

The Secretary of State
Department for Transport
Great Minster House
33 Horseferry Road
Westminster
London
SW1P 4DR



16th November 2020

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

Painshill Park Trust Response to Highways England's Submission at Deadline 12

Dear Secretary of State,

This letter comments on Highways England's submission at Deadline 12 and provides additional information recently provided by the South-East Coast Ambulance Service.

HE's response relies on direct contradiction unsupported by evidence. By contrast PPT has provided expert opinion and other evidence to support its contentions.

In a recent email, Andy Rowe, Associate Director of Operations (West) of the South East Coast Ambulance Service has confirmed that he would "support any provision that can be maintained for at least Emergency Vehicle access to the site from both entrances". He states that Secamb are required to respond to category 1 calls within a mean of 7 minutes and that they would not be able to achieve this for much of the park.

These comments by Secamb are entirely in keeping with the concerns already expressed by Surrey Fire and Rescue Service. In Item 4 of the minutes of the meeting on 23.01.2020, headed "Review of Existing Emergency Access Arrangements", Paul Kenny, Group Commander, SFRS Central Command, commented on the unsatisfactory nature of the access for emergency services and reported that a trial had shown that the closure of the western entrance would cause SFRS to miss its response time standard. (See in particular 4.9, 4.10, 4.11, 4.12 and 4.26). His proposals for improving the route through the landscape would not allow SFRS to meet its standard but would seriously impact the views which are central to the appeal of the 18th century landscape. These minutes accompanied PPT's Deadline 11 submission and are attached again here.

Summary

- Painshill is one of the foremost jewels of England's Heritage. It is a Grade I Registered 18th century garden of 158 acres with Grade II* and Grade II listed buildings.
- The government's National Policy Statement for National Networks at paragraph 5.131 says, "Substantial harm to or loss of designated assets of the highest significance, including...grade II* Listed Buildings...and grade I and grade II* Registered Parks and Gardens should be wholly exceptional".
- Paragraph 5.132 continues, "Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of the development, recognising that the greater the harm to the significance of the heritage asset, the greater the justification that will be needed for any loss.
- Jonathan Wade, HE's Project Manager has stated that there is no technical reason why the access route could not be extended and that it had not been included within the DCO as time had run out. He confirmed this to the Inspectors at the CAH. This is the only justification for the loss of the entrance which has been suggested by him.
- PPT, supported by evidence, has shown that the closure of the second entrance will:
 1. Prevent the emergency services from meeting their operational requirements.
 2. Constrain or prevent PPT from obtaining insurance, including public liability insurance, and obtaining licenses for events in the landscape attracting more than 5,000 visitors. Either of these outcomes would lead to the financial failure of Painshill and the loss of the historic landscape and buildings.
 3. Make the restoration and maintenance of the landscape and buildings more difficult and expensive.

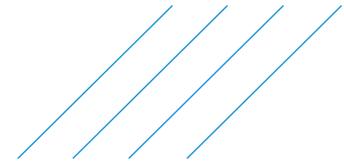
Yours Faithfully

Richard Reay-Smith DL
Chairman
Painshill Park Trust

Royal Patron HRH The Prince of Wales KG

President Corinna, Lady Hamilton of Dalzell **Chairman** Richard Reay-Smith DL

Patrons Lady Alexander of Weedon | Michael More-Molyneux, Lord-Lieutenant of Surrey | The Duke of Abercorn KG | Lady Lennox-Boyd
Registered in England Company 01587910 | VAT Registered 720 565354 | Registered Charity 284944



