M25 junction 10/A3 Wisley interchange

TR010030

9.35 Statement of Common Ground with Elmbridge Borough Council

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M25 junction 10/A3 Wisley interchange Development Consent Order 202[x]

9.35 STATEMENT OF COMMON GROUND WITH ELMBRIDGE BOROUGH COUNCIL

VERSION AS AT DEADLINE 5

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Author:	M25 junction 10/A3 Wisley interchange project team, Highways England

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Rev 1	3 March 2020	Deadline 5
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STATEMENT OF COMMON GROUND

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

Signed… [redacted] **……**

Jonathan Wade

Project Manager

on behalf of Highways England

Date: 3 March 2020

This statement has been approved by Officers of Elmbridge Borough Council.

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1. Introduction

1.1 Purpose of this document

1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed M25 junction 10/A3 Wisley interchange improvement scheme ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").

1.1.2 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.1.3 The SoCG covers the position as agreed with Elmbridge Borough Council (EBC) up to 3 March 2020 and supersedes that submitted at deadline 3 [REP3-010]. It relates to the Scheme currently under examination as at 3 March 2020, but does not seek to address any matters arising from Highways England's request to change the DCO application made at Deadlines 4 and 4a. Discussions between Highways England and EBC will continue on any outstanding matters, including any matters relating to the DCO application changes if accepted by the Examining Authority. A final version of the SoCG will be submitted at Deadline 8 in accordance with the Examining Authority's timetable. Although the SoCG relates to the DCO examination period only, it is acknowledged that there will be a need for further agreement between the parties during detailed design and the execution of works.

1.2 Parties to this Statement of Common Ground

1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Elmbridge Borough Council.

1.3 Terminology

1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.

1.3.2 It can be taken that any matters not specifically referred to in the issues chapter of this SoCG are not of material interest or relevance to Elmbridge Borough Council, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to Elmbridge Borough Council.

2. Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Elmbridge Borough Council in relation to the Application is outlined in Table 2.1

Table 2.1: Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
Local Authority Liaison Meetings		
27.07.2018	Meeting	This was the first Local Authority (LA) Liaison Meeting, where all 3 LAs attended together. The DCO process and a list of DCO deliverables where discussed, with an action to send a comprehensive list to each LA. The LA responses to Statutory Consultation were discussed and it was agreed that Highways England would send Surrey County Council (SCC) and Guildford Borough Council (GBC) response letters. Speed limits and bus stop designs were discussed, with the action on SCC to provide written comments. SCC comments on the PIER were acknowledged by Highways England, with an action on Highways England to provide a response to Elmbridge Borough Council (EBC)'s PIER comments.
27.09.2018	Meeting	A scheme and programme update were provided. Drawings of replacement land would be shared with the LAs once available. It was agreed that once the PCF Modelling report was drafted, a modelling meeting Would take place prior to Feltonfleet School liaison. Side road agreements were discussed, with the action on Highways England to provide further information to SCC. The proposed Targeted Consultation dates and content were discussed. Highways England agreed to share the consultation summary report which includes the regards table with all 3 LAs. The requirement for Planning Performance Agreement was discussed, with an action on all 3 LAs to respond to Highways England with a preferred option and business case.
16.11.2018	Meeting	A high-level overview of the scheme changes was provided, outlining the new alignment of the Wisley Lane overbridge through the airfield and summarising the conversations with RHS Wisley for changing the bus route to utilise the existing infrastructure. The moving the of the NMU route from the south to the north side of the A3, the widening of the Old Lane left in/out and NMU route changes were justifiable in order to follow land contours. Changes to the M25 northbound slip lane, and the reduced J10 roundabout elongation were discussed. Noting that Redhill bridge was now an NMU access only and there was the potential for a small amount of land for an NMU route near to

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
		Feltonfleet school. The small changes to obtain the correct amount of replacement land were discussed. GBC queried a section of SPA replacement land believed to be within the 400m buffer zone for Wisley Airfield. Noting that the airfield development programme is advanced and may take precedence over the M25 J10/A3 scheme. There was an action for Highways England to share CAD file of Red Line Boundary with GBC for further assessment to be undertaken.
22.01.2019	Meeting	A scheme update and revised programme was provided, with an expected DCO submission date of Spring 2019. A summary of the targeted consultation responses was presented, with 85% of the responses received from members and supporters of The Girl Guide Association. GBC expressed the desire to seek legal advice on adequacy of consultation, due to the small changes that had been made to the scheme that were not present in the targeted consultation materials.
15.03.2019	Meeting	An update of Design Fix 3.1 was presented, specifically: Heyswood Campsite NMU (route moved to the north side of the A3), Seven Hills road south, at the junction all movements are permitted from Seven Hills Road South, left turn only from Seven Hills Road and right turns are banned from the A245 Eastbound. This design improves the junction but does move some traffic to the Painshill roundabout. There are no additional noise/air quality impacts, thus the proposal is being taken forward. In addition, it was explained that the SPA replacement land field, near to Wisley Airfield, had been replaced by a field currently owned by RHS Wisley. RHS Wisley are willing to sell this land and discussions over acquisition will take place. This parcel gives the scheme enough land to meet the SPA compensation and mitigation land requirements. It was noted there was concern about the EBC emerging local plan, this parcel of land will be checked to ensure it is not within 400m of any proposed developments. An action for Highways England was set to check the land parcel is not within 400m of any proposed developments in the emerging EBC local plan.
23.04.2019	Meeting	The consultation changes at Seven Hills junction were discussed. Feltonfleet School (FFS) are keen to extinguish highway rights on Old Byfleet Road, which has been discussed and agreed by SCC, FFS and Highways England. Banning the right and straight-ahead movements from Seven Hills Road (North) allows a traffic signal stage to be removed,

