

ANNEX A - SURREY COUNTY COUNCIL - **WRITTEN REPRESENTATION NOVEMBER 2019**

M25 JUNCTION 10/A3 WISLEY INTERCHANGE

PINS Reference: - TR010030

1 EXECUTIVE SUMMARY

- 1.1 The proposed scheme is within the administrative boundary of Surrey County Council and so the County Council is a host authority and statutory consultee in the Development Consent Order (DCO) process.
- 1.2 This Written Representation is an updated version of the Relevant Representation that the County Council submitted on 6th September 2019. Updated comments, both in response to the proposed material changes to the submitted DCO of November 4th 2019 (AS-023) and in light of newly emerging or recently addressed issues, have been shown/highlighted in red. This Written Representation reiterates the County Council's support for the principle of the scheme. We wish, however, to ensure that the development does not result in unacceptable impacts on the residents, businesses and environment of the affected local area or in additional maintenance/management liabilities to meet Highways England's stated key objective to "**Minimise impacts on the surrounding Local Road Network.**" We have therefore taken the opportunity to highlight issues to be considered by the Examining Authority.
- 1.3 This response takes into account the County Council's statutory responsibilities and functions and is intended as a summary which will be further developed and detailed within the Local Impact Report and Statement of Common Ground. It is understood the submitted DCO scheme will change, as detailed designs are completed and as such the County Council views may also evolve. We require provision within the wording of the DCO for the County Council to approve the remaining detailed design elements and agreement of associated fees associated with this from Highways England as at present it is considered that such a commitment is not yet contained within the DCO.
- 1.4 The majority of these comments have been previously made by the County Council in its response to each of Highways England's consultations (the Statutory consultation and the two Non Statutory targeted consultations) as such we would ask that our response letters (dated 23rd March 2018, 13th December 2018 and the 7th May 2019) are taken into account in our representations. The County Council have also submitted detailed comments on Volume 3.1 Draft Development Consent Order (on 20th May 2019) to Highways England.
- 1.5 In a number of cases technical information has only been made available at the date of the publication of the DCO and so the County Council have made additional comments where possible.
- 1.6 At the time of drafting this Relevant Representation the County Council's main areas of concern and position are as follows:
- 1 Impact on the Local Road Network (LRN)**
- Transport Assessment concerns - data provided and associated impacts
 - LRN areas affected by the scheme - in particular re-routed traffic through Ripley, Bridge End, Martyr's Green and the lack of mitigation. Request Highways England confirm approval in principal for Burntcommon north facing slip roads, confirm feasibility for Ockham Roundabout south facing slip roads and fund a comprehensive mitigation package in Ripley.
 - Heavy Goods Vehicles (HGV) - loss of existing HGV parking and impacts on the LRN
 - Drainage & Structures – concerns on adoption, commuted sums and maintenance access
 - Request for Variable Message signs to improve interaction between SRN and LRN
 - How the wider community will be engaged on the final scheme upon DCO completion
 - That Protective Provisions for Local Highway Authorities are included either in the main DCO or a commitment given by Highways England to enter into a separate agreement

- 2 Impact on Non-Motorised Users (NMU), Public Transport and Public Rights of Way (PROW)**
- The proposed parallel NMU route should be maintained by Highways England as it is a replacement for the current NMU route adjacent to the A3 and the current legal right to cycle on the A3 which Highways England are removing under the proposed scheme
 - Concern regarding the proposed surface treatment of the NMU routes.
 - The need for further measures/funding to compensate for removal of the A3 bus stops
- 3 Impact on Road Safety**
- Speed Limits – the County Council agree with the proposals except for Elm Lane. **The County Council welcomes the proposed change to DCO submitted on 4th November 2019 (Change 6 of AS-023) that amends the speed limit to 20mph on Elm Lane.**
 - Road Safety Audit (RSA) – the County Council considers the current RSA to be too limited as it does not cover all of the affected LRN
 - Traffic Regulation Orders (TRO's) – that all TRO's required as part of the scheme (e.g. speed limits, banned movements, rights of way) are advertised and made by Highways England
- 4 Impact on Surrey County Council's financial position**
- Adoption of new/proposed scheme components – there are elements of the scheme that the County Council is not prepared to adopt.
 - Commuted Sums – Highways England has not, to date, committed to provide commuted sums (via a separate agreement) to cover the maintenance burden that would fall on the County Council for additional infrastructure.
 - Funding to cover County Council costs – Highways England has not followed through with their initial offer to enter into a Planning Performance Agreement to meet the County Councils staff costs in respect of input to the development of the scheme
 - **The County Council were disappointed to learn at the Issue Specific Hearing on the DCO that Highways England stated that they do not intend to enter into any s106 agreements with the County Council and would seek that this position is revised to address the County Council's concerns set out in this representation. If this is the case the County Council requires Protective Provisions for the Highway Authority to be included in the DCO.**
- 5 Impact on Surrey Land Interests**
- Concern that Highways England has not to date concluded historic exchange land from the original M25 (1979 & 1982 CPOs) which is ongoing with the County Council (**see comments at section 6.4 setting out the latest position**).
 - That Highways England set out as early as possible their financial offer in respect of land acquisition and compensation in respect of the County Council's retained land which is adversely impacted/blighted.
- 6 Impact on Landscape, Environment, Biodiversity and Archaeology**
- Highways England has shared a draft SPA Management, Landscape & Ecology Management, Outline Construction Environmental Management Plans and programme of archaeological investigatory works but, until these are finalised, the County Council cannot confirm its agreement
 - Specific concerns to be addressed regarding the Green Bridge
- 7 Impact on Lead Local Flood Authority**
- The County Council has submitted comments on Protective Provisions for Watercourses / Drainage Authorities it wishes to see incorporated

8 Impact on Waste Authority

- Concerns on distribution of material consumption and waste generation, source of construction materials, materials and waste capacity assumptions, facilities to deal with excavated hazardous waste and the need to refer to the January 2019 Submission of the Draft Surrey Waste Local Plan.

9 Impacts during construction

- Concerns regarding impacts to the LRN during construction including fatigue on the existing LRN as a result of traffic diversions with no Highways England commitment to provide funding to mitigate these impacts and maintenance burden.

1.7 The County Council notes the Highways England Change letter of 4th November 2019. Comments on five of the seven proposed changes are made within this Written Representation as follows:

Change Ref	Change Description	SCC Comments within this Representation
1	Extension of the proposed Cockrow green bridge	see para 7.5
2	Incorporation of two toad underpasses at Old Lane	see para 2.3.5.1
3	Removal of part of the proposed improvements to the A245 eastbound between the junction with Seven Hills Road and the Painshill interchange	see para 2.3.8.6
5	Adjustments to the Order limits in the dDCO to accommodate the diversion of a gas main	see para 6.7
6	Amendment to the speed limit at Elm Lane	see paras 2.3.7 and 4.1.1

2 IMPACT ON THE LOCAL ROAD NETWORK

2.1 Highways England stated key objectives for the scheme as regards the Local Road Network

2.1.1 One of Highways England's key objectives for the scheme as stated in the 2018 Statutory Consultation brochure and Page 3 and para 1.3.1 of Volume 5.1 Consultation Report is to ***"Minimise impacts on the surrounding Local Road Network."***

2.1.2 There are the following areas of concern

- 1 Transport Assessment – concerns on both data provided and associated impacts
- 2 Local Road Network (LRN) areas are affected by the scheme
- 3 Heavy Goods Vehicles
- 4 Drainage including maintenance access
- 5 Structures including maintenance access
- 6 Variable Message Signs (VMS)
- 7 Post DCO activities

2.2 Transport Assessment

2.2.1 Before the County sets out its concerns on specific elements of the impacts on the Local Road Network there remain concerns on elements of the Volume 7.4 Transport Assessment Report that the County Council would wish to be clarified. **The County Council note that RHS Wisley has recently received some additional technical information from Highways England which, to date, has not been shared by Highways England with the County Council. In addition, at the time of writing a response to the County Council's requests in 2.2.2. remains outstanding.**

2.2.2 A particular example are the figures shown in table 7.9 showing the increased trips in/around Ripley and pressure that will be placed on that part of the Local Road Network, how trips are shown on Newark Lane which seem to be counter-intuitive:

- if trips are diverting from Wisley Lane and with Newark Lane being a potential alternative route, why are trips reducing rather than increasing?,
- why trips currently using Newark Lane and Wisley Lane would re-route either via M25 J11 or the A245 (as stated in the conclusions to this section in 7.5.23),
- why is there a reduction in Level of Service for the right turn into Rose Lane in the Do Something scenarios, as shown in Figure 7.6,
- why there is a reduction in flow in the B2215 High Street (n) in 2037 between the Do Minimum and Do Something in the AM peak (see Table 7.9),
- why the results of the microsimulation modelling indicate journey time savings with the scheme in all the time periods modelled (see Table 7.11),
- why the Level of Service for the right turn from the B2215 High Street into Rose Lane improves significantly between the Do Minimum and Do Something,
- the above should be seen in the context that this junction does not validate well within the modelling work for the DCO scheme as set out in Tables C-8 and C-9 of 7.4 of the Transport Assessment Report.