Meeting Notes

Project: M25 Junction 10/A3 Wisley Interchange Scheme

Subject: Surrey Fire and Rescue Service – Emergency Access to the Gothic Tower

Meeting place: Painshill Park	Meeting no: 4
Date and time: 23.01.2020: 10am-11am	Minutes by: Claire Dargle
Present: Jonathan Wade (JW) Louise Russell (LR) Richard Reay-Smith (RRS) Paul Griffiths (PG) Paul Kenny (PK) Mark Stewart (MS) Ruth Bradley (RB) David Osborne (DO) Claire Dargle (CD)	Representing: Highways England Painshill Park Trust Painshill Park Trust Painshill Park Trust SFRS SFRS Atkins Atkins CJ Associates/Atkins

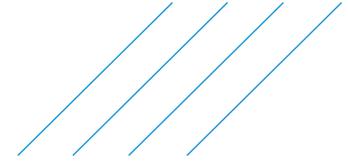
ITEM	DESCRIPTION AND ACTION	RESPONSIBLE
1.	<p><u>Introductions</u></p> <p>1.1 Introductions were made as follows:</p> <ul style="list-style-type: none"> - Ruth Bradley, Assistant Project Manager from Atkins - Louise Russell, Trustee of Painshill Park - Richard Reay-Smith, Chairman of the Trustees - David Osborne, Operational Safety Manager from Atkins - Jonathan Wade, Highways England Project Manager - Paul Kenny, SFRS Central Command - Mark Stewart, SFRS Elmbridge Borough Commander - Paul Griffiths, Director of Painshill Park - Claire Dargle, Stakeholder Engagement team from Atkins 	
2.	<p><u>Health and Safety Moment</u></p> <p>2.1 RRS noted the meeting was about safety at Painshill Park (PP).</p>	
3.	<p><u>Purpose of the Meeting</u></p> <p>3.1 JW explained the meeting was being held to discuss fire access arrangements at PP.</p>	

Next meeting: N/A

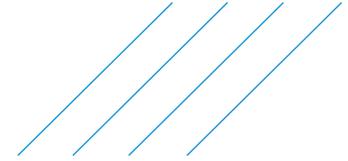
Distribution: Those present, Michael Downey (EBC), David Stempfer (SCC), J Pourier-Benham (EBC)

Date issued: 25.03.20

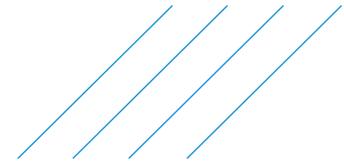
File Ref:



ITEM	DESCRIPTION AND ACTION	RESPONSIBLE
3.2	RRS added the meeting would also provide an opportunity to review the email from PK to Judith Jenkins and David Stempfer at Surrey County Council (SCC) dated 22 January 2020 (attached to minutes).	
3.3	JW provided a brief overview of the scheme noting that it involves the closure of 13 accesses with the aim of reducing accidents and improving reliability of the network.	
3.4	JW advised the works are due to commence in March 2021. The imminent appointment of Balfour Beatty Atkins (BBA) to the role of works contractor was mentioned and that BBA would be establishing relationships with the emergency services.	
4.	<u>Review of Existing Emergency Access Arrangements</u>	
4.1	JW commented that the existing access from the A3 can be used by SFRS and PP. Highways England cannot see an alternative route at this time.	
4.2	PK explained the fire safety team had need to make a site visit and with reference to his email provided the context to SFRS's position.	
4.3	With reference to statute and what can be required under law PK advised the following fire safety legislation for the protection of buildings needs to be taken into account: <ul style="list-style-type: none"> - The Regulatory Reform (Fire Safety) Order 2005 - Approved Document B - The Surrey Act 1985 	
4.4	PK explained that the Gothic Tower, currently being used as a café comes under the Fire Safety Order and a risk assessment, method of escape and fire alarm system can be required.	
4.5	PK referred to the potential to convert the Gothic Tower (GT) to residential property and explained SFRS has no authority over an existing single occupancy residential building. Certain means of access can be required for new builds such as the provision of a turning circle.	
4.6	In summary legislation does not provide guidance on what is required if the A3 access is lost.	
4.7	PK then turned to the operational considerations for SFRS in respect of attendance times, resources and water supplies.	
4.8	PK stated that A3 secondary access is not ideal but if necessary, the police can be asked to close the A3.	
4.9	PK explained that if a fire occurs at the GT a quick response time is required. There may be variations in response time due to traffic or conditions in the Park.	
4.10	PK advised that in the recent test situation using the "tradesman's entrance"/road in the Park was not found to be ideal. The time taken from the Fire Station to suitable distance from the GT was 15 minutes. Trees were found to be growing in the way of the appliance. It was stated that the route needs to be 3.7 metres wide. Currently appliances would need to park behind each other. These factors delay response time.	



