really.

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The thought of summary reports gained as with some degree of anxiety,

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because they obviously are

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there could be an element of what I would call cherry picking. You know, where you only send in the information that you want approved where within the information that you know, I just think it worries me a little bit. I thought all consultation information had to go forward to the Secretary of State

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to give the full

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Picture.

40:02

But, again, I'm definitely out my depth here. But it was just to, to be reassured that it's not going to be a cherry picking exercise, really. And so that it's it can, you know, things can be

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deliberately left out of the some report that might be contentious, really

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noted and to hopefully to put your mind at ease somewhat part of the part of the purpose of the examination that we're undertaking at the moment is, is to try to establish whether all of the information that is relevant to this application is, is before the examining authority. And, and much of much of what goes on in the background is identifying areas where further information could and should be supplied. But I will, I will come back to Mr. Challis for any final comments on this.

40:59

He has an easement marked for highways England. Yes, I take the point that we are going to discuss this tomorrow. So I'm happy to collect my thoughts overnight and

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respond accordingly. Tomorrow. I can see that makes sense all round. And I'm happy to do that.

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Thank you. Thank you very much. So moving on to a somewhat related subject to particularly surface water management and a number of interested parties in their relevant representations

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have raised concerns

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over historic flooding in the area generally, and specifically around brookstreet.

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Can I ask the applicant to just briefly describe the risk of flooding in the area in the area around Brook street, and I set out in the environmental statement, and in any steps identified as necessary to deal with the risk of flooding in this area in the future? I appreciate that some of this is in the environmental statements already. But for the benefit of those who have not spent

42:08

as much time as others hammer reading, reading the environment mental statement, a brief summary, which would be helpful at this stage, I think.

42:18

Thank you, Mark Challis, again for highways England.

42:23

Mr. Harris? Yes. Mr. Harris is best placed to deal with this question and has appeared on screen. So that's it. Thank you.

42:32

Hello, Simon, how is England I happy to talk about the existing flooding problems on brookstreet roundabout, but as for the environmental statement, I'll have to defer to one of our environmental team. So can I kind of talk about the existing flooding that's been reported on brookstreet? roundabout first? Yes. And it really is that that issue? It's not It's not that I particularly wish that you that you go through the environmental statement, it's just that that that formed part of the application. But yes, it's more to address the concerns raised at relevant Rep Stage by interested parties, or about flooding around the area and

43:11

how that may be dealt with if it needs to be dealt with. Okay, I'm aware of two concerns expressed but I think it was by Miss Allen and Mr. Manley about flooding on the brook street roundabout, but it is actually I believe this is correct. And please, I need to be corrected if it is incorrect. I believe it's

concerning surface water flooding, actually on the roundabout itself, as a roundabout is the responsibility of highways England. So what I've done, I've spoken to high weddings maintaining company who look after the 25 and I've asked them Are they aware of a problem? And they've advised that Yes, they are. They had tried to clear the drains to remove the flooding problem. But they have found that it's not just a blockage in the dryness and damage to the drains themselves. And so they have got a scheme together to design

44:04

remedial works. And I've been advised that that will be implemented by summer 2022.

44:12

I see that the problem is just for clarity. The problem as I understand it is on the

44:18

at the point where the a 1023 Brook Street, runs South onto the roundabout and then turns around slightly to go up towards the 25 southbound on slip. I hope that's the area that that is of concern to the interested parties and I'm not chasing down the wrong problem.

44:41

It's certainly in the location that I think it has been raised but Jane Ellen has her hand up so she can no doubt confirm. It definitely is the area there's actually a sign a warning sign floating sign this lift their permanent

45:00

Now, I don't know who's put that in there, but it's highways, England Essex County Council. But literally, as soon as we get a trickle of rain, that led to the whole road can be cut off, almost, it's very difficult to come off that roundabout onto the a1023. And people obviously tend to avoid that. It's not a small puddle, it's a massive puddle. And you could actually, potentially cars could easily quite breakdown with the volume of water that's left sitting on that roundabout. And just I know, you've mentioned my name, and my partner, Mr. Manley. But I do know that again, this is an issue that has been raised on multiple occasions by multiple restaurants by multiple agencies over the last many however many years this consultation went on for so it isn't just us two. And again, going back to the previous point, and, you know, to get this far, it's actually it's no mean feat really, stick with this process and have the time to allocate to listen in is really is invaluable for, for local residents. And, you know, most residents don't have the time, you know, unnecessarily the technology or the capacity to do this. So it isn't just the two of us that