2.2.3 In addition to these questions there is the potential impact of RHS Wisley Gardens trips in the PM peak. The County Council note that the Transport Assessment report recognises that all Southbound Wisley RHS Wisley Gardens trips will head through Ripley village.

- 2.2.4 The County Council are also concerned regarding the projected increase of trips along Old Lane (and via Ockham Lane) and would request the rationale for this.
- 2.2.5 In respect of the potential impacts on the Local Road Network, in particular in and around Ripley, the County Council would ask that Highways England provide the modelling/evidence in respect of south facing slip roads at the Ockham Roundabout to demonstrate whether these would have a positive impact overall on the Local Road Network and not to the detriment of other communities served by the Local Road Network.

Highways England have previously stated that the proposed scheme does not require these slip roads and have made it clear that they will not provide south facing slip roads at Ockham Roundabout. Even though, however, it has been requested by the County Council, Highways England have not to date provided a detailed technical/feasibility assessment for each separate component below (including traffic, environmental and cost impacts at each location and on the surrounding communities) setting out the basis for their decision:

- (a) a northbound off slip at Ockham Roundabout
- (b) a southbound on slip at Ockham Roundabout
- (c) retaining a left turn out of Wisley Lane onto the A3
- (d) to assess (a) to (c) above with north facing slips at the Burntcommon junction (as proposed in the Guildford Local Plan)

This information was also requested of Highways England via the County Council's Leaders letter to Rt Hon Chris Grayling MP at that time. Highways England had responded that they had previously considered the Ockham Park roundabout northbound and southbound slip roads but this was together and along with the realigned Wisley Lane when it was proposed to be on the **west side** of the A3 **not** considering the slip roads **individually** as set out above and with the current proposed realigned Wisley Lane access on the **east side** of the A3.

As such the County Council consider this information is still to be provided by Highways England.

2.3 Local Road Network (LRN) areas are affected by the scheme

- 2.3.1 As local highway authority, the following local road network areas are affected by the scheme and a commentary is provided as to whether the County Council believe that the proposed scheme has met its objective as regards the Local Road Network and where appropriate the mitigation the County Council wish to see in place to comply with this objective:

1. B2215/Ripley High Street/Newark Lane
2. Realigned Wisley Lane
3. Ockham Roundabout
4. Old Lane
5. Ockham Lane (Bridge End)
6. Elm Lane
7. Painshill junction and A245/Seven Hills Road junction

2.3.2 B2215/Ripley High Street/Newark Lane and realigned Wisley Lane

- 2.3.2.1 The Council is very concerned about the negative impacts the scheme will have on Ripley due to increased traffic, where the scheme will result in the re-routing of vehicles through Ripley that are accessing Wisley Lane from south of M25 junction 10.

2.3.2.2 Highways England's Volume 7.4 Transport Assessment Report states that, *"as a result of the closing the existing A3/Wisley lane junction and realigning it to the Ockham Roundabout all trips to/from Wisley Lane to/from the A3 south are expected to travel via Ripley"*.

2.3.2.3 It goes on to state that *"the closure of the direct Wisley Lane access to the A3 means southbound trips from Wisley Lane are choosing to travel via the new link road into the Ockham Park roundabout and then through Ripley, thereby avoiding the need to U-turn at M25 junction 10. This results in a large journey time improvement compared to either the existing journey via Ripley, as well as the probable 'signed' route via M25 junction 10 in the Do Something scenario. The scheme results in all trips routeing via Ripley as this route becomes the fastest option"* (para's 7.8.5, 7.8.6, 7.8.12 and 7.8.14 and Figure 7.11 of Volume 7.4 Transport Assessment) Highways England, however, state (in para 7.5.3) that the assessment has not considered any mitigation in Ripley to manage changes in traffic flow resulting from the scheme.

2.3.2.4 The County Council's view remains that there will be more traffic using the B2215 through Ripley from/to the south to RHS Wisley Gardens to avoid having to make the lengthy U turn around the M25 junction 10 to head towards Guildford and as such the County Council wish to make representation on this issue in response to the published DCO. In addition the County Council would ask if Highways England have sought the views of the emergency services (Police, Fire & Rescue, Ambulance) regarding their response times as a result of these changes.

2.3.2.5 The Council has requested the following to address concerns in Ripley, in priority order:

- 1 That Highways England confirm in writing its support and progress to conclusion the Approval in Principal (AIP) that was submitted by Wisley Property Investments Limited (WPIL) for north facing slips at the Burntcommon junction. The current A3 congestion as stated in paragraph 6.2.3 of Volume 7.4 Transport Assessment report is one of the reasons why the Burntcommon Slip roads, proposed as part of the Guildford Local Plan wider development strategy are needed.

The Burntcommon slip roads are allocated in the Guildford Borough Council (GBC) Local Plan (allocation A42) as they have the ability to reassign Woking related traffic heading to/from A3 out of Ripley and can provide mitigation for the Wisley Airfield development as allocated in the GBC Local Plan (allocation A35). In addition GBC have control over the land that would be required for the Burntcommon slip roads.

As part of the Planning Appeal submitted by WPIL for the Wisley Airfield development there was an "Agreed Statement on Progress" (dated 13th March 2018) between the developer and Highways England to seek to demonstrate that the proposed north-facing A3 Burntcommon slips can be provided safely and with demonstrable benefit to the economy.

The developer has provided Highways England with substantiation regarding safety, economics and the benefits the Burntcommon slip roads would have towards mitigating negative impacts that the M25 junction 10 scheme would bring about in Ripley village.

Highways England asked the developer to carry out additional work on the effects of the development on the A3 mainline once improved to 4 lanes by the M25 junction 10 scheme and that Highways England would require 2-3 months (from 13th March 2018) to finalise their assessment of information provided and to reach a final position on the Burntcommon slip roads. It is understood that Highways England have since been considering the accommodation of Local Plan growth as part of the Junction 10 DCO. As such the County Council would ask that Highways England, whilst accepting that the Appeal has since been dismissed, confirm their approval in principal (AIP) for the Burntcommon slip roads so that the Local Plan Allocation A35 can be delivered.

The AIP for the Burntcommon slip roads provided at the same timescale of the DCO would give the County Council and GBC the ability to properly plan for the DCO impacts alongside those of the GBC Local Plan and external growth. However, this does not overcome the concerns around Ripley in relation to the DCO in isolation.

- 2 As set out in para 2.2.5 the County Council would ask that Highways England provide the modelling/evidence in respect of south facing slip roads at the Ockham Roundabout to demonstrate whether these would have a positive impact overall on the Local Road Network and not to the detriment of other communities served by the Local Road Network.

The County Council recognise that this is not currently included in the DCO red line boundary or supporting DCO technical information; the County Council, however wish to understand if both or one of these slips roads e.g. the northbound off slip at Ockham Interchange could provide the required mitigation to the impacts on the Local Road Network including Ripley.

- 3 That Highways England agree as part of the DCO to fund a comprehensive mitigation package in Ripley via a s106 agreement as a result of additional traffic including heavy goods vehicles on the B2215 including but not limited to consideration of:

- Speed reduction and anti-severance measures on B2215 between A247 and B2039.
- Road resurfacing/carriageway reconstruction along the B2215 Ripley High Street and Newark Lane
- Junction Improvements at the B2215 High Street/Newark Lane/Rose junction Village gateways at either end of the built up area on the B2215
- Cycling facilities throughout the length of the B2215
- Upgrade bus stops/shelters to an agreed form/high quality with real time passenger information is provided.
- Other measures to be identified to mitigate the impact of additional traffic travelling through Ripley as a result of the M25 Junction 10 scheme.