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
		reducing congestion on the A245. The forecasting shows that removing these movements does not displace a significant number of vehicles, though it may have more of an impact on those living at the base of Seven Hills Road. Each of the Local Authorities received an issue log specific to their correspondence prior to this meeting. For the majority of points raised Highways England have provided a response, with the remaining responses being "in progress". These logs show high level information which will provide the basis for the statements of common ground (SoCG). Highways England wish to hold a meeting with SCC to present a draft paper which concerns various scheme land parcels and their future maintenance. If possible, the paper will be released in draft for SCC to have early sighting. It was suggested that Surrey Wildlife Trust be invited as they are land managers for SCC. SCC asked if a councillor briefing wood be held post DCO submission. Highways England agreed that 3 separate presentations could take place.
21.05.2019	Meeting	A land management update and overview was provided, outlining Highways England's approach to the environmental issues that need to be addressed. In view of the need to acquire and/or use land within the SPA for the purposes of the Scheme it is necessary, in order to protect its integrity as a SPA to enhance some land already in the SPA and also provide additional land to (in effect) form part of the SPA by way of compensation for that to be used. As the Scheme also includes land that is designated as common land and open space, replacement for this land also has to be provided. The ratios of land take and replacement were explained and that the ratios are based on discussions with key stakeholders (NE, RSPB, SWT) (for the SPA land) and precedent established on other schemes including the M25 in this location when it was built in the late 1970s/early 1980s (for the common land/open space). EBC raised concern over the proposed cyclists' route alongside the A245 in terms of safety and segregation between motorists and cyclists. Highways England explained that this route was selected due to safeguarding issues at Feltonfleet School and to provide cyclists with a clear route and avoidance of steps, he acknowledges this did make the route slightly longer. It was agreed that all three LAs are to provide JW with some available dates to hold a presentation at an existing council planning meeting. GB suggested once the DCO submission has occurred he could schedule a Q and A session with councillors.

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
24.07.2019	Meeting	An update was provided on: the DCO application, the Project, commuted sums, PPA, land management workshop & councillor presentation. SCC stated that they had concerns regarding the lack of detail in the Road Safety Audit and agreed to provide feedback in due course.
26.09.2019	Meeting	Sent apologies and received the minutes. Main points of discussion: SoCG drafts and key issues, Relevant Representations, Commuted Sums, Designated Funds, PPA & agreements.
29.10.2019	Meeting	All 3 LAs were in attendance. Topics covered included: • Way forward with SoCG approach for all 3 LAs, using headings from Rule 6 Letter. • Design changes under BBA. • Arranging further meetings with each LA to review draft SoCGs.
03.12.2019	Meeting	Elmbridge Borough Council and Guildford Borough Council attended the meeting. Surrey County Council sent their apologies. Key topics covered included: • Painshill Park and Surrey Fire and Rescue – Engagement • Green Bridge Update • Side agreement update • HE and SCC collaboration on ExA written questions • SoCG approach and programme
Councillor Presentations – Scheme Update post DCO submission		
20.06.2019	Presentation and Q&A	Scheme & DCO Update with Q&A session.
Technical Meetings		
08.03.2018	Meeting	EIA scoping minerals and waste
26.03.2018	Workshop	NMU design
01.11.2018	Meeting	Traffic modelling.
13.09.2018	Meeting	Land acquisition.
01.02.2019	Meeting	Replacement and SPA compensation land.
15.02.2019	Meeting	Traffic modelling
25.02.2019	Meeting	Highways classification

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
12.03.2019	Meeting	M25J10 scheme structures
08.07.2019	Workshop	SPA & Replacement Land Management.
19.08.2019	Workshop	Land Management
17.01.2020	Meeting	SCC SoCG meeting
14.02.2020	Meeting	EBC/Highways England SoCG meeting 1
25.02.2020	Meeting	EBC/Highways England SoCG meeting 2
Shared Documentation (not including Consultation materials)		
09.10.2017	Email	SOCC Memo of Information (Informal information on the SOCC approach)
25.01.2018	Email & Post	SMP incorporation letter (letter informing of the inclusion of J10-16 smart Motorways programme).
02.02.2018	Email & Post	Statement of Community Consultation
25.09.2018	Email	HGV layby results (surveys of HGV layby usage)
12.10.2018	Email & Post	HE response to EBC statutory consultation submissions
25.10.2018	Email	HE Traffic forecasting report (advanced draft)
25.10.2018	Email	HE Operational report (advanced draft)
31.10.2018	Email	Links and nodes (peak flows) scheme modelling
12.11.2018	Email	Notification of development safeguarding letter and PDF (Drawing to include the land acquisition requirements of the scheme and the area to be safeguarded ahead of development.)
13.11.2018	Email	Targeted consultation letter, brochure and general arrangement drawings
15.11.2018	Email	Red line boundary comparison drawings
16.11.2018	Email	DCO works plans
16.11.2018	Email	DCO draft work and requirements schedules 1- 4
29.11.2018	Email	DWG of Route protection plan
03.12.2018	Email	CAD files of Red Line Boundary
04.12.2018	Email	Speed Survey Data
21.12.2018	Email	Full draft DCO and schedules

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
25.01.2019	Email	Scheme papers for the 4 NMU routes near J10
05.02.2019	Email	A1 scheme plans (in lieu of the Statement of reason)
21.02.2019	Email	Speed limit, rights or way and scheme layout plans
11.03.2019	Email	Road Safety Audit and designer's response
03.04.2019	Email	General Arrangement Drawings
17.05.2019	Email	Draft of Issues Log.
30.07.2019	Email	A selection of DCO hard copy drawings. Drawings only, and not the entire documents of 2.1 – 1 page of drawings 2.3 – 32 pages of drawings 2.4 – 32 pages of drawings 2.5 – 33 pages of drawings 2.7 – 10 pages of drawings 2.8 – 35 pages of drawings
27.11.2019	Email	Early oversight of the documentation that HE submitted to ExA
17.12.2019	Email	RHS Wisley Data
19.12.2019	Email	Documentation submitted to ExA for Deadline 2.
21.01.2020	Email	Statement of Common Ground (1st draft)
27.01.2020	Email	Statement of Common Ground (2nd draft)
29.01.2020	Email	Documentation submitted to ExA for Deadline 3
07.02.2020	Email	Statement of Common Ground Outstanding Matters
12.02.2020	Email	Documentation submitted to ExA for Deadline 4
13.02.2020	Email	Statement of Common Ground (3rd draft)
24.02.2020	Email	Statement of Common Ground (updated draft)
25.02.2020	Email	Statement of Common Ground (updated draft)

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Elmbridge Borough Council in relation to the issues addressed in this SoCG.

