

**M25 JUNCTION 10/A3 WISLEY INTERCHANGE IMPROVEMENT SCHEME
PROPOSED M25 JUNCTION 10/A3 WISLEY INTERCHANGE DEVELOPMENT
CONSENT ORDER (“DCO”)**

**ROYAL HORTICULTURAL SOCIETY (“RHS”) – REGISTRATION NUMBER
20022900**

DEADLINE 9 SUBMISSIONS

These comments are submitted on behalf of the RHS. Richard Max & Co LLP are the duly appointed solicitors to the RHS and are authorised to submit these comments and other documents on its behalf.

OVERVIEW

1. These comments address some matters arising at Deadline 8 and following the extension of the Examination by the ExA.
2. The RHS’s case is fully set out in the evidence it has already submitted to the Examination and is not undermined by any of the information submitted by the Applicant at Deadline 8.
3. Additional documentation comprises:
 - ***REP9-xxx – Appendix 1 - Request for further information by the RHS from HE in relation to REP8-040 (south facing slips modelling).***
 - ***REP9-xxx – Appendix 2 – AQ/BIOD comments on REP8-022.***
 - ***REP9-xxx - Appendix 3 - AQ/BIOD comments on REP8-045.***
 - ***Completed Annex B – Table in connection with virtual CAH issued by the ExA.***

Highways and traffic impacts

4. The RHS is currently reviewing the Highways and Traffic related material submitted at Deadline 8. However, there is some minor additional information which it believes will assist the process.
5. To that end, the RHS has requested the additional information from HE set out in Appendix 1.
6. The RHS reserves its position to comment on modelling work and assessment of the south-facing slips at the Ockham submitted by HE to the ExA at D8.

Air quality and biodiversity

7. Comments on REP8-022 are attached as Appendix 2.
8. Comments on REP8-045 are attached as Appendix 3.

Socio-economic impacts

9. The RHS maintains its position in relation to socio-economic impacts that will arise from the DCO Scheme. It continues to reserve its position in relation to the impacts of the DCO Scheme on the RHS Gardens as a heritage asset.

COMMENTS ON THE STATEMENT OF COMMONALITY

10. The RHS observes that the “traffic light” table requires some amendment in respect of the RHS’s position:

- Draft DCO - remains subject to further discussions (**change to orange**);
- Protective Provisions - remain subject to further discussions (**change to orange**);
- Consents licences, LONI - remain subject to further discussions (**change to orange**);
- Robustness of Environmental Statement - there is general disagreement between the parties (**change to red**);

- Construction impacts and CEMP; there is general disagreement between the parties (**change to red**);
- Adequacy of environmental mitigation, compensation and replacement land; there is general disagreement between the parties (**change to red**);
- Support for supposed scheme changes - remains subject to further discussions (**change to orange**);
- There are no columns for HRA/Biodiversity issues nor for the adequacy of the SIAA – both of which would be **red** on the part of the RHS, if they were to be included.

CPO and CAH

11. The RHS wishes to appear at the CAH and encloses the completed Annex B form (not for publication).
12. The RHS is content for Microsoft Teams, Zoom or Skype technology to be used at any CAH.

OFH

13. The RHS would be content to take part in a further OFH if arranged; but equally would be content that any matters it wished to raise could be provided in the form of written submissions.

IMPACTS DURING THE CONSTRUCTION PERIOD

14. The RHS is reviewing the material submitted by HE at D8 and continues to reserve its position in respect of such matters.

LAND AND WORKS AGREEMENT (LWA) AND TEMPORARY WORKS

15. A meeting was held with HE and its construction partner Balfour Beatty on 6 May 2020.
16. Draft Heads of Terms are currently being discussed by HE and the RHS.

17. At present the RHS continues to reserve its position in respect of any Requirements dealing with construction related matters.

DCO REQUIREMENTS

18. The RHS intends to review the final draft DCO submitted by HE at Deadline 8 and will comment as necessary.

UNRESOLVED DESIGN ISSUES LEADING TO ROOT IMPACTS ON RHS REDWOOD TREES

19. The RHS notes the comments contained in section 3 of REP8-045 concerning the Redwood Trees. Given the lifting of some of the Covid-19 restrictions it will now be possible for Mr Barrell to carry out a site inspection.
20. The RHS is unable to assess the impact of the proposed works on the redwood trees with the information available and requires cross sections of the existing A3 construction (widened it understands in the 1970's) , and comparative cross-sections of the proposed DCO works, at the locations of significant trees from HE.
21. The RHS intends to carry out non-intrusive surveys of the capillary root spread of the Redwood Trees on 26 May 2020.
22. The RHS continues to reserve its position in relation to these issues and will respond fully in due course.

CONCLUSIONS

23. In light of all the evidence submitted to date and the new material contained in these Deadline 9 submissions, the RHS reiterates its view that the ExA cannot recommend to the Secretary of State that the DCO Scheme is approved.

24. The RHS maintains its objections to the DCO Scheme and will make any final submissions at the appropriate time.

Richard Max & Co LLP for and on behalf of the RHS

14 May 2020