These requested elements are mitigation against severance rather mitigation for the additional traffic as a result of the DCO scheme.

2.3.3 Ockham Roundabout

2.3.3.1 The County Council note that the signalisation of this junction will result in its operation within capacity albeit minor delays during the evening peak as set out in 7.6 and 7.10 of Volume 7.4 Transport Assessment Report.

2.3.3.2 The County Council remain concerned that the Stage 1 Road Safety Audit has not included this proposed junction changes to demonstrate that this proposal can be delivered safely e.g. with the additional entrance and exit arm onto the roundabout.

2.3.3.3 The County Council would want the proposed traffic signals control of this junction to be owned, maintained and operated by Highways England but that Highways England agree a Collaborative Traffic Management (CTM) approach as is currently being discussed between Highways England and Surrey County Council in other areas.

2.3.4 Realigned Wisley Lane

- 2.3.4.1 The County Council note that the realigned Wisley Lane contains a straight section of road with a proposed speed limit of 40mph leading into a 30mph speed limit over the bridge. The County Council are concerned that speeds may be exceeded along the 30 mph section and would request that Highways England confirm what physical measures will be included along this length of road to avoid excessive speeds and a burden on the County Council and Surrey Police to ensure the posted speed limit is adhered to.
- 2.3.4.2 Again the County Council have yet to see Highways England's offer in terms of commuted sums to cover the additional maintenance burden this will place on the County Council. Until this is provided the County Council cannot agree to adopt this component.

2.3.5 Old Lane

- 2.3.5.1 The County Council are concerned that more trips will be attracted to Old Lane (as stated in para 7.7.3 and 7.10.23 of Highways England's Volume 7.4 Transport Assessment Report) particularly as this passes through the Site of Special Scientific Interest and Old Lane is a County registered Toad Crossing so the County Council would ask how ecology, public safety, noise and air quality impacts will be mitigated? The County Council has been working with Surrey Amphibian and Reptile Group to understand the impacts caused by the increase in traffic in Old Lane and the upgrade to Elm Lane. Mitigation measures have been submitted to Highways England for consideration e.g. toad tunnels and amphibian type fencing be provided. **The County Council welcomes the proposed change of 4th November 2019 (Change 2 of AS-023) to the submitted DCO which would incorporate two toad tunnels into the DCO. These would address comments made previously.**
- 2.3.5.2 It is also intended that Old Lane become an important non-motorised user route between the proposed new settlement at Wisley Airfield and Effingham Junction station, so any increase in vehicular traffic south of the airfield should be avoided.
- 2.3.5.3 The Wisley Airfield planning application determined to the County Council's satisfaction that the best way to mitigate impacts on Old Lane would be for the southbound Old Lane to be closed south of the proposed access road to Wisley Airfield. We understand this has not been modelled as part of the DCO process despite Highways England being aware of this proposal.

2.3.6 Ockham Lane (Bridge End)

- 2.3.6.1 The "Environmental Statement Chapter 6: Noise and vibration" at paragraph 6.8.45 advises that Ockham Lane will experience an additional 441 vehicles compared to without the Scheme. This is a significant increase which the County Council is concerned about. The Guildford Local Plan proposes mitigation to Ockham Lane as part of Policy A35: Former Wisley airfield, Ockham through the provision of Requirement (2) "A through vehicular link is required between the A3 Ockham interchange and Old Lane". Once the provision of the link is obtained, traffic management would be required on Ockham Lane to downgrade its current level of usage and encourage traffic to use the through vehicular link through the Wisley Airfield site.
- 2.3.6.2 The County Council is concerned that the Guildford Local Plan Policy A35 Requirement (2) (the through vehicular link) has not been modelled in the assessment despite the fact that the site allocation has been assessed in terms of the increased development traffic flows. Modelling Requirement (2), which Highways England was aware of at the time of developing the transport evidence base for the DCO, would likely significantly reduce the amount of traffic using Ockham Lane, Old Lane and indeed the Old Lane junction with A3 which experiences a significant increase in traffic flows. This could also have implications for Ripley High Street as more traffic could continue to use this route in the Do-Something scenario.

2.3.7 Elm Lane

2.3.7.1 The speed limit for Elm Lane is currently proposed to be 40mph (DCO Schedule 3 part 5). The County Council would ask that a speed limit of 20mph be provided along Elm Lane as this is considered more appropriate for this lane. **The County Council welcomes the proposed change to DCO submitted on 4th November 2019 (Change 6 of AS-023) that amends the speed limit to 20mph on Elm Lane.**

2.3.7.2 The County Council would also ask that the levels/gradient/land availability of Elm Lane and the realigned Wisley Lane be designed such that a potential future connection between the two is possible should this be potentially required as part of the Wisley Airfield development.

2.3.8 Painshill junction and A245/Seven Hills Road junction

2.3.8.1 The County Council note on the A3 northbound off slip at Painshill the design change to reduce from two lanes to "Tiger Tail" facilities, with two lanes on the off slip, one jet lane heading to the A245 Woking bound, and one straight ahead onto the roundabout. The County Council would ask if this has been analysed in Volume 7.4 Transport Assessment report and a Road Safety Audit assessment produced to demonstrate that this would improve the Do Minimum situation in terms of traffic flow and road safety.

2.3.8.2 The County Council note the design change to signalise the pedestrian crossing at the A3 southbound on slip from Painshill junction roundabout. The County Council's position on this is that Highways England should own/maintain this signal crossing and agree a Collaborative Traffic Management (CTM) approach with the County Council.

2.3.8.3 The County Council note the proposed jet lane at the Painshill interchange from the northbound A3 to the A245 Byfleet Road will remove the gating effect of the existing signals apart from when the pedestrian signals are activated/called at the top of the slip road, and this means that the first junction encountered by vehicles making this movement will be on Surrey's network. The County Council recognise the proposed speed limit change on this section of the A245 and the changes to the A245/Seven Hills Road junction outlined below but wish to see a detailed road safety audit of this arrangement. This is required to demonstrate that movements can be accommodated safely and doesn't result in fast moving traffic exiting the A3 meeting queuing traffic back from A245/Seven Hills Road junction or safety issues arising from having to weave/change lanes over a short distance.

2.3.8.4 The County Council are aware that Painshill Park have concerns regarding access to the rear of the Park/adjacent to the A3/around the Gothic Tower. As this could also be an issue for emergency service access e.g. Fire Services, The County Council would ask that Highways England continue to engage with Painshill Park and Elmbridge Borough Council to find a solution to this issue.

2.3.8.5 The County Council support Highways England's proposal to change the operation of the A245/Seven Hills Road junction so that traffic exiting Seven Hills Road (North) will no longer be able to make a right turn onto the A245 or pass straight over onto Seven Hills Road (South) and traffic exiting the A245 (from Byfleet) will no longer be able to make a right turn into Seven Hills Road (South). However the County Council request the following be considered and included:

- 1 Controlled crossing facilities across the A245 Byfleet Road to the west of Seven Hills Road (north) to allow Non-Motorised Users (NMU) to cross the A245 and access proposed cycle facilities that was being promoted as part of the scheme and associated Highways England Designated funds e.g. a cycle link from Cobham across the Painshill junction and along the A245 to Brooklands.

- 2 Justification for the proposal of only a single lane exit from Seven Hills Road (North) to show how this junction would operate in respect of the capacity / anticipated queuing at this junction to show that the junction operates efficiently.
- 3 The NMU route proposed along Seven Hills Road (south) currently stops short of the A245/Seven Hills junction (the route seems to be continuous from Ockham Roundabout to Seven Hills Road South and then stops). So the County Council would request that a cycle facility be provided along the eastern side of Seven Hills Road (south) to connect up with the NMU route proposed on the A245 and provide a continuous link between Ockham Road Roundabout and Painshill as the proposed M25 Junction 10 scheme includes banning cyclists on the main A3.
- 4 Consideration in respect of the A245 eastbound arm of the Seven Hills Junction regarding extending the length of the nearside left turn lane on the A245 eastbound approach to improve the traffic flow at this junction (there is a verge at the rear of the existing footway that could allow the footway to be realigned to provide space).
- 5 Confirmation that there is sufficient space within the red line boundary in the vicinity of the left turn filter to Seven Hills Road South to allow construction of the junction and Feltonfleet access in this area.
- 6 Seven Hills Road (south) will require resurfacing/highway maintenance improvements along its whole length as part of the Highways England project as under the proposals additional traffic will now be using Seven Hills Road (south) to provide access to properties on the west side of the A3 that would no longer have access from the A3.
- 7 That the Old Byfleet Road adjacent to Feltonfleet school be stopped up as part of the DCO only in the event of the proposal to ban the straight ahead and right turn out of Seven Hills (north) as part of the proposed mitigation arrangements.
- 8 That Highways England investigate the potential to link the Painshill and A245/Seven Hills Road traffic signal control.