3. Table of issues and matters to be agreed

3.1.1 The list below states the relevant examination documents referred to in Table 3.2

Table 3.1: Examination documents

Examination reference	Document Title
APP-050	Highways England 6.3 Environmental Statement Chapter 5: Air Quality
AS-014	Highways England Additional Submission – 6.5 Environmental Statement Appendix 7.3 Veteran Trees and Tree Survey
AS-016	Highways England Additional Submission – 7.2 Outline Construction Environmental Management Plan (Revision 1)
RR-001	Elmbridge Borough Council Relevant Representation
REP1-009	Highways England Deadline 1 Submission – 9.12 Applicant's comments on Relevant Representations
REP1-010	Highways England Deadline 1 Submission – 9.13 Traffic Forecasting Report
REP1-012	Elmbridge Borough Council Deadline 1 Submission – Written Representation
REP2-002	Highways England Deadline 2 Submission – 3.1 Draft Development Consent Order (Revision 1)
REP2-005	Highways England Deadline 2 Submission – 7.3 Register of Environmental Actions and Commitments (Revision 1)
REP2-011	Highways England Deadline 2 Submission – 9.16 Transport Assessment Supplementary Information Report
REP2-013	Highways England Deadline 2 Submission – 9.18 Applicant's Response to Written Questions
REP2-014	Highways England Deadline 2 Submission – 9.19 Applicant's Comments on Written Representations
REP2-028	Elmbridge Borough Council Deadline 2 Submission – Annex A (Response to Examining Authority's First Written Questions)
REP2-047	Surrey County Council, Elmbridge Borough Council and Guildford Borough Council Deadline 2 Submission – Joint Council Local Impact Report

Examination reference	Document Title
REP3-007	Highways England Deadline 3 Submission – 9.32 Applicant's comments on Joint Local Impact Report (Rev 0)
REP3-008	Highways England Deadline 3 Submission – 9.33 Applicant's comments on IP responses to Examining Authority's First Written Questions (Rev 0)
REP3-010	Highways England Deadline 3 Submission – 9.35 Statement of Common Ground with Elmbridge Borough Council (Rev 0)
REP3-012	Highways England Deadline 3 Submission – 9.37 Statement of Common Ground with Surrey County Council (Rev 0)
REP3-015	Highways England Deadline 3 Submission – 9.41 Statement of Commonality (Rev 0)
REP3-029	Elmbridge Borough Council Deadline 3 Submission (Comments on Action Points from Issue Specific Hearing 2 and Statement of Common Ground)
REP3-063	Painshill Park Trust Ltd Deadline 3 Submission – Response from Central Command, Community Safety and Risk Reduction, Surrey Fire and Rescue Service
REP4-008	Highways England Deadline 4 Submission – 9.54 Applicant's comments on Painshill Park Trust's Deadline 3 submission.
REP4-010	Highways England Deadline 4 Submission – 9.56 Applicant's comments on Girlguiding Greater London West's Deadline 3 submission

Table 3.2 Statement of Common Ground (SoCG) Between Highways England and Elmbridge Borough Council (EBC): Table of Issues and Matters to be Agreed - Version as at 3 March 2020

3.1.2 Table 3.2 has been discussed with the Elmbridge Borough Council and this Interim Statement is the agreed version as at 3 March 2020.

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
1. LOCAL PLANNING CONTEXT				
1.1 Relevant statutory development plan				
1.1.1	REP2-028 (ExQ1 – 1.4.3) REP2-047 (para 5.6)	The current statutory development plan for Elmbridge Borough comprises: • Elmbridge Core Strategy 2011 (which covers the period to 2026); and the • Elmbridge Development Management Plan 2011.	**Agreed.** However, EBC is in the process of preparing a new Local Plan to cover the 15 year period to 2036. The Council consulted on several potential growth options in August-September 2019. For the purpose of the TA the Council advocates that Option 3 be considered in the context of the Scheme as it is the highest potential growth strategy (modelling the worst case scenario). Option 3 involves optimising the growth potential of the urban area, whilst facilitating a large release of Green Belt land from various sites around the Borough including several located to the south of Cobham and Oxshott.	No further action proposed. EBC's consultation commenced after the DCO application had been submitted for examination and could not therefore have been taken into account. As the Council has not yet decided upon its preferred option there is insufficient certainty to justify further testing being carried out by Highways England. This point was addressed by Highways England in REP3-008 (see page 26).

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
2.0 DRAFT DEVELOPMENT CONSENT ORDER (dDCO)				
2.1 dDCO articles & associated schedules				
2.1.1	N/A	The articles in the draft DCO (dDCO) as amended [REP2-002] are appropriate for the Scheme, including articles concerning arbitration and that Schedule 8 correctly identifies all relevant Tree Preservation Orders of relevance to the Scheme as they relate to trees within the boundary of Elmbridge Borough Council's administrative area.	**Agreed.** EBC notes the now correct assessment of TPO EL:11/47 as per 6.1.4.	
2.2 dDCO requirements				
2.2.1	REP2-028 (ExQ1-1.15.11)	The requirements as set out in Part 1 of Schedule 2 of the dDCO (as amended see REP2-002) are appropriate and provide an appropriate framework for securing the necessary and relevant environmental mitigation measures and other environmental control measures.	**Agreed** **(with one exception as noted below).** EBC shares Surrey County Council's concerns regarding the tailpiece in Requirement 5(1). As set out in REP3-008 (see page 23) Highways England considers that the use of the tailpiece is both proportionate and precedented.	No further action is proposed.
2.2.2	N/A	The procedures for discharging requirements as set out in Part 2 of Schedule 2 of the amended dDCO (see REP2-002) are appropriate and involve EBC appropriately.	**Agreed.**	