46:17

are, you know, raising this, it's, it's, it's an area wide issue. And, and that particular roundabout is I mean, I don't know if you've ever driven around it, any of you, but there's actually where the flooding is there's actually a lot of are kind of redundant land, really, you've got a petrol station, kind of just below but there's a massive bit of Greenland and I, you know, I'm not a structural engineer, but to me, it looks like something could be done to actually make that, you know, improve that, shall we say? And possibly at the same time, you know, all this upheavals going on, you know, this new loop road and changes

could be made at the roundabout, so why not, you know, kill two or three birds with one stone, whether it's pathway cycle pathways, you know, that we talked about yesterday, or flooding on a roundabout, you know, as well as noise and all the rest of it. So, anyway.

47:23

Thank you, Jane. I will just, we are we are approaching the latter half of the latter end of our of our hearing, but I will just remind

47:34

everybody to do be careful about

47:40

giving away any information that you may not want to have in the in the public realm.

47:46

Mr. Harris, it seems that clearly there are there are issues. And those issues are not disputed, but they aren't. It may well not be that these are issues that are directly related to the proposed development is that a reasonable assessment to make? And that's correct, except that we are proposing to resurface the roundabout as part of the project because we are going to be applying a revised road marking layout to improve the flow of traffic. So it is important that the work to undertaken before the carriageways resurfacing re road marked. So the works that you've identified are

48:27

essentially are happening in in the right order and yes, the development would wouldn't jeopardise those words in any way. No and the CPS are the name of the company who connect plus services are looking after the maintenance for highways England, I've made them very clear about what we're doing and what and then they're part of our discussions on the scheme. And they're very clear that this that this work has to be undertaken before the roundabout is resurfaced for that very reason.

48:52

Okay. Thank you. Thank you very much. I don't have anything further on this unless there are any other interested parties that would like to raise to raise an issue.

49:06

It's, it seems not, in which case I will hand back over to my to my colleague, Mr. Hahn.

49:17

Yes, thank you. Mr. McArthur, just to expand just very briefly to Jane, you may not have intended to do so but you did during your last answer, give out your address. We will redact that from the recording. So your address is not is not there for everyone to hear.

49:46

You may not have intended to do so but you did give out your address.

49:51

Live on our so. So don't but I wanted to reassure you that we will we will redact that from the recording to make sure that

50:00

That he's not there. But just to remind you as much as Mr. MacArthur did, just be careful not to give out your address.

50:09

And I only have two final quick points to deal with the six to

50:18

the Mr. Challis the ground investigation report that you submitted a deadline one, was the deadline one, or was it the I think it was deadline one suggested that a materials management plan needed to be undertaken

50:33

is, when can the examining authority expect that can be submitted?

50:39

Thank you so much for hosting that it was indeed deadline one. And may I ask Miss grey just to respond on where we are with that?

50:51

Right. And so the materials management plan is a document that covers the movement of materials across site as part of the earthworks for the scheme. A detailed materials management plan that's required won't be

51:05

available until detailed design is completed, because we have to understand the quantities of materials being moved, and the locations they're being moved to including any interim stockpiling. So that materials management plan will be developed

51:19

through detailed design and will be available at the end of that to go through the process as required under Tao cop with Claire.

51:27

But just to clarify, that was not the ground investigation report recommended it was needed sooner than that, and aren't. What is the view of the Environment Agency, if you if you know that to hand in terms of the production of this materials management plan. So we're in consultation with the Environment Agency, about numerous matters, including the management of materials on site? A, we're in discussion about how we'll go about the process, how we'll develop the materials management plan,

and they would not expect to see one produced until we have detailed design information. Because that's actually the important information that we need to put in the plan to make it hold water.