2.3.8.6 The County Council note that Highways England has submitted a revised proposal in respect of A245 Byfleet Road as part of its proposed change to DCO submitted on 4th November 2019 (Change 3 of AS-023) in that following further traffic modelling are no longer proposing to widen the entirety of the A245 to three lanes as it passes Manor Pond and approaches the A245/A3 Painshill Interchange. The County Council would therefore make the following comments:

- (i) the County Council is not in a position to support this proposal until revised traffic modelling/capacity/transport assessment and environmental information is provided demonstrating that this proposal will provide benefit to the Local Road Network and mitigate the impacts of the scheme both for traffic flow and users of the footpath proposed in the original design
- (ii) The County Council would ask to be sent revised/the latest drawings along with a Road Safety Audit of the proposed changes.

2.3.8.7 The County Council also wish to clarify that the banned right-turn at the junction between the A245 westbound and Seven Hills Road was incorporated in the scheme following discussion between Highways England and Surrey County Council as it provided effective mitigation to the impact of the scheme on the Local Road Network as opposed to purely just a request from the County Council.

2.4 Heavy Goods Vehicles (HGV)

- 2.4.1 The County Council are concerned regarding the loss of HGV parking laybys that will result from the scheme and which have not been adequately addressed. HGV parking along this section of the A3 is long established and a very popular location for overnight parking before transporting goods into London, where there is very little lorry parking available. Roadside parking for HGVs in Surrey away from residential areas is also very limited.
- 2.4.2 Highways England are stating that they believe there to be spare HGV parking capacity on other laybys along the A3 to the south of M25 junction 10 and have produced a HGV parking survey report with the view that there is capacity on laybys further south along the A3. As this report did not contain any origin-destination surveys undertaken for HGVs the County Council consider it likely that the bulk of existing demand is from drivers travelling along the M25, for whom the existing laybys at Wisley are accessible with only minor diversion off the M25. This is despite the availability of HGV parking at the Cobham Services, which albeit may involve a charge to HGVs. The County Council are therefore concerned for additional mileage that HGVs would have to take, impact on residential areas (principally Burpham) to access and use alternative layby capacity identified by HE south west of Ockham that has not been taken account in the Volume 7.4 Transport Assessment, and potential displacement of parking on local roads.
- 2.4.3 The County Council would therefore ask that Highways England either retain parking for these HGVs or demonstrate that the additional trips have been considered and would not displace onto local roads.

2.5 Drainage, Protective Provision for Drainage authorities and maintenance access

- 2.5.1 The County Council are in dialogue with Highways England regarding Protective Provisions for Drainage authorities. The County Council would like to see and approve any enhancements proposed to watercourses as the Consenting Authority.
- 2.5.2 The County Council would ask to see a copy of the correspondence / agreements reached with the Environment Agency to provide confirmation that concerns raised in response to the Statutory Consultation regarding Flood Compensation have been addressed. This includes need for mitigation of any current flooding of the strategic and local road network in the vicinity of the scheme, and mitigation for increased run off caused by the scheme which will affect locations where flooding occurs in times of local intense rainfall. The most significant locations were identified in the County Council Statutory Consultation response.
- 2.5.3 The County Council note that a new drainage pond is proposed for pollution control at Manor Pond, which is welcomed to improve the drainage in this area. As this pond is within the DCO red line boundary the County Council would ask who would maintain this new facility. Should it be proposed that the County Council take on the future maintenance of this pond we would wish to see details of the specific elements proposed to be adopted (for example outfall structures, pond construction, design details/capacity and interaction with the existing drainage system) along with a suitable agreed commuted sum/payment as a side agreement (section 106?) to the DCO to cover future maintenance before the County Council can agree to any adoption.
- 2.5.4 In addition, as set out in para 1.3.3 of our letter dated 13th December 2018, for assets to be adopted by the County Council the land acquired should be adequate to accommodate suitable access for future inspection, maintenance and reconstruction of the asset and be agreed with the County Council to meet our requirements.

2.5.5 We note that an access road to the pond is provided but would ask:

- (i) this arrangement should have a Road Safety Audit (RSA) which is provided to the County Council, with the relevant section of the RSA indicated, to show how vehicles can safely access this pond from the A245 to avoid such risks as rear shunts
- (ii) is the access road to be gated and if so would the location of this gate allow safe access/egress and avoid such issues as fly tipping?
- (iii) can details be provided as to how safety and security of this pond will be provided along with any measures for screening/fencing and improvement for habitats?
- (iv) does proposed footpath link into existing footpath in this area?

2.6 Structures including maintenance access

2.6.1 The County Council have a number of concerns regarding structures proposed as part of the scheme, which in the main are in relation to whether the County Council are being asked to adopt such structures (in which case the County Council would:

- (i) need to see details of the specific facilities proposed to be adopted,
- (ii) need to agree the design (loading, dimensions etc.) of the structure and future maintenance responsibilities,
- (iii) need to agree Technical Approval of any temporary structure/works that support one of the County Council's permanent or temporary highways (including PROW), regardless of whether it's on the County Council's land
- (iv) have an interest in third party owned structures carrying/crossing the County Council's highway and so will need to be involved in the decision making on these elements to ensure that these structures do not restrict the County Council's highway networks (and the County Council's private land accesses for NMU routes).
- (v) need confirmation that adequate maintenance access will be provided and consideration should be made to hard standings for inspection/maintenance vehicles. Land acquired should be adequate to accommodate suitable access for future inspection, maintenance and reconstruction of the highway asset. Where access strips are needed, the County Council's preference is to have these as part of the public highway rather than only an easement over third party land.
- (vi) the County Council will require a suitable agreed commuted sum/payment as a side agreement to the DCO to cover future maintenance before we can agree to any adoption by the County Council.

Such structures include:

- (i) the bridge/culvert where the realigned Wisley Lane passes over Stratford Brook
- (ii) the proposed retaining walls alongside the A245 Byfleet Road
- (iii) any embankments, bridges, drainage structures
- (iv) the County Council understand that Highways England are to own/maintain the new Wisley Lane bridge over the A3, but the County Council would not be prepared to adopt any part of the approach embankments, carriageway surfacing/road pavement and vehicle restraint barrier up to/over the bridge This is to ensure that there is a holistic approach to future maintenance/integrity of these elements.

- 2.6.2 In addition to date Highways England have not provided any assurance in the published DCO that they would commit to/provide commuted sum payments via a separate agreement (section 106?) to the County Council for these additional construction components to meet the County Council's additional maintenance burden.
- 2.6.3 These concerns were set out in our response letters (dated 23rd March 2018, 13th December 2018 and 7th May 2019) to the various consultations.
- 2.6.4 The County Council also have an interest in third party owned structures carrying/crossing the County Council's highway. And so the County Council will need to be involved in the decision making on these elements to ensure that these structures do not restrict the County Council's highway networks (and the County Council's private land accesses for NMU routes).
- 2.6.5 The County Council will need to agree Technical Approval of any temporary structure/works that support one of SSC's permanent or temporary highways (including PROW), regardless of whether it's on the County Council's land. The County Council will also need to be involved with the technical approval of any temporary structures affecting Surrey's highway/PROW network (i.e. temporary bridges in place whilst foot/bridle bridges are being reconstructed both over the A3 and M25).
- 2.6.6 The County Council is concerned over the possible increase in traffic using the bridge over the River Wey Navigation at Pyrford resulting from the scheme. Should there be a material increase in traffic, the County Council would expect Highways England to implement appropriate measure to mitigate any adverse impacts on the fabric of the bridge.