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
3.0 SCHEME DEVELOPMENT AND ENGINEERING DESIGN				
3.1 Need/in principle support for the Scheme				
3.1.1	RR-001 REP1-012 REP2-047 para 1.6	In principle, EBC supports the need for the Scheme.	**Agreed.** As set out in RR-001 and REP1-012, EBC is supportive of the aims of the project but also strives to ensure that the impacts to residents and areas within Elmbridge Borough are mitigated.	
3.2 Scheme objectives				
3.2.1	REP2-047 (para 2.2)	The Scheme objectives as set out in Table 2.1 in APP-002 are appropriate as regards the need for the Scheme and the nature of the environment in which it is located.	**Agreed.** EBC, as one of the Joint Councils has commented that its focus is on minimising impacts on the surrounding local network objective.	
3.3 Alternatives				
3.3.1	N/A	Highways England has appropriately considered a range of Scheme alternatives and its reasons for selecting the preferred Scheme are reasonable.	**Agreed.**	
3.4 Engineering design				
3.4.1	REP1-012 page 1	The Scheme incorporates appropriate design proposals and surface treatment for Seven Hills Road South	**Not agreed.** EBC shares Surrey County Council's concern about the Scheme not making	No further action is proposed.

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
			provision for the resurfacing of Seven Hills Road South. As set out in REP2-014, Highways England does not agree that there is a need to resurface that part of Seven Hills Road (south) because the surface is already suitable. (See comments on REP1-012-2 on page 6 and on REP1-020-19 on page 33).	
3.4.2	REP1-012 page 1	The distance between the Painshill junction and Seven Hills Road junctions (being more than 500m apart) exceeds the 250m threshold in TD50/04 of the DMRB and as a consequence there is unlikely to be an operational benefit in linking the two sets of traffic signals.	**Agreed.** While EBC understands the distance threshold issue between linking the two sets of traffic signals, EBC strongly supports that there be some mechanism between HE and Surrey County Council to coordinate the management of traffic. It is noted that there is unlikely to be an operational benefit based on the forecasted growth at the time of the scheme development. However, with the emerging Local Plan and increased housing capacity needing to be delivered, EBC believes that a coordinated approach is required to help to future proof the scheme against increased growth. Highways England has responded to the point about linking the signals in REP2-014 (see comments made on REP1-020-19 on page 33) and in paragraph 7.1.6 of its Transport	No further action proposed at this stage, as the linking of the signals is unlikely to offer any operational benefit and is not necessary for the purposes of delivering the Scheme. Highways England has and will continue to engage with EBC as regards the development of its new Local Plan and the implications of the various growth options on the operation of the strategic road network. Highways England has also been in discussions with Surrey County Council on a collaborative approach to traffic management, in the way that EBC has suggested.

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
			Assessment Supplementary Information Report (TASIR) [REP2 - 011] and considers that the linking of the signals would offer no operational benefit in terms improving traffic flows. As set out in REP3-012 (see issue 2.12.3) it has been agreed with Surrey County Council that the A245 Byfleet Road/Seven Hills Road junction as proposed (which does not provide for linked signals) will provide sufficient capacity to accommodate forecast traffic growth for the modelled periods up to 2037. As to EBC's point about future proofing the Scheme and taking into account the emerging Local Plan, Highways England's modelling covers the period to 2037 and the Scheme has therefore been future proofed. EBC has agreed at items 4.1.1 and 6.1.1 of this SoCG that the assessments correctly reflect the scale, type and location of planned growth and are predicated on appropriate baseline information available at the time. Highways England has taken all reasonable steps to ensure that its assessments are robust. Clearly there has to be a cut-off to the assessments in order for the applicant to finalise its documents. This point is recognised in	

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
			paragraph 3.4.9 of the Planning Inspectorate's Advice Note Seventeen. EBC's consultation on a new Local Plan to cover the period to 2036 commenced on 19 August, which was after the relevant assessments had been carried out for the Scheme and after the DCO application had been submitted and accepted for examination. At this point in time, EBC has still to make a decision on its preferred spatial development option and is currently consulting on a Vision and Objectives document, with a view to consulting on a full draft plan in September 2020. Highways England strongly defends the robustness of its traffic modelling. As explained in the Traffic Forecasting Report [REP1-010], where details of sites are uncertain the model still provides for growth in Elmbridge up to the 2037 design year by using the forecasts in the National Trip End Model to 2037 (see Table 3-3 in [REP1-010]).	

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
4.0 TRAFFIC AND TRANSPORT AND NON-MOTORISED USERS				
4.1 Traffic Modelling and Transport Assessment				
4.1.1	REP2-028 (ExQ1 – 1.4.3 and 1.8.15)	The list of proposed developments contained in Tables 3.1 and 3.2 of the Transport Assessment (APP-136) correctly reflected the scale, type and location of planned growth within the modelled network area relevant at the time of the assessment.	**Agreed.** EBC agrees the list was correct at the time of the Transport Assessment but has also noted in 1.1.1 that as the dDCO plans have evolved so too has the planned growth within the borough as part of the emerging Local Plan.	
4.2 Impact on Strategic Road Network				
4.2.1	N/A	There are no matters of contention between Highways England and EBC as regards the operation of the Strategic Road Network with the Scheme.	**Agreed.**	
4.3 Impact on the Local Road Network/Local Communities				
4.3.1	RR-001 REP1-012 REP2-047	Overall, the Scheme will lead to a reduction in the volume of traffic on the local road network.	**EBC defers to Surrey County Council (as local highway authority) on this matter.** EBC looks to SCC's assessment of the impacts on the local road network, against the modelling done at that time of the scheme creation and the subsequent TA supplementary information. However, EBC remains concerned about increased traffic pressure on the	Highways England has submitted a request to change the DCO application at Deadline 4 (and 4a) including changes to the measures proposed on the A245 between Painshill and Seven Hills Road. This change is described as Change 3 in REP4a-005. If the change is accepted by the ExA, an update on respective positions as regards this issue will be provided in the final version of this SoCG at Deadline 8.