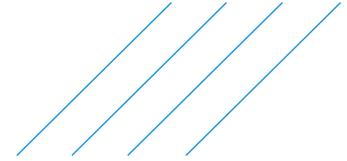
ITEM	DESCRIPTION AND ACTION	RESPONSIBLE
4.11	Reliance on a water supply from the lake would also add to response time. Water from the lake could be used to prevent a fire spreading.	
4.12	Although each appliance carries 2000 litres of water this is quickly used up and mobile water carriers cannot be taken up through the Park. Currently the access from the A3 can be used to provide an additional supply of water to fight a fire at the GT because there is vehicular access to it. If Highways England's scheme is implemented the A3 would need to be closed to allow water carriers to be parked on the carriageway adjacent to the current access and a hose run over the bank and up to the GT.	
4.13	PK noted that a sprinkler system in the Gothic Tower would help suppress a fire.	
4.14	RRS stated that PPT wished to understand its responsibilities and get as much information as possible from the meeting. RRS asked what improvements are required to the route through the Park to the GT. PK responded that SFRS could advise on suggested improvements. A turning circle at the GT with several passing points along the route were recommended although SFRS cannot require PPT to make the suggested changes to the access. RRS remarked that it is for this reason PPT believes the A3 access is so important. RRS observed that improvements to the access will impact on the historic landscape.	
4.15	PK also mentioned the importance of PPT staffing the entrance to the Park when SFRS is called and the maintenance of trees so that the route is not obstructed.	
4.16	MS raised further points in relation to risk assessment, raising the alarm, substances and fire loadings. MS stated that in the event of a fire a Land Rover 4x4 would be called to dampen vegetation but pointed out that it is the responsibility of the landowner to keep foliage area clear. The risk of the GT collapsing was highlighted by MS while PK added that SFRS does not want to have to drive past a fire to turn a vehicle around.	
4.17	JW asked about the condition of the existing road surface and PK confirmed it is suitable for a fire appliance.	
4.18	PPT's growing events programme was discussed with PK advising each event is considered on its merits by the Safety Advisory Group (SAG). SCC is the emergency planning lead and SFRS attends meetings. The threshold for an event needing to be considered by SAG is 5000 people (this is an approximate number and may vary).	
4.19	PG outlined a scenario where the trade gate is out of action and the problem this would cause for emergency vehicles gaining access. Hence the need to have the A3 entrance as a fallback. Parking in the meadow for cinema and weddings was mentioned with weddings causing traffic to queue for up to 30 minutes.	
4.20	MS commented that dispersal of traffic needs to be taken into account in planning the event. PK added that staff need significant training to manage traffic in these circumstances. PK remarked that ideally events would have another access into the car park as	