2.7 Variable Message Signs (VMS)

- 2.7.1 The County Council has two existing VMS on the A245 either side of the Painshill A3 junction. These signs have been an essential tool to inform motorists of both immediate incidents and planned works/events but both have come to the end of their useful life.
- 2.7.2 The County Council ask that Highways England fund the replacement of these two VMS together with the provision of new VMS on the Local Road Network to benefit the M25 junction 10 and nearby associated A3 junctions. This would ensure that motorists arriving onto the Highways England Strategic Road Network (SRN) are aware of issues in advance of arriving on the SRN. Other suitable locations for the provision of new VMS might be on B2215 Portsmouth Road leaving Ripley to join A3 northbound and B2039 Ockham Road to join A3 northbound.
- 2.7.3 If installed in advance of any works on the SRN itself, these signs would also be a useful communications tool to update on the scheme's construction progress with potential financial savings on portable VMS required during the works to serve the same purpose.

2.8 Post DCO activities

- 2.8.1 The County Council note that since the Statutory Consultation undertaken in 2018 there have been a number of design changes that have affected the layout of the proposed scheme and since that time targeted consultation has taken place (but only with affected landowners). The County Council would therefore like to ask how the wider community/stakeholders/travelling public will have the opportunity to view, be informed and comment upon the design layout, changes to junction etc. in particular as affects the Local Road Network as the design has and continues to evolve up to and beyond the DCO.

2.8.2 The County Council would ask that Highways England agree, either within the DCO as Protective Provisions for the Highway Authority or via a separate agreement (section 106?) before the DCO is finalised provisions for the protection of the Local Highway Authority where the proposed scheme impacts on the Local Road Network (LRN). Such items should include:

- (i) commuted sums covering the components Highways England are asking the County Council to adopt (subject to the County Council's agreement)
- (ii) agree a local operating agreement including Communications and Customer Care, Asset Handover, Asset Inspection, Routine Maintenance and Repair during the works, incident management during the works etc.
- (iii) Highways England to facilitate an appropriately qualified officer of the local highway authority to participate in the design process for the detailed design of those parts of the development that Highways England propose to be adopted by the County Council (subject to the County Council's agreement)
- (iv) agree joint inspections of works and testing of materials (including providing copies of all test certificates and results) that Highways England are undertaking on the LRN that Highways England propose to be adopted by the County Council (subject to the County Council's agreement).
- (v) provide the County Council with Road Safety Audits and use reasonable endeavours to carry out recommendations as they affect the LRN
- (vi) ensure that whilst their contractors have use of the LRN they meet operational requirements e.g. in terms of material on the highway, winter maintenance, emergencies/emergency vehicle access, making good defects
- (vii) indemnify the County Council against any liability, loss, cost or claim arising out of or incidental to the carrying out of the Works

3 IMPACT ON NON-MOTORISED USERS (NMU), PUBLIC RIGHTS OF WAY (PROW) AND PUBLIC TRANSPORT

3.1 Impact on Non-Motorised Users (NMU), Public Rights of Way (PROW)

3.1.1 The County Council note the proposed NMU and PROW routes and would ask that Highways England confirm:

- (i) The proposed future ownership and maintenance responsibility for these routes
- (ii) The proposed commuted sums and time periods to be paid to the County Council if it is proposed and the County Council accept the transfer ownership or maintenance responsibilities to the County Council

3.1.2 It should be noted in response to Article 11 of the published DCO that the County Council are not prepared to adopt the NMU route that runs parallel to the A3 (including any associated features e.g. earthworks, fencing, drainage etc.) as this is viewed as a replacement for the NMU route that currently runs along the A3 (that Highways England currently maintain) and the fact that cyclists are currently legally allowed to use the A3 but which we understand is to be removed as part of the proposed scheme. The provision of safe and commodious facilities for NMUs is an integral element of the trunk road improvement, and as such, the required infrastructure should be included within the overall maintenance provisions for the A3 London to Portsmouth Trunk Road.

- 3.1.3 The County Council note the proposal to provide a new non-motorised user (NMU) route linking the new Wisley Lane and Portsmouth Road via Ockham Park junction and would also ask that a Road Safety Audit be undertaken and sent to the County Council to provide reassurance that highway safety matters have been addressed and there is a sufficient width to accommodate the projected number of users. As this facility is contiguous with the County Council adopted highway it would seem sensible that the County Council adopt this subject to receiving details of the specific length proposed to be adopted along with a suitable agreed commuted sum/payment as a side agreement to the DCO to cover future maintenance before we can agree to any adoption by the County Council.
- 3.1.4 The County Council note that some of the NMU routes pass over the M25 which is covered by the M25 Design, Build, Finance and Operate (DBFO) and would ask if Highways England have consulted with the DBFO team managing the M25 DBFO and associated operators to determine if these routes are acceptable to them and that there is funding within the M25 Junction 10 Wisley Improvement scheme to fund any maintenance liabilities / commuted sums that may be requested by the M25 DBFO. This is asked so that the County Council can be reassured that the routes being promoted by the scheme are achievable/affordable.
- 3.1.5 The drawings show a bridleway on the side of the Wisley Lane realignment and is proposed to be extended to Ockham Road North junction. The County Council seek clarification if this would be part of Wisley Lane (if adopted by the County Council) and not a separate public right of way recorded on the County Council's Definitive Map and Statement. As such this facility would be an NMU route suitable for equestrians, cyclists and walkers, that would be within the overall width of (the new section of) Wisley Lane i.e. not a separate bridleway running parallel; as this has currently been described on the plan as a 'bridleway'
- 3.1.6 If this is to incorporate a NMU route, consideration should also be given to the different requirements of equestrians to that of cyclists as the construction details are not shown. A sealed surface is needed for cyclists and equestrians need an unsealed surface, such as rough stone/type-1. Adequate width will be needed to accommodate the two parts of the NMU route. This comment applies for all the other bridleways where cycle use is also proposed; for example this relates to the section of NMU route running parallel to the A3 where this proposed route is being shown as a Restricted Byway.
- 3.1.7 The drawings show a proposed footway/cycle track route adjacent to the A245 westbound carriageway, between Seven Hills Road junction and Painshill junction and indicates this facility will be on top of the new proposed retaining wall. If this is the case a pedestrian/cycle 1.4m parapet will be required and the suitability of the construction form of wall to accommodate the parapet would need to be considered. A risk assessment would be required to determine the requirement for the provision of Vehicle Restraint System between the A245 carriageway and face of a retaining wall.

3.2 Impact on Public Transport

- 3.2.1 The County Council note the changes to bus stops and bus turn around area at the RHS Wisley Gardens access as a result of the proposed scheme and would make the following comments regarding bus stop provision proposed by the scheme as a whole:
- (i) That any new bus shelters provided as part of the scheme are upgraded to an agreed form/high quality with real time passenger information provided.

- (ii) The County Council understand that the assumptions to date has been that as part of the scheme Highways England, in consultation with RHS Wisley Gardens, will be providing an enhanced turnaround facility off Wisley Lane at the entrance to RHS Wisley Gardens.

The County Council's view is that this should be referenced in the Transport Assessment and include (as part of the scheme) bus shelters to an agreed form/high quality with real time passenger information and a commitment to be delivered to a set timescale that aligns the Highways England programme for the construction of the works with the relocation of the existing bus stops and the operation requirements of RHS Wisley Gardens.

- (iii) The impact on bus routes stated in the Transport Assessment is that the existing bus stops in the vicinity of the existing Wisley Lane will be removed and the nearest bus stops being on the northbound off-slip and southbound on slip. Again these bus stops/shelters should be upgraded to an agreed form/high quality with real time passenger information is provided as these existing bus stops are neither particularly convenient nor a pleasant place to wait. In addition passengers would then have to walk along the realigned Wisley Lane to access RHS Wisley Gardens which is some distance away (circa 1.2km) which they are unlikely to do.

The County Council's view is that there are two potential solutions to this issue:

- for Highways England to construct a pedestrian footway from these bus stops to access RHS Wisley Gardens via Mill Lane which will require agreement with RHS Wisley Gardens or
- it may be possible for the County Council to approach the bus operator to divert their routes into the bus turnaround at RHS Wisley Gardens. The bus operators, however, have to meet required timetable and so this would not be attractive to them unless there was an incentive for them to do so.

To address this it would be helpful if Highways England could provide funding to the County Council to use to incentivise this bus diversion (perhaps of the order of £30,000-£50,000/year for 2 years?) The County Council would welcome a discussion with Highways England on this aspect of the scheme.