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
			local road network, especially in and around the Painshill and A245 Byfleet Road/Seven Hills Road junctions, which could come as part of the emerging Local Plan evidence base through the Local Plan Transport Assessments which are underway. Highways England refers to its response set out in REP1-009 (see comment on RR-038 on page 86), which explains that the Scheme will reduce overall traffic flows on local roads by up to 741,000 vehicle kilometres on an average day across the modelled local road network. This assessment conclusion has not been disputed by EBC or by Surrey County Council (SCC). Highways England also notes that SCC supports Highways England's proposal to change the operation of the A245/Seven Hills Road junction and no concerns have been raised in the LIR {REP2-047] about the Scheme giving rise to increased pressure on local roads in the Painshill area. Surrey County Council has agreed (see REP3-012 issue 2.12.3) that the proposed modifications to the Seven Hills Road junction will provide sufficient capacity	

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
			to accommodate forecast traffic growth. The Scheme will increase the capacity and performance of the junction compared with the do-minimum scenario, as is explained in REP2-014 (see comment on REP1-020-19 on page 33).	
4.3.2	RR-001	The removal of the right turn from Seven Hills Road to the A245 Byfleet Road as requested by Surrey County Council is supported.	**Agreed.** EBC was concerned that local traffic heading towards Brooklands will divert through Weybridge instead, however EBC supports Surrey County Council's assessment as the Highways Authority and their proposed linkage of the two traffic signals Highways England responds by reference to paragraph 7.1.2 of Highways England's Traffic Assessment Supplementary Information Report (TASIR) [REP2-011]. Traffic surveys at the Seven Hills junction recorded approximately 110 - 115 vehicles turning right out of Seven Hills Road per hour. This is the equivalent of two vehicles per minute. Whilst some traffic may take other routes, the number of vehicles likely to do so will be very small as a proportion of the total traffic using the junction. This impact will be more than	

SoCG Reference Number	Relevant examination document	Relevant Issue	Current position as regards agreement between Highways England and Elmbridge Borough Council and reasons for any differences in views	Highways England's response or further actions being taken to address outstanding matters
			outweighed by the benefits that the Scheme will provide at the junction in terms of reduced traffic congestion and delay.	
4.3.3	RR-001 REP1-012 (page 2)	The Scheme incorporates suitable measures to reduce the risk of traffic diverting on to the local road network during construction, including the provision of purpose built temporary slip roads at M25 junction 10.	**EBC defers to Surrey County Council (as local highway authority) on this matter.** EBC is concerned about the increased traffic pressure on the local road network during construction and considers that the Scheme should fund repairs and resurfacing of local roads affected through the diversion of traffic. EBC relies on SCC's review and acceptance of the Transport Assessment and traffic management plans for the impact on the local road network. Highways England responds by reference to its comments on written representations and its Transport Assessment Supplementary Information Report. As set out in REP2-014 (see comment on REP1-012-2 on page 6) and in REP2-011 (section 11) Highways England has assessed that the Scheme will not result in a significant rerouting of M25 or A3 traffic to the local road network during construction or significantly increase the risk of damage to local	Highways England intends to work collaboratively with Elmbridge Borough Council and Surrey County Council on matters relating to traffic management measures during construction. Requirement 4 of the dDCO provides that the Undertaker must obtain approval of a traffic management plan before any alteration or improvement works relating to the M25 or the A3 may be commenced and both EBC and SCC are identified as requirement consultees in this regard.

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			roads. Closures of the A3 or M25 during the works will be limited to overnight or weekends only; and the scheme provides for temporary slip roads at M25 junction 10 to maintain traffic flows during the works as well as for the maintenance of narrow running lanes on both the M25 and A3. Highways England is not aware of any submission by EBC or by SCC which challenges the robustness of these assessments and conclusions. In addition, requirement 4 provides that the Undertaker must submit for approval a Traffic Management Plan before any works affecting the M25 or A3 may commence. EBC will be a requirement consultee in this regard and will have the opportunity to comment on the details.	
4.5 Loss of HGV Lorry lay-by				
4.5.1	REP2-047 (paras 3.2 and 7.3.1 to 7.3.3)	The closure of one designated HGV layby (comprising approximately five HGV parking spaces) on safety grounds is reasonable and appropriate.	**Agreed.** It is accepted that there are reasonable grounds for closing the HGV layby for safety reasons and that the loss of approximately five HGV spaces is a matter that will need to weigh in the balance against the Scheme.	

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4.5.2	REP2-047 (para 7.3.3)	There are no suitable sites within the vicinity of the M25 junction 10/A3 Wisley interchange on which to build replacement HGV parking facilities as part of the Scheme.	**Agreed.** Given the sensitive environmental designations surrounding the M25 junction 10/A3 Wisley interchange it is acknowledged that there are no suitable sites which can be used for the provision of replacement of HGV parking places.	Highways England will consider the need for HGV laybys and parking/resting places as part of its wider Strategic Road Network Remit.
4.6 Impact on non-motorised users				
4.6.1	RR-001 REP1-012	There are no matters of contention between Highways England and Elmbridge Borough Council as regards the Scheme's effects on non-motorised users (NMU) or in relation to any of the proposed improvements for NMUs included within the Scheme.	**Agreed.** EBC supports the improvements to the NMU provision to create a safe, secure and segregated alternative route for residents.	
5.0 ECONOMIC AND SOCIAL IMPACTS AND POLICY ACCORDANCE & IMPLICATIONS FOR POLICY A35				
5.1 Facilitating planned growth				
5.1.1		The Scheme will provide additional highway capacity on the Strategic road network supporting the Council's need to plan for additional 9,345 new homes in the Borough over the next 15 years.	**Agreed.**	Improved journey times and reduced congestion as a result of the Scheme will bring economic benefits for businesses and will improve access to employment opportunities.
5.1.2	REP2-047 (para 4.9.4-4.9.8)	The Scheme will support EBC's objectives to improve access to the Brooklands Business Park (the largest in the Upper M3 area) through improving the operational	**Agreed.** EBC agrees in principle, subject to Surrey County Council (SCC) having agreed that the Scheme (under examination) provides sufficient	

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		performance of the A245 Byfleet Road/Seven Hills Road junction.	capacity at the A245 Byfleet Road/Seven Hills Road junction and subject to agreement on the conclusions of the Transport Assessment Report [APP-136] that the Scheme will increase the capacity and performance of this junction. Highways England responds by reference to paragraph 4.9.8 of the Local Impact Report [REP2-047] which states that 'the Joint Councils recognise that the proposal to change the operation of the junction could benefit traffic in the area particularly traffic to and from the Brooklands Business Park area'. Highways England also notes that SCC has agreed that the Scheme will provide sufficient capacity for forecast traffic growth at the A245 Byfleet Road/Seven Hills Road junction (see issue 2.12.3 of REP3-012). As noted under 4.3.1 above, the Scheme will increase the capacity and performance of the junction compared with the do-minimum scenario, (see comment on page 33 of REP2-014 made in relation to REP1-020-19).	

