

## Application by Highways England for an Order Granting Development Consent for the M25 Junction 10 / A3 Wisley Interchange Scheme

### Compulsory Acquisition Hearing 1 (CAH1)

**Date: Tuesday 16 June to Thursday 18 June 2020** (held virtually)

#### CAH1 Action Points:

In addition to the need for the Applicant and Affected Persons (APs) who appeared at CAH1 to submit written summaries of their oral contributions by Deadline 11 (3 July 2020), the Applicant and APs should also submit responses to the action points identified for them by the requested deadline.

Party		Action	Deadline
<b>Session 1 Non-site specific CA and TP matters</b>			
1	The Applicant and Affinity Water	If issues concerning protective provisions are still not resolved then both parties to provide position statements setting out their respective positions on s127 and s138 matters.	D12 (10 July 2020)
2	The Applicant	Submit a position statement providing an update on the progress made with DEFRA with respect to obtaining Crown Land consent. This position statement shall either confirm that the Crown's consent has been given for the acquisition of its affected land or it shall set out the current position with respect to concluding the process for obtaining consent, including the expected date by when it is anticipated that the Crown's consent will have been obtained.	D12

3	The Applicant and Monte Blackburn	Position statement to be provided setting out each party's cases with regard to the CA and TP proposed by the Applicant at the San Domenico site.	D12
4	The Applicant	Note to be provided regarding discussions with the Painshill Residents Group, clearly setting out the land plots for which there are active CA and/or TP objections.	D11
5	The Applicant	To provide a note outlining the discussions and the overall position regarding the objection to the proposed TP at the Nutberry Farm site.	D12
<b>Session 2 Part 1 Heyswood Camp Site</b>			
1	Girlguiding Greater London West (GGLW)	Provide written confirmation from the Guide Association Trust Corporation (GATC) that: 1. GGLW has the authority to make CA representations about the Heyswood camp site on the GATC's behalf and that the views expressed in the GGLW submissions throughout the Examination are shared by GATC; or 2. If GGLW does not have the authority to make representations on the GATC's behalf or the representations made by GGLW are not shared by the GATC, then the GATC shall submit written representations concerning its views about the proposed CA for the Heyswood camp site.	D11
2	The Applicant	With respect to land plot 7/1 provide a note explaining: a) the mechanism that could be used for securing the provision of a narrower private access road should land plot 7/1 be required to provide vehicular access to the Heyswood camp site and Court Close Farm and any implications for trees having regard to the recent and/or ongoing surveying of the land at or within the	D11

		vicinity of Heyswood camp site; and b) how land plot 7/1 would be used to accommodate the proposed gas pipeline diversion and any implications for trees, having regard to the recent and/or ongoing surveying of the land at or within the vicinity of Heyswood camp site.	
<b>Session 2 Part 2 Painshill Park</b>			
1	Painshill Park Trust (PPT)	To confirm which land plots PPT has CA and/or TP objections to.	D11
2	The Applicant	Applicant to clarify with PPT which Category 1 plots are subject to the proposed CA and TP powers.	D11
<b>Session 2 Part 3 Special Category Land and Replacement Land</b>			
1	The Applicant	Provide a note setting out its 'alternative argument' under s131(5) of the PA2008.	D11
2	The Applicant	Provide base figures for replacement land (RL), including what the requirement figures would be for the currently Proposed Development if its RL requirement was being assessed in the context of the legislative provisions for Compulsory Purchase Orders that were in force at the time the M25 was originally constructed.	D11
3	The Applicant	If available, submit the visitor survey report that is referenced in paragraph 4.7.4 of REP8-015.	D11
4	The Applicant	Provide a note to clarify any biodiversity gain considerations that have been applied to the proposed RL, and explain how these would relate to overall biodiversity mitigation considerations, having particular regard to the proposed SPA enhancement areas and compensation land.	D11
5	The Applicant	With respect to the proposed acquisition of rights over the Special Category Land, provide a note clearly setting out plot by plot:  a) the area for each plot;	D11

		<p>b) what the right or rights to be acquired would be used for, for example: i) providing access between different parts of the Proposed Development for the purposes of the inspection or the maintenance of the highway or utilities, or ii) for the purpose(s) of actually inspecting or maintaining an access route/track, or iii) permanent items of the Proposed Development such as embankments, drainage infrastructure and landscape areas;</p> <p>c) the frequency for the exercising of the rights, for example once a day, week, month, quarter or year; and</p> <p>d) the duration for the use of a right, for example part of a day, a whole day, a week, a month or multiple months.</p>	
6	Park Barn Farm (Mr Garbett)	Submit the relevant extracts from any other precedent cases for the provision of RL (eg the 'Greenwich case') as referred to during this session of the CAH1.	D11
7	ExA	To provide a provisional, and without prejudice, view as to an alternative approach to the application of RL ratios that it might take into consideration, in order to give the parties sufficient time to make representations upon any such alternative approach prior to the Examination's closure.	D11
8	Park Barn Farm	Set out its preferred 'bottom up' approach to the application of the statutory tests.	D11
9	The Applicant and Surrey County Council (SCC)	Submit written position statements regarding the ongoing M25 historic exchange land issue.	D11
<b>Session 2 Part 4 SCC's non-SCL Matters</b>			

1	SCC	Submit its presentation to this Session as part of its post-Hearing submissions.	D11
2	Applicant and SCC	Provide a final position statement regarding Ockham Bites car park.	D12
3	SCC	To identify what land plots it might object to if agreement is not reached with respect to its CA and/or TP concerns.	D11

**Session 2 Part 5 RHS Wisley**

1	Royal Horticultural Society (RHS)	To formally submit into the Examination two hard copies of the plan (M20022-A-003 Revision B) that was accepted at the discretion of the ExA for the purposes of illustration at CAH1.	D11
2	The Applicant	Submit into the Examination the construction phase plan or plans and explanatory notes identifying how access provision to the RHS Wisley site would be maintained throughout the construction phase of the Proposed Development.	D11
3	The Applicant and RHS	<p>Either to notify the ExA of the completion of the Heads of Terms for a Land and Works Agreement; or</p> <p>If agreement is not reached with respect to the completion of the Heads of Terms for the intended Land and Works Agreement then both parties to set out their final positions, the matters to be covered in this agreement and indications of what Heads of Terms have been agreed and those that remain to be agreed.</p>	D12

**Session 2 Part 6 Former Wisley Airfield**

1	The Applicant and Wisley Property Investments Limited (WPIL)	<p>Either to notify the ExA of the completion of the intended Land and Works Agreement; or</p> <p>If such agreement has not been reached then both parties to set out their final positions regarding the matters to be covered within the Land and Works Agreement.</p>	D12
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2	The Applicant and WPIL	Submit a note (either to be agreed jointly, or separately by each party if such agreement cannot be reached) setting out the envisaged key timetabling dates for both the Proposed Development and the airfield redevelopment project.	D12
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