- (iv) In terms of impact on buses the County Council understand that the RHS Wisley Gardens bus stops need to be closed during construction phase with the proposal to provide shuttle buses to RHS Wisley Gardens from existing stops at Ockham Park Junction. The County Council would suggest that it would be more attractive to passengers if a shuttle bus to RHS Wisley Gardens is provided from existing stops in Ripley Village.

The County Council would recommend this as the Ripley stops are less remote for users and would pick up more bus services, including passengers travelling from Woking. Until the Ockham bus stops are upgraded under the proposed Highways England scheme the waiting environment is not pleasant.

- (v) As regards the A3 southbound on-slip bus stop at the Painshill junction the County Council views are that the bus stop location as shown adjacent to the traffic island to the Girl Guides access road is not the best location. The County Council would ask to see the Road Safety Audit report considering the location of this bus stop and what other potential locations are possible.

4 IMPACT ON ROAD SAFETY

4.1 There are 3 areas under this category that the County Council would wish to comment on as follows:

- 4.1.1 Speed Limits
- 4.1.2 Road Safety Audit
- 4.1.3 Traffic Regulation Orders

4.1.1 Speed Limits

4.1.1.1 The County Council have engaged with Highways England over the course of the development of the DCO and are in agreement with all of the proposed speed limit changes (as set out in Schedule 3 Part 5 of the DCO) with the exception of the proposed speed limit on Elm Lane where the County Council believe that it should be a speed limit of 20mph as opposed to 40mph as stated. The road serves a residential community and is a cul-de-sac taking only traffic associated with the houses in Elm Corner. **The County Council welcomes the proposed change to DCO submitted on 4th November 2019 (Change 6 of AS-023) that amends the speed limit to 20 mph on Elm Lane.**

4.1.1.2 The County Council would also request that Speed Limit Orders and changes to speed limit signs would form part of/a side agreement to the DCO, and to ensure a holistic approach would be delivered as part of the M25 Junction 10 improvement scheme.

4.1.1.3 In addition reference should be made to the County Council's earlier comments regarding the realigned Wisley Lane.

4.1.2 Road Safety Audit

4.1.2.1 The County Council considers the current Highways England Stage 1 Road Safety Audit (RSA) undertaken for this scheme, as summarised in section 7.12 of Volume 7.4 Transport Assessment Report, to be too brief as it only covers 5 points – 3 comments around M25 Junction 10 itself but only 2 comments around the access to Feltonfleet school access which is only one of the County Council's related Local Road Network areas.

4.1.2.2 The County Council would expect the RSA to have also covered the County Council's interests in the following areas:

- Ockham Road Roundabout
- The exit for cyclists provided from the A3 northbound carriageway, towards Portsmouth Road, south of Ockham Park junction
- Realigned Wisley Lane/overbridge/RHS Wisley Gardens junction
- Old Lane
- Elm Lane
- Any NMU routes that Highways England are proposing is passed to the County Council to adopt/maintain (subject to the County Council's agreement) to show that safety matters have been addressed and there is sufficient width to accommodate the projected number of users and parapets on bridges
- Redhill Road (southern end)
- Painshill junction
- A245 Byfleet Road
- Seven Hills Road

4.1.2.3 Highways England have responded that the Stage 2 RSA will be undertaken at the end of the detailed design stage and would be more comprehensive covering more detailed aspects of the highway scheme including the County Council interests. The County Council remain concerned that a RSA hasn't been undertaken covering the Local Road Network areas at this stage as this could impact on the DCO red line boundary should changes be needed and to reassure the County Council that the scheme layouts as presented as part of the DCO are deliverable.

4.1.2.4 The County Council would also ask if consideration has been given to an effective method of screening headlights between the new service roads and the A3.

4.1.3 Traffic Regulation Orders

4.1.3.1 The County Council's view is that Highways England would undertake any Traffic Regulation Orders notices associated with the DCO for the proposed scheme e.g. speed limit order, the banned straight ahead/right turn from Seven Hills Road. This would also include the advertising of these legal orders and the associated consultation e.g. including the emergency services.

5 IMPACT ON SURREY COUNTY COUNCIL'S FINANCIAL POSITION

5.1 There are 4 areas that the County Council would wish to comment as follows:

5.1.1 Adoption of new/proposed scheme components

5.1.2 Commuted sums

5.1.3 Funding to cover County Council staff costs in the development of the scheme via a Planning Performance Agreement (PPA)

5.1.4 Section 106/Side Agreements

5.1.1 Adoption of new/proposed scheme components

5.1.1.1 The County Council seeks clarification regarding the proposed future ownership and maintenance responsibilities for a number of scheme related outputs, including additional carriageway surfacing, structures, drainage systems, earthworks, traffic signals, green infrastructure and the Non-Motorised User (NMU) route along the A3.

5.1.1.2 The County Council's position is that all of the Non-Motorised User (NMU) route which serves the A3 London to Portsmouth Trunk Road should be adopted and maintained by Highways England as part of the A3 scheme, including any associated features e.g. earthworks, fencing, and drainage. The NMU route is a replacement for the current contiguous cycle facility adjacent to the A3 and therefore forms a logical part of the A3 rather than part of the local PROW network. The County Council understand that it is not Highways England policy to adopt NMU routes nearby the strategic network, but given that this is a direct replacement for a facility Highways England currently own/maintain, the County Council firmly holds that this should be adopted by Highways England.

5.1.1.3 As a general point relating to the design of the NMU route adjacent to the A3, there is extensive land remaining between it and the A3 carriageway along much of its length. Much of this is not included within the DCO and leaves enclaves of privately owned land in the middle of what will become highway. The County Council's view is that the NMU route should be placed as near to the A3 as possible to reduce these areas, which should be included in the adopted area of the A3 highway land. See also para 6.2 for the County Council's view in terms of its land interests.

- 5.1.1.4 It is currently understood that Highways England will retain ownership and maintenance responsibility for the Wisley Lane Bridge over the A3, proposed in the scheme. The County Council support this decision and would not be prepared to adopt any part of the structure of the overbridge across the A3, including any part of the approach embankments, carriageway surfacing/road pavement and vehicle restraint barrier up to/over the bridge. This is to ensure that there is a holistic approach to future maintenance/integrity of these elements in particular as Highways England has not committed to funding the maintenance burden that would fall on the County Council should it adopt these elements.
- 5.1.1.5 Where Wisley Lane passes over Stratford Brook and a bridge/culvert is required, clarification is needed regarding future ownership and maintenance responsibilities.
- 5.1.1.6 If it is proposed to transfer ownership or maintenance responsibilities to the County Council for any scheme related outputs, this should be agreed with the County Council in accordance with Article 11 of Volume 3.1 of the DCO and clarification is required regarding commuted sums and time periods to be paid to the County Council before the County Council can agree to any adoption. Land acquired should be adequate to accommodate suitable and safe access for future inspection, maintenance and reconstruction of the asset. Furthermore for the County Council to adopt any assets, the County Council will require Highways England to agree the design with the County Council, meeting technical requirements.

5.1.2 Commuted sums

- 5.1.2.1 The County Council's position regarding commuted sums is set out in our response letters to the various consultations (namely County Council letters dated 23rd March 2018 and 13th December 2018) and our letter to Highways England dated 20th May 2019.
- 5.1.2.2 The rationale for seeking commuted sums is to ensure that the County Council as highway authority has sufficient financial resources to fund the future costs associated with taking on the liability for the asset including maintenance, inspection, associated works and, where appropriate, renewal costs/replacement of these additional assets which it will inherit as a result of the DCO. In this way, the purpose of securing commuted sums is to fund the future maintenance of these assets.
- 5.1.2.3 Commuted sums would be required for any additional item that Highways England are including under the scheme that they then wish the County Council to adopt/maintain. Such elements could include additional carriageway surfacing, new NMU routes, structures, drainage systems, earthworks, traffic signals and green infrastructure. Highways England have, at the date of drafting, verbally confirmed that they will provide commuted sums for green infrastructure which is welcomed by the County Council but we would ask for confirmation of this in writing along with confirmation for commuted sums to cover all additional infrastructure that the County Council are being asked to adopt and maintain.
- 5.1.2.4 There is a precedent for payments of commuted sums between Surrey County Council and Highways England as the County Council were required to pay a substantial commuted sum payment where a County Council scheme involved works on both the County network and a Highways England slip road.
- 5.1.2.5 The County Council have requested that, as promoter, Highways England commit to providing commuted sums to meet these costs that would then be set out in a separate legal agreement (such as a section 106 agreement).