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5.2 Implications for SPA buffer zones				
5.2.1	REP2-047 (para 4.4.8)	The location of the proposed SPA replacement land will not extend the 400m exclusion zone or the 5km zone of influence in such a manner so as to prejudice or constrain any planned housing delivery in the Borough.	**Agreed.**	
6.0 ENVIRONMENTAL IMPACT ASSESSMENT				
6.1 Methodology of assessment, baseline and robustness of assessment				
6.1.1	REP2-028 (ExQ1- 1.4.28, 1.8.1, 1.8.6).	The methodology for the environmental assessment is robust, is predicated on appropriate baseline information, addresses a suitable study area and identifies the likely significant environmental effects of the Scheme.	**Agreed.**	
6.1.2		The baseline information presented in the Environmental Statement is appropriate and provides a suitable basis for the environmental assessment.	**Agreed.** See also EBC's comments on issue 7.2.1 of this SoCG below.	
6.1.3	RR-047 para 4.6.1; REP2-028 (ExQ1-1.8.18)	The application documentation provides sufficient detailed information to enable robust conclusions to be drawn as regards the visual impact of the Scheme, without the need for photomontages.	**Not agreed.** The Council support the views of Surrey County Council about the omission of photomontages. Highways England has responded to this issue in REP3-007 (see comment regarding para 4.6.1 of the LIR [REP2-	No further action proposed. The submission of photomontages is not a requirement under the Design Manual for Roads and Bridges IAN 135/10 and as no significant views were identified that would be likely to experience a notable change, Highways England consider that

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			047] on page 7) and in REP3-008 (see page 10).	photomontages would offer little benefit to the assessment process.
6.1.4	RR-001	The Scheme has reduced the potential impact on ancient woodland near Painshill as far as is feasible and practicable.	**Agreed.** EBC seeks assurances that the ancient and veteran trees identified for retention are afforded appropriate protection through the provision of tree protection measures in accordance BS5837 2012. EBC consider that this should not be exclusively tree protection fencing (as outlined in the CEMP [AS-016]) but the utilisation of fencing, ground protection, supervision, and arboriculturally sensitive construction highlighted in the 6.5 Environmental Statement 7.3 Veteran Trees and Arboricultural Impact Assessment. EBC note that currently no specific tree protection plans or arboricultural method statements have been produced. EBC would not anticipate they be produced at this stage but is seeking reassurances they will be, where appropriate, and agreed prior to commencement. EBC has reviewed the alternative design for solutions for access to Heywood Camp Site and would be in support for the utilisation of the existing	As requested by the ExA, Highways England has given further consideration to the possibility of alternative design solutions for the proposed private means of access where it passes through the Heyswood Camp Site. Highways England submitted sketches of possible options to the ExA at Deadline 4 (REP4-010). Both sketches submitted would result in slightly greater loss of ancient woodland than the submitted Scheme. As set out in Highways England's response to ExQ 2.12.8 (also being submitted at Deadline 5) Highways England is working towards developing an alternative solution which can be submitted as an option for the Secretary of State to determine. As this will involve land outside of the DCO boundary, this will be subject to securing the necessary agreements with the relevant land interests. Highways England will work with Elmbridge Borough Council in

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			access which would have a lesser impact on ancient woodland. In response, Highways England notes that an arboricultural method statement is one of the documents that must be produced under requirement 3 (2)(c)(i) of the dDCO which relates to the Construction and handover environmental management plan. This requirement provides an appropriate mechanism under which details of the full range of protective measures will be agreed. Highways England also refers to the Register of Environmental Actions and Commitments (REAC) [REP2-005]. The REAC provides further detail on the protection of trees to be retained in accordance with BS5837 The REAC confirms the commitment to avoid loss of ancient woodland and veteran trees except where already required as part of carrying out the authorised works. The REAC will be a certified document to provide assurance on the commitments it makes.	developing the Scheme's detailed design, including commitments for the retention and protection of trees and woodland during construction as set out in the REAC.

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			EBC's concerns about the alternative Heyswood design solutions submitted in REP4-010 are noted.	
6.1.5	RR-001	The position of the TPOs has not been correctly recorded in the TPO plan for TPO EL:11/47. The correct position has been assessed. The Scheme will not result in the loss of any TPO trees within Elmbridge but may result in some root disturbance or a requirement for lopping of one tree.	**Agreed.**	
6.2 Cumulative effects/in combination effects				
6.2.1	REP2-028 (ExQ1 – 1.4.3 and 1.8.15)	The ES (Table 9.14 of APP-054), the HRA, the WFDA, the FRA and the TA appropriately assess the effects of the Scheme in combination with other planned and committed developments known at the time of the assessment as being likely to take place in the study area and makes suitable provision to mitigate the identified significant effects.	**Agreed.** EBC confirmed in REP2-028 that it is content with the list. However, EBC also advocates that Highways England should now assess the potential implications of Option 3 in the Council's Local Plan Options Consultation published in August 2019.	See response at 1.1.1 above.
6.3 Adequacy of environmental mitigation and compensation measures and proposed management and monitoring				
6.3.1	REP2-028 (ExQ1 – 1.4.33 and 1.8.23) REP2-047 (para 4.4.10)	The package of environmental mitigation and compensation measures for the Scheme appropriately addresses the Scheme's likely significant effects.	**Agreed** EBC has confirmed in REP2-028 that it is satisfied with the amount, nature and proposals for the management of the SPA compensation measures (compensation land and enhancement	