52:16

Thank you. I'm just looking just check something very quickly.

52:24

The without form that will form part of the camp, just checking it that when that does come in, it'll form part of the part of the camp. Is that correct?

52:36

management plan. I will refer to Mr. Challis. Thank you, sir. Yes, the materials management plan is one of the documents listed in requirement. Four two.

52:50

Thank you. Thanks, grey.

52:54

Nothing further on that. Does anybody want to ask any questions on the materials management plan?

53:02

No.

53:04

My final point is, is in response to my question to gq 1.9.

53:14

I have to say, Mr. Challis I was a little disappointed in the response that I got here.

53:21

Whilst you've gone to great pains in the examination to discuss perhaps, understandably so, you've set out in some details what works, one to 10.

53:34

Will encompass I suggested to you in written questions that 11 to 32 may

53:42

or perhaps not, not as well described and, and I asked for a perhaps a little bit more of a fuller discussion to get the response back for work. Number 12. For example, were asked for what was improvements to the existing m 25. northbound off slip mean, to get the response to enable traffic to use the round about to head northwards is not what I was expecting. I have to tell you that.

54:11

And this is my way of asking you to please have another go. It would be helpful to in our report to the Secretary of State to be able to give him some a bit more information as to as to the necessity and need for all the work numbers 11 onwards really, I think,

54:32

thank you so much Alice for highways England. I apologise that we didn't mean to disappoint. I think we probably weren't wholly clear about what it was you were looking for with that question, but we're very happy to provide more detail for the works you mentioned. And

54:49

we'll do would you like that by the next deadline? Yes, please. What? Yes, I would like to be able to say work number 12. Includes improvements, the existing m 25. This would

55:00

This would this would require dot, dot, dot, dot. And the reason for it is to enable or whatever it might be just more than just to say, enable traffic to hit northwards. I already knew that. I think I deduced that myself.

55:15

Thank you very much. And we'll get that done for you. Thank you. Thank you.

55:22

Right. Is there any other? Mr. Ovenden you have your hand raised? Thank you, my, Mike Ovenden on behalf of Brentwood. I really just wanted to come in and say Yes, exactly. I agree with you. That the phrase improvements doesn't help. As you know, with regard to our comments, we've only considered really the works within brand words. So that's words 1357 and 12. And, and the phrase improvements is quite often used, but exactly the same point that you've made. May, we would like to know what those improvements are.

56:00

Through the pre AP process, I developed the understanding that some of those improvements, may well be road surfacing, or changes in painted lines, but it would be much appreciated to know exactly what those improvements are.

56:21

Yes, Mr. Ovenden, and I concur. And I'm sure Mr. Challis has heard that and is busy writing that up as we speak. So

56:30

more information. Okay. Thank you. Thank you, indeed.

56:36

Right. So I'm going to move on to any other business. Does anybody have Oh, yes, we only have one that was raised throughout the day. Jane Allen raised about the the accommodating and not injuring the

deer population. And I think that's a fair question. But she asks actually, and, and as I said earlier, as well, Miss.

57:05

Miss McArthur and I observed the deer in the location as we as we were walking the golf course.

57:12

And I think she asked about planning for the for the deer in the area. Could Mr. Challis, could you suggest someone to perhaps provide her with an answer, please? Yes. Mr. Harris will reappear to do just that. Thank you, Harris. Hello, again, Simon house, how is England? Yes, we are fully aware of the deer that live in and around the area. We engaged the Forestry Commission to undertake a survey for us and to give us some advice on the deer population.

57:47

So we can understand how we can look after the deer look after their welfare and also be mindful of removing impacts between travelling motorists travelling vehicles and the deer on the carriageways. And they've given us a report. And that's been very helpful. It's, it's informed, but if you may have tell us what we haven't already know. But it's informed us about the numbers of deer and the

58:14

the bigger movements of the deer, shall we say, at that location. And, as Miss Allen mentioned earlier, we are aware of them using the growth Culvert to get from the

58:26

west of the M 25. To the east that was picked up by the people on the visit. So that's informed as to

58:35

what to what measures to include now, in the scheme design, not only the design, as in the permanent worlds, but also during the construction phase as well.