5.1.2.6 This agreement would provide a schedule setting out the specific components that it wished the County Council to adopt with a financial offer for the County Council's agreement, we have not to date received this. This component list would not just be the roads listed in Schedule 3 of the DCO but would detail the specific elements within those that the County Council would be asked to adopt/maintain, subject to receipt of a satisfactory commuted sum.

5.1.2.7 The County Council would ask that Highways England commit to the principle of the payment of commuted sums for maintenance in the main DCO document (schedule 11) and commit to entering a section 106 agreement which would set out the detail and sums to be paid to the County Council.

5.1.3 Funding to cover County Council staff costs in the development of the scheme via a Planning Performance Agreement (PPA)

5.1.3.1 The County Council is disappointed that negotiations for a Planning Performance Agreement (PPA) have not, to date, proved successful, as it has limited capacity and ability to fully assess the submitted DCO within the timeframes available.

5.1.3.2 In addition the County Council has invested considerable time and resources in providing constructive and challenging input to the design with the aim of developing a scheme that would benefit both the Strategic and the Local Road Network.

5.1.3.3 Highways England indicated at the Local Authority Liaison meeting that they could provide some funding to cover Local Authority costs and subsequently provided the County Council with a draft Planning Performance Agreement (PPA) legal document and accompanying spreadsheet to complete setting out the County Council officer time spent adding value to the scheme which the County Council completed and returned. The County Council were subsequently verbally informed, however, that Highways England would not enter into a PPA to reimburse the County Council its costs for certain activities which have required the Council to provide additional resources over and above the statutory requirements.

5.1.3.4 The County Council have written to Highways England (14th December 2018 and 5th March 2019) on this matter and would ask that Highways England provide funding to cover the County Council's costs for staff time in providing technical input which has helped to shape the detailed layout of the project.

5.1.4 Section 106/Side Agreements

5.1.4.1 The County Council were disappointed to learn at the Issue Specific Hearing on the DCO that Highways England stated that they do not intend to enter into any s106 agreements with the County Council. If this is the case the County Council will require Protective Provisions for the Highway Authority to be included in the DCO.

5.1.4.2 To provide reassurance to the County Council that such an agreement can be reached we would ask that the DCO provides for such agreements. As regards agreements with the County Council through the DCO we note that Article 13 of the General Model Provisions (Agreements with street authorities) has not been included within the M25 Junction 10 DCO. Article 13 provides, inter alia, for the street authority and the undertaker to enter into agreements with respect to the construction of any new street authorised by the Order, the maintenance of the structure of any bridge or tunnel carrying a street, any Order authorised stopping up, alteration or diversion or the carrying out of street works. The County Council requires this article to be included (see also the narrative provided in the County's Councils letter dated 26th November 2019 in response to Deadline 1 of the examination process).

6 IMPACT ON SURREY LAND INTERESTS

- 6.1 The proposed scheme impacts upon the County Council's land interests as can be seen in Volume 2 (plans) and Volume 4 (Book of Reference) of the DCO and Highways England and their valuers (the Valuation Office) have made initial contact with the County Council's Property team to start land negotiations and we would ask that Highways England set out as early as possible their financial offer in respect of land acquisition and compensation in respect of the County Council's retained land which is adversely impacted/blighted. The County Council would also ask that Highways England provide the land areas under consideration in a digital form to allow areas of land affected, both in terms of landtake and residual land, to be calculated and set out potential compensation values as part of the negotiations.
- 6.2 As set out in para 5.1.1.3 there are extensive strips of land remaining between the NMU and the A3 carriageway along much of its length leaving enclaves of land and the County Council has made comment in respect of the NMU location. In terms of the County Council's land we would ask that Highways England provide suitable financial compensation to reflect the adverse impacts on retained land values (including blighting) as a result of these enclaves of land not being contiguous with the remaining land on the other side of the NMU route.
- 6.3 The County Council note that exchange land has not been resolved from the original (M25) highway improvements many years ago and the 1979 & 1982 CPOs remain uncompleted, although Highways England and the County Council are working to resolve these issues there is a need for Highways England to continue to provide funding to complete this legal work. Although it is understood that the exchange land for the current M25 Junction 10 proposals are separate from the historic CPO it is taking County Council staff resources that also need to respond to the M25 Junction 10 DCO land issues as such the County Council would request that Highways England commit to meeting the County Council's costs to resolve this historic land exchange.
- 6.4 As set out in Highway England's submission AS-017 Transferring Historic Common Land and Exchange Land on 5th November 2019, Highways England has been engaged in discussions with the County Council regarding the completion of transfers of common land and exchange land which should have vested in accordance with earlier compulsory purchase orders relating to the construction of the M25 in the 1970s and 1980s, but which have not been so vested.
- 6.5 Highways England has agreed to meet the further reasonable external legal costs incurred by the County Council in completing the transfers. Highways England has provided draft transfer documents to the County Council, together with copies of relevant title information for the Council's approval. The County Council is content that the process is now in hand but is not yet concluded given that normal conveyancing processes need to be followed including proper title investigations, completion of the transfers and the subsequent amendments to the register of common land maintained by Surrey County Council as commons registration authority. The County Council are in discussion with Highways England how this can be achieved within the examination timetable.
- 6.6 Implications for Old Lane/Ockham Bites car park have recently become apparent including the reduction in the size of the car park and the fact that a barrier from the car park to the common will be created. The proposals shows the access track to the green bridge occupying around a third of the surfaced area of the car park. This loss in capacity will have a significant effect on visitors to the common and surrounding area, revenue from parking charges and income to the Ockham Bites Café. The County Council is committed to increasing visitor numbers to this and other countryside car parks, so future capacity is needed to accommodate this increase. The proposal access road will limit any future plans for car park expansion. The County Council request that Highways England investigate remodelling the car park to create replacement and additional parking space and undertake these essential accommodation works as part of the scheme.

- 6.7 The proposed access track runs through the eastern side of the car park, which is where the majority of people directly access the common. The road is on a rising embankment and will therefore create a visual and physical barrier from the car park to the common. Access to the common is also needed for maintenance vehicles and fire access. The County Council request that Highways England investigate reducing the height of the embankment and the creation of easily accessible public and vehicular access across access track to link with common. Work should also include investigating the feasibility of realigning the access track to the western side/rear of café.
- 6.8 Officers note that proposed change 5 to accommodate the diversion of a gas main submitted on November 4th 2019 (AS-023) will require additional SCC land. The County Council has not yet had opportunity to consider the impact of this proposal and, in addition, would ask where this revised information is shown in the dDCO and associated Land Plans/drawings.

7 IMPACT ON LANDSCAPE, ENVIRONMENT, BIODIVERSITY AND ARCHAEOLOGY

- 7.1 Highways England have shared with the County Council the draft SPA Management Plan, Landscape and Ecology Management Plan and the Outline Construction Environmental Management Plan. The County Council have made comments upon these which were discussed in a meeting (19th August 2019). The County Council understands that these documents are “living documents” and will have further iterations before being submitted to the Secretary of State at the point the DCO is finalised.
- 7.2 The County Council has previously raised a number of concerns with Highways England regarding impact of the scheme on designated nature conservation sites and countryside estate land which it believes Highways England are working on addressing, which is welcome but until Highways England’s documents are finalised the County Council has to reserve its position on these aspects.
- 7.3 Such concerns include compensatory mitigation, exchange land (ratio and suitable type), landscaping, over reliance on tree screening as part of the scheme, concern that cutting swathes into plantations during the works and exposing trees that were previously protected could make these more susceptible to wind throw and create additional maintenance liabilities for the County Council and impact on air quality and noise.
- 7.4 Highways England have confirmed in discussions that commuted sums will be provided to meet the costs of undertaking the works and ongoing maintenance to the timescales stated. The County Council request that this obligation to provide these commuted sums via a separate written agreement (e.g. a section 106 agreement) are written into the DCO documents in order that this obligation can be met. Further the County would ask for a discussion and agreement on the magnitude of the commuted sum values against each of the specific mitigation and enhancement components.
- 7.5 The County Council request further information on the green bridge proposed within the scheme, specifically widths to understand the functioning of the wildlife corridor and adjacent NMU route. The County Council would support a greater width of the green element than proposed and considers that it is more likely to function as a green bridge, i.e. as a conduit for wildlife across the A3 as this will in part help compensate for the fragmentation of habitats and isolation of species that has occurred as a result of the construction of the M25 and the widening of the A3.