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			areas) and also that it is satisfied with proposed planting species.	
6.3.2	REP2-028 (ExQ1 – 1.4.34) REP2-047 (para 4.4.10)	The measures identified in the SPA management and monitoring plan and the Landscape and Ecology Management and Monitoring Plan provide an appropriate framework for the future maintenance, management and monitoring of the environmental mitigation measures.	**Agreed.** EBC supports the views of SCC.	
7.0 NOISE, AIR QUALITY AND DISTURBANCE				
7.1 Noise and Vibration effects				
7.1.1	N/A	The methodology for the assessment of noise and vibration effects is robust and appropriate.	**Agreed.**	
7.1.2	N/A	The provision of low noise surfacing as part of the Scheme is appropriate and will bring noise benefits for receptors.	**Agreed.**	
7.1.3	N/A	The location and extent of new and replacement noise barriers to be provided as part of the Scheme along the A3, M25 and at the M25 junction 10/A3 Wisley interchange is appropriate and will bring noise benefits for receptors.	**Agreed.**	
7.1.4	RR-001; REP1-012 (page 2); and	The assessment conclusions that there would be no significant noise or vibration effects on receptors within Elmbridge due to the operation of the Scheme, including as a result	**Agreed.** EBC has no comment regarding the assessment conclusions of the operation of the scheme.	No further action is proposed

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	REP2-047 (para 4.3)	of any predicted changes in traffic flows, are sound and appropriately justified.		
7.1.5	REP1-012 page 2 and REP2-047 (para 4.3)	Carriageway resurfacing works on the A245 will result in a significant temporary vibration effect on two receptors at Seven Hills Road during the works. The CEMP provides an appropriate framework for requiring the Undertaker or Principal Contractor to agree details of measures to minimise disturbance as far as practicable.	**Agreed.** EBC agree that requirement 3 (2)(c)(ii) provides for the Undertaker to obtain approval of a method statement for the control of noise and vibration during the works and before construction works may commence. See also EBC's comments on issue 8.1.1 of this SoCG below.	
7.1.6		The conclusions in the Environmental Assessment that there will be no significant adverse construction noise effects on receptors in Elmbridge are robust.	**Agreed.** EBC accepts the conclusions of the assessment completed at the time. See also EBC's comments on item 8.1.1 of this SoCG below.	
7.2 Air Quality effects				
7.2.1	REP2-028 (ExQ1 -1.3.2) REP2-047 (paras 4.2.4 and 4.2.6)	The methodology for carrying out the air quality modelling is robust and appropriate and is predicated on the most up to date data available at the time of carrying out the assessment.	**Agreed.** EBC accepts that Highways England's assessment used the most up to date information available at the time. However, EBC does have concerns that since the assessment, an additional 6 NOx diffusion tubes have been installed in the Painshill Roundabout (Portsmouth Road and	No further action proposed as the environmental assessment was carried out using the most up to date information available at the time and having reviewed the recently published Elmbridge data for 2017 and 2018, the summary of the baseline conditions continues to be valid.

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			Between Streets area) to monitor and assess the NOx levels and depending of the results, this could potentially be declared an AQMA. The annual results will not be available until January 2021 as the measurements are averaged over time and have a local bias correction factor adjustment. See also EBC's comments on issue 7.2.2 of this SoCG below. Highways England welcomes agreement on this point as the air quality assessment used the most up to date results available for Elmbridge at the time, namely the 2016 results. The Elmbridge results for 2017 and 2018 were not published until after the DCO application was submitted for examination. The 2019 Annual Status Report referred to in [REP2-028] contains the results for 2018. The 2019 data have not yet been ratified, but are likely to be reported by EBC later in 2020. From a review of the 2017 and 2018 data Highways England does not consider that there would need to be any changes to the AQ summary of baseline conditions as reported in the ES chapter, as the nitrogen dioxide concentrations at the monitoring sites within the air quality study area are still	

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			expected to be meeting the national annual mean objective at all sites except at locations within the Esher AQMA and at the A3 junction with Copsem Lane. As to EBC's point about additional diffusion tubes having been installed at Painshill, as EBC has stated that the results of this monitoring are unlikely to be available before January 2021, then it is evident that these cannot be taken into account in any assessment of the Scheme or as part of the current DCO examination process.	
7.2.2	RR-001; REP2-028 (ExQ1- 1.3.2) and REP2-047 (para 4.2.2 and 4.2.3)	The assessment conclusions that there would not be an overall significant adverse air quality effect on receptors within Elmbridge are sound.	**Agreed.** Further to the comments raised in 7.2.1 EBC also has concerns that any additional increase in traffic will have a significant adverse impact on the air quality in the Cobham, Esher High Street and Painshill Air Quality Management Areas (AQMA). Highways England's position is that in terms of construction, with the application of standard and appropriate mitigation measures there is unlikely to be a significant adverse effect, including at receptors near the Painshill roundabout. In terms of operation, there would not be an overall significant adverse air quality effect as a result of	

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			the Scheme, as set out in the air quality chapter of the Environmental Statement. The Cobham AQMA is not included within the air quality study area for the assessment, meaning that any effects from the Scheme in that location would be imperceptible. Receptors in Esher near to the A244 would have a decrease in pollutant concentrations, as a result of a reduction in traffic on this road, as documented in paragraph 5.8.13. of the Environmental Statement. The AQMA at Painshill, as referred to by EBC above, has yet to be declared. The air quality study area around the Painshill junction included an area within 200 metres of the A3 and the Painshill junction, but did not include the A245 Portsmouth Road east of the junction. Receptors that were included in the air quality assessment included West Lodge (R30), Caigers Cottage (R31) and Bridge Lodge (R32). The changes in the annual mean nitrogen dioxide concentrations in the opening year with the Scheme are expected to be imperceptible at receptors R31 and R32 and to show a small decrease at receptor R30. In all cases,	