58:47

We're very mindful that we, the construction team doesn't do anything so it doesn't remove existing deer fencing, which could allow deer to stray onto the M 25. For example, that or maintain that. And then think about other protective fencing measures to keep them out of the works to prevent them from harming themselves inside deep excavations.

59:10

Thank you, the hands gone straight up. So no doubt Jane has got a response to that. Jane, that's good to hear. Thank you for that. So it was an issue that also came up at the open forum here in biogerontology in one of our local councillors, and it's not just an issue for the motorway It is also an all the a 12 so I'm hoping whatever recommendations you've been given cover all aspects because they do tend to stray and there are hundreds of deer I mean, you've done because, you know we're talking it's not unusual if you if you go up there to see 50 to 100 deer running it really is quite magnificent, but

seven it's you know, I don't know how big is 350 plus acres I think between US and South Wales but ya know, that is good.

1:00:00

To hear Thank you,

1:00:02

I'll surely come back in.

1:00:06

Yeah, that's it. They have advised that we've seen photographs in the report of deer all over the golf course. And often a very high number of deer, fallow deer and muntjac deer apparently,

1:00:18

and have given us recommendations for treatment along the 12 boundary as well. And I will just say we couldn't go so far. We're not we're not extending our works as far west as the, the residential centre of Harold Park. So we can't extend the fencing all the way along land, that's not in our scheme. But we are going to be taking steps to protect

1:00:43

the welfare of the deer within our scheme within the limits of the project that we're actually developing. And perhaps you could just finish off by just saying how that secured in the DCI. All right, I mean, I'm not a deer expert, but my hands up. But the advice we've received is that we need to erect what's called deer fencing. I think it's about its fencing of a prescribed form, which prevents deer from jumping over it, I think it's about two metres or 1.8 metres high.

1:01:15

There's also talk about providing cattle grids on roads Now that might not be within the powers that we have within this proposal. So there's work to discuss going forward there. But there's certainly given us a very clear steer, that it is deer fencing is the measure to take in the scheme to separate the deer not only from the road, but also from the areas of landscape planting. Because there was a concern that the Deer may choose to inhabit the areas of landscape planting adjacent to the road. And again, that will encourage them to stray onto the road, potentially. So we've got a very detailed report from Forestry Commission, which has really informed what we're doing. And those measures will be taken into account now going forward in detail design.

1:02:04

Does that? Does that mean? The bit of the A 12 maylands weather slip roads going to be changing? Will you be putting deer fencing on there because that is where they do tend to stray? Well, that that is part of our scheme. So yes, that's where it'll go. But we won't be able to put fencing between maylands golf course. And Harold Park petrol station,

1:02:24

if you understand is not part of our scheme.

1:02:27

It's only a little way actually. But well, we'll say yeah, it's only not that much further, to be quite honest, is probably not what they do. They do inhabit that field, because that is where we back on to and I guarantee you they will roam into your garden and eat your marigolds. Because it's the if you leave you leave your fence gate open.

1:02:51

So yeah.

1:02:53

Okay, thank you, private again. Just to finish off if I can ask Mr. Challis. Just to just to round this off how the fencing is secured in the DCO, please.

1:03:07

In truth, I'm not sure.

1:03:10

Again, I'd have to consider it may be part of the limp, but I'm not sure about that, because I haven't had a chance to look that up. But

1:03:20

either it's there, or it's probably just part of the scheme and not specifically secured as such.

1:03:26

Would you ban to just confirm that

1:03:29

they're gone for me, please.

1:03:31

Thank you. Thank you very much. Thank you.

1:03:35

Are there any other Is there any other business that anybody wishes to raise?