- 7.6 The County Council note Change 1 of the proposed DCO changes of November 4th 2019 (AS-023) in respect of the green bridge and welcome the increase in width to 25 metres in order for the bridge to function as a wildlife corridor. The County Council would ask whether this element of the scheme is now no longer reliant on funding through Designated Funds. Concerns around maintenance responsibilities and the associated funding to undertake this maintenance remain. The County Council consider that if the green bridge is an essential scheme element and that maintenance should be dealt with in the same manner as other compensatory mitigation. The County Council would also ask for clarity as to whether there are any additional impacts on the Ockham Bites car park site and how this is proposed to be mitigated?
- 7.7 Clarification is required regarding whether the green bridge forms part of the package of essential mitigation works to compensate the loss of land from designated sites, or whether it is an additional option.
- 7.8 In addition the County Council have concerns about the management of the green bridge which need additional resources and there are implications for highway safety if material is washed from the bridge onto the A3 or if trees become established. It will need increased management to prevent natural succession and an agreement will be needed to set out the standard of management needed for the green bridge to function and to ensure highway safety e.g. the bridge should also have suitable high parapets/fencing to protect any species crossing the bridge and to reduce the impact from lighting and headlights below. If the County Council are to maintain the green bridge, the management required to function as a green bridge while ensuring highway safety needs to be agreed and subject of the appropriate commuted sum.
- 7.9 The archaeological assessment in the Environmental Statement states that a programme of archaeological investigatory works is to be carried out in order that appropriate mitigation measures could be identified and designed. The County Council have yet to see the results of this work and so would reserve comment on this until the detail is provided.

8 IMPACT ON LEAD LOCAL FLOOD AUTHORITY

- 8.1 The County Council has statutory responsibilities as Local Lead Flood Authority and as such have provided the provisions it would wish to see in the Protective Provisions Part 4 for the Protection of Surrey County Council In Respect of Ordinary Watercourses which we would request are included in the final DCO and entitled Protection of for Drainage Authorities.
- 8.2 There will be highway locations where flooding occurs in times of local intense rainfall affected by the scheme. Increased run off caused by the scheme in these locations is a concern for the County Council as the Lead Local Flood Authority and we have asked that mitigation / compensation is provided. There is a need to regulate the run off from the increase in gross impermeable area created by the scheme in areas such as:
- A245 west bound dual carriageway off Painshill roundabout
 - Areas by M25 Junction 10 roundabout
 - Between the A3 and Wisley Airfield
 - By Ockham junction roundabout/Stratford Brook

9 IMPACT ON WASTE AUTHORITY

- 9.1 The County Council question how likely it is that material consumption and waste generation will be distributed across the scheme construction period and would suggest this should be better informed by a Construction Plan containing phases. The County Council also query how realistic and likely it is that construction materials for the project will be sourced at a national or regional level as heavy material (particularly aggregate) is difficult to transport over long distances. The Council wishes to ensure that the impact of increased demand for construction materials resulting from the project is robustly assessed and that the impact from this increase in demand is not disproportionately concentrated on Surrey.
- 9.2 The County Council also has a number of queries following review of Volume 6.3 Environmental Statement Chapter 12: Materials and waste. A number relate to capacity assumptions used, including those for management of topsoil material at composting facilities and capacity of facilities to deal with excavated hazardous waste.
- 9.3 Reference must be made to the January 2019 Submission of the Draft Surrey Waste Local Plan (SWLP) which has the latest Waste Needs Assessment. The potential implications of any updates to these documents should be assessed and noted.

10 IMPACTS DURING CONSTRUCTION

- 10.1 Highways England have stated that a Construction Environment Management Plan and a Traffic Management Plan will be put in place prior to the start of works. The scheme could have a major impact on the LRN during construction. The County Council's view is that during construction, consideration of effective and safe traffic management, and mitigation of impacts to the LRN and businesses and facilities is essential e.g. RHS Wisley Gardens, Painshill Park and Feltonfleet School. This could also be covered in the Protective Provisions for Local Highway Authorities requested under para 2.8.2. **In addition SCC operates the South East Permit Scheme ("SEPS"), which provides for highway authorities to co-ordinate works affecting the highway, discharging the duty to maintain the highway network under the New Roads and Street Works Act 1991. SCC requires that HE's works be subject to SEPS to ensure clear coordination of the works during construction.**
- 10.2 The County Council note that Highways England have shared with the County Council a draft Traffic Management Plan (TMP) setting out proposed diversion routes during construction. The County Council have raised concerns on plans (at a meeting on 9th May 2019) which Highways England are to address before the County Council can agree to the TMP.
- 10.3 There is a need to ensure a continuous direct access remains in place from the A3 to Wisley Lane for all traffic during construction/until the new realigned Wisley Lane and bridge is open. There is not a suitable diversion as the bridge at Pyrford Lock has weight and width restrictions.
- 10.4 For any closures of the M25/A3 during the works, there may be use of diversions onto the County Council's Local Road Network that will increase fatigue of our existing highway assets on those routes and the County Council so request that funding is provided to mitigate these impacts. It will be important to take into account that not all bridges on the diversion routes may be motorway grade load capacity and potential funding of maintenance on tactical diversion routes/bridges should also be considered and provided.
- 10.5 The County Council are also concerned about how access will be provided and maintained safely for NMUs to Wisley and Ockham Commons across the A3/ M25 and how the works to remove existing PROW carrying bridges will be programmed to avoid temporary closures of the PROW routes that would compromise accessibility for NMUs.

10.6 Access will need to be provided and maintained to Wisley and Ockham Commons both during construction and following completion to ensure safe access for cyclists, riders and walkers across the A3/M25 and access arrangements communicated to the general public.

10.7 The County Council's comments on Volume 7.4 Transport Assessment on construction traffic are:

- (i) It is imperative that the construction compound does not allow access for any construction traffic (employees accessing work and HGVs) to/from B2215 via Ripley. This would have to be the subject of a condition and careful access design to allow only egress from the compound to the north. The ingress is understood to be off Ockham Park Roundabout, but a routeing agreement will need to be in place to prevent the use of the B2215.
- (ii) As regards Table 7.28/29: the County Council question why there are such comparatively low levels of traffic are accessing the construction southbound on the A3 from London, which presumably will be the main source of the workforce.
- (iii) During the disruption of construction, an increase of 6% of main line flow on the A3 south of Junction 10 could be severe. Although this may unavoidable this highlights the importance of effective communications with the travelling public, and protection is given to surrounding communities who would be subject to displaced traffic during these times of increased demand on the already stressed network. The County Council suggest that two additional documents should be produced as part of this tool kit:
 - A Communications Plan
 - A short-term/temporary displacement mitigation plan e.g. the HGV routeing from the Woking rail head should be via the A320 north to M25 (i.e. not via A320 south – as there are considerably more receptors in that direction).
- (iv) The County Council's view is that the Transport Assessment hasn't set out the impact regarding traffic congestion on the County Council's Local Road Network during construction and what resulting mitigation is proposed. As such the County Council would ask that Highways England set this out to meet their key stated objective to ***"Minimise impacts on the surrounding Local Road Network."***

10.8 There is a concern in relation to Volume 2.10 Temporary works plans which shows a Construction Site Compound on the A3 northbound, at the "Site of the former San Domenico Hotel". Since the site re-opened for use as a Starbucks we understand that there have been Road Traffic Collisions (RTC) and a number of near misses, where drivers have mistaken the start of the slip road into Starbucks for the exit slip for Painshill and then have swerved back into Lane 1 of A3. If a vehicle is exiting as a vehicle (almost) enters as set out above, then it could become more hazardous. As such we would ask; if this is an ideal location for a Construction Site Compound with frequent HGV movements as any RTC here could have major congestion consequences for A3/M25 J10 movements, how this location has been risk assessed and if so what mitigation is proposed.

10.9 Regarding construction compounds, the County Council is keen to work with Highways England to understand parcels of land required and access routes where they are owned by the County Council and would ask for commitment that compounds identified are fully restored to at least the condition that existed prior to construction, and recognising opportunity for landscape, habitats and biodiversity improvements.

11 CONCLUSION

11.1 The County Council hopes that that this information is helpful to the examining Authority when undertaking their initial assessment of principal issues for examination.