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			concentrations would be below the national air quality objective.	
8.0 CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN AND CONSTRUCTION IMPACTS				
8.1 Outline CEMP, CEMP and HEMP				
8.1.1	REP2-028 (ExQ1-1.15.8)	The CEMP (approval of which will be required under DCO requirement 3) will provide suitable and enforceable safeguards as regards environmental protection measures to be applied during the construction of the Scheme and for the preparation of a handover environmental management upon completion of the authorised development.	**Agreed.** EBC has expressed the view that it would expect the CEMP to be subject to periodic review. Through discussions on this SoCG, EBC has also stated that it would like to see the agreed Final CEMP include a mechanism to be able to request a review the final agreed CEMP in the event of complaints, as well as in response to the circumstances set out in paragraph 13.5.1 of the Outline CEMP [AS-016],(notably that the approved CEMP can be reviewed as often as necessary in response to changes in risk, scope, circumstances etc). Highways England has responded to EBC's original concern about the periodic review of the CEMP in REP3-008 (see page 28). Paragraph 13.5.1 of the Outline CEMP [AS-016] provides for the approved CEMP to be reviewed	

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			as often as necessary in response to changes in risk, scope and circumstances. As to EBC's newly made point about there needing to be a mechanism for EBC to request a review should there be any complaints about the impact of construction works, Highways England considers that this is a matter that can be determined as part of discharging requirement 3 (2)(d) which requires details of the arrangements for monitoring and recording compliance with environmental commitments during construction to be agreed. EBC is a consultee under requirement 3, which means that there will be an opportunity to consider the applicability of suitable trigger points for any review of the CEMP and the interface with EBC's statutory role as part of that process. Highways England therefore considers that a suitable mechanism is provided for by the DCO as drafted [REP2-002]. Highways England also notes that EBC has confirmed [see REP2-028] that the Undertaker/Principal Contractor will be required to obtain consent under	

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			Section 61 of the Control of Pollution Act 1974 (CoPA). This means that EBC will also be able to use its statutory powers under Section 60 of the CoPA to serve notice on the contractor and impose restrictions in the event of complaints or non-compliance with any commitments, without necessarily requiring a review of the CEMP itself.	
8.1.2	REP2-028 (ExQ1-1.10.8)	The Undertaker/Principal contractor will be required to obtain consent from EBC under S61 of the Control of Pollution Act 1974 and this will provide a further mechanism for the control of construction noise as regards the Scheme.	**Agreed.** EBC has confirmed (see REP2-028 response to ExAQ1.10.8) that Section 61 consents will be required and that a Section 61 consent will minimise the likelihood of construction work being stopped.	As noted in the Consents and Agreements Position Statement (APP-020) the responsibility for securing S.61 consents will be a matter for the Principal Contractor carrying out the works.
8.2 Reinstatement of land used temporarily during construction				
8.2.1	RR-001	The dDCO (requirement 17) makes appropriate provision for the reinstatement of land used temporarily during construction, including placing an obligation on the Undertaker/Principal Contractor to demonstrate how opportunities have been taken to restore land designated as SPA or SSSI to achieve biodiversity gains and support enhancements of the sites' nature conservation value.	**Agreed**	
9.0 LAND INTERESTS				

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9.1.1	RR-001 REP2-047 (para 4.9.9)	The principal access to Painshill Park (which is owned by EBC and leased to the Painshill Park Trust) is from the A245/Anvil Lane and there is a further service access from the A245 Cobham Road to the north-west.	**Agreed.**	
9.1.2	RR-001 REP1-012 (page 2) and REP2-047 (paras 4.9.9-4.9.11)	The Surrey Fire and Rescue Service has confirmed that due to topography of the land around the Gothic Tower, it is not possible to deploy aerial appliances for high level firefighting from the A3 direction.	**Agreed** This point was acknowledged in paragraph 4.9.11 of the Local Impact Report [REP2-047].	
9.1.3	RR-001 REP1-012 (page 2) and REP2-047 (paras 4.9.9 – 4.9.11).	Removal of the access from the A3 to the southern end of Painshill Park.	**Not agreed.** EBC is concerned about the loss of this access because it considers that EBC may have to enter into a private treaty to acquire replacement rights and could put the Council in a vulnerable position in such negotiations. EBC considers that the loss of this access will result in a loss of amenity to the property. The result of which will impact the management of the Park as a whole, including the flow and integration of vehicular and pedestrian traffic. EBC consider that the removal of the access will affect the ongoing and future use of the property and the ability of the occupier and land owner to fully utilise and maintain the historical asset which	Highways England has given careful consideration to this issue. There are no solutions to providing a substitute 2nd access without having to compulsorily acquire land from a third party. Given that there is an existing alternative access to the Park and having regard to the view of the Surrey and Fire Rescue Service that the nature and use of the Gothic Tower does not require a 2nd access for fire attendance purposes, the case for compulsorily acquisition cannot be justified. The stopping up of the existing access will therefore have to be a

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			the park provides to the public without a net increase in costs. Highways England considers that the continued use of a direct access to Painshill Park from the A3 southbound carriageway would be unsafe, both for the people using the access and for people travelling on the A3 mainline. Highways England does not agree that the Council would have to acquire further access rights as it (and Painshill Park Trust as leaseholder) have an existing right of access to the Park from the A245. The Surrey Fire and Rescue Service (SFRS) has confirmed [REP3-063] that from a fire safety perspective there is not a requirement to provide or maintain a 2nd access for fire service vehicles. Although it is acknowledged that attendance times would be longer than at present, this has to be balanced against the low risk to life from fire and the fact that the SFRS has previously confirmed (see REP1-009 comment on RR-021 on page 53) that they would not use the existing access direct from the A3 as it is unsafe.	matter to be addressed as part of any compensation settlement with EBC.

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10.0 PLANNING PERFORMANCE AGREEMENT				
10.1.1	REP2-047 (para 1.4)	EBC had requested a planning performance agreement for the reasons set out in paragraph 1.4 of the Local Impact Report [REP2-047].	**Not agreed.** EBC as one of the Joint Councils, has expressed disappointment in the Local Impact Report [REP2-047] about no agreement having been reached as regards a PPA. Highways England provided guidance to EBC on 21 January 2019 as regards Highways England's procedures on this matter and awaits EBC's response.	

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