1:03:46

No. Okay. If I could now turn to the action points. Mrs. Hanlon, could you please read out the action points, including that last one, which you may have? I'm hoping that you got as well. Yep, I've got it. So I've got a total of 15 action points for today. So the first one is that the applicant is to submit his public publication and titled The road to design 2018 into the examination and explain how these principles will be incorporated into the DCA and the deadline for the SEC. Next one is the applicant Smith the revised calculations regarding the proposed developments contribute sorry contribution into the emissions targets in regard to the carbon budget three and four, again for deadline for

1:04:36

next one is the applicant to submit clarification on the number of parcels of ancient woodland, ancient Woodlands directly affected if it's 17 or 18. By deadline for an applicant is to provide clarification on the terms mature woodland and ancient woodland and whether they're in the order limits. Again, deadline for applicants

1:05:00

clarify and or signposts where the protected measures against ancient Woodlands can be found by deadline for

1:05:07

application is to respond to the request to provide a commitment to identify the number of trees to be removed in the final agricultural method statement by that time for

1:05:21

number seven is confirmation that that replacement trees which are mitigating the loss of vectoring trees that are to be removed and will be placed or planted within the order limits

1:05:36

are also made note of this one that the applicant is to comments or consider on whether that the ARB quote or method statement can be treated as a separate requirement from the camp.

1:05:48

Number nine applicant to submit a revised version of the engineer drawings Reference Number A ap 011, to include go farm specifically sections D to D, and then the extension versions of Section E to E.

1:06:05

Number 10. Sorry, the last two are also at deadline for

1:06:10

number 10 common requirements being placed in the draft DCA for site specific plan for growth farm

1:06:17

deadline for number 11 grew farm representatives to submit the proposal to submit their proposals for the alterations to the exit route from Grove farm onto the A to F slip road into the examination. So if they could do that by deadline for also and the applicant to submit in need, they need to make a formal submission of their intention of a change request in line with our advice note 16. So that could be in by deadline for also

1:06:50

and African FIDE

1:06:53

comments on requirements 17. In regards to consultation, I flagged that one that might be answered tomorrow. So might not be included. So I haven't put a deadline for that as of yet. And the app can provide more detailed explanation on from work. So 11 onwards by deadline for and also to confirm how their protections are secured in DC are at deadline for so.

1:07:16

That Thank you, Mrs. Hanlon.

1:07:20

Mr. Ovenden, and you have your hand up. Thank you. My view is on the action points. It is exactly Yes. I was just wondering, from the comment that I made, whether the detailed explanation, rather than just being limited to 11 to 32. could include 135 as 135 and seven as well, because as I mentioned earlier, they use the tape turn improvements. And I've just read the submission again, which was the answer to gq 1.9. And I would appreciate an explanation with regard to those four works. What those improvements are so in a nutshell, really, rather than just 11 to 32. I'm wondering whether the same thing could be done for works 135 and seven as well. Were in effects Brentwood. Indeed, yes. Okay. Mr. Challis?

1:08:23

Yes, sir. As we discussed, we were happy to do that. And for that to be added to the list.

1:08:30

We were perfectly happy to do that. Thank you very much, indeed. And your view. Just your view, Mr. Challis on the action points.

1:08:42

Very helpful. And I think accurate if I could just

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Yes, okay. Yes. The change the change request, I think was just to give you early warning of a prospective change request was met by deadline for Yeah, I think that was how it was described. And that's fine. Okay, thank you. I don't think there any we think I missed that's very helpful to have them listed. Thank you.

1:09:10

And they'll be published on our website as soon as possible after the after the meeting. So if there's no other business now, just to remind you that the

1:09:21

that the timetable for this examination requires that parties provide any post hearing documents on or before the deadline for Wednesday, the 17th of March 2021 can also remind you that a recording of this hearing will be placed on the inspectors website as soon as practicable after this meeting.

1:09:43

It just leaves on behalf of Mr. McArthur myself to thank you very much for your attendance today and your participation which has been extremely helpful to us and we will be considering all the responses carefully into

1:10:00

Whether we need to ask any further written questions, or whether further rounds of hearings, we will be required

1:10:08

to remind you that to the next event, the final event is the second issue specific hearing on the draft development consent order, which takes place tomorrow, Friday, the fifth of March at 10 o'clock in the morning, with the arrangements conference at 930. For those of you who not attending Can I thank you for participating today. And for those coming tomorrow. We'll, we will see you then. The time now is 20 past four, and this issue specific hearing is now closed. Thank you.