ITEM	DESCRIPTION AND ACTION	RESPONSIBLE
	<p>the secondary access onto the A3 does not overcome the problems which have been highlighted.</p> <p>4.21 RRS responded that the river presents a problem in creating another exit through the car park. In PK's view this is a problem for the Park to deal with in the planning of events</p> <p>4.22 DO asked whether SFRS has existing contingency plans for the Park. In response PK stated that all incidents are different. SFRS has general policies and procedures. There are pre-determined attendance plans for specific risks</p> <p>4.23 PK explained that in the event of an incident the emergency services are mobilised. An all Services tactical co-ordination group is formed and a plan developed for the situation at a specific location. MS added that although contingency plans may be drawn up for an event SFRS reacts spontaneously as the situation unfolds. A mobile data terminal is fitted to fire appliances which provides information on access to buildings.</p> <p>4.24 LR expressed concern about the loss of the A3 access as it cannot be replaced once it has been closed off and asked whether Highways England's reluctance to pursue provision of an alternative through Court Close Farm was for financial reasons.</p> <p>4.25 DO asked what impact the loss of the second access would have on SFRS. MS responded that the second access provides the opportunity for other fire appliances to attend a fire and for water to be supplied to fight the fire.</p> <p>4.26 LR raised the issue of response times for SFRS noting it had taken 15 minutes to reach the GT when visited recently whereas the standard for Surrey is 10 minutes for the first appliance. PK accepted that a 10 minute response time is SCC's standard but stated sometimes this response time are not met. The second access allows SFRS to meet the Surrey standard.</p> <p>Post meeting note: SFRS clarified that the second access assists it in meeting the Surrey standard.</p> <p>4.27 RRS summarised PPT's current use of the A3 access as for:</p> <ul style="list-style-type: none"> - Emergencies - Occasional heavy service vehicles (removal of timber/reconstruction) - Emergency exit for events when large numbers of people are in the Park (e.g. Elmbridge Food Festival/Charity Fun Runs) 	
<p>5.</p>	<p><u>Future Development Plans</u></p> <p>5.1 JW asked whether PPT was able to share its development plans. PG tabled a spreadsheet projecting visitor numbers and events to 2022 and explanatory paper. PG explained this information was a work in progress and not yet ready to present to the Examining Authority (ExA).</p> <p>5.2 RRS explained the importance of events in the generation of resources as PPT can no longer rely on a donor who has supported the Park in the past.</p>	



ITEM	DESCRIPTION AND ACTION	RESPONSIBLE
6.	<p><u>Girlguiding GLW alternative route</u></p> <p>6.1 The alternative access route proposed by the Guides was discussed.</p> <p>6.2 MS commented that SFRS would expect a new road to be relatively straight. RB advised that the Girlguiding GLW alternative route would not be the required 3.7m width after the entrance to Heyswood Campsite.</p> <p>6.3 PG noted that a track parallel to the A3 would remove some of the Guides' safeguarding issues and the three gate issue in relation to the use of the route for emergencies in the Park would be resolved.</p> <p>6.4 JW tabled the slides originally used in a presentation to the Guides to explain the constraints along the A3 including ancient woodland which presents a barrier to adopting the proposal on a par with interfering with the built heritage. Referring to National Policy, JW stated that there would be a need to provide a "wholly exceptional reason" to take ancient woodland to create the alternative access proposed by the Guides.</p> <p>6.5 LR asked who would make the decision to which JW responded it would be the ExA and the Secretary of State. The ExA has so far not pressed Highways England to adopt the alternative route.</p> <p>6.6 MS asked for clarification on the Guides' safeguarding issues. The fencing of both sides of the route, separation of the custodian cottage and occupiers of Court Close Farm were identified by RB and PG as cause for concern to the Guides.</p> <p>6.7 JW concluded that there are challenges to the alternative route proposed by the Guides.</p>	
7.	<p><u>Conclusions</u></p> <p>7.1 JW concluded that stock needs to be taken of the information tabled at the meeting and raised at the hearings.</p> <p>7.2 RRS referred to the opposition to the acquisition of PPT land in the absence of a secondary access being provided. PPT will raise this issue at the compulsory purchase hearings in March.</p> <p>7.3 JW responded that currently a decisive answer cannot be given on a secondary access.</p> <p>7.4 DO asked whether PPT would be satisfied if an access was retained for emergency service use only, as using this access for logging vehicle and other maintenance would not be permitted on safety grounds. RRS confirmed access for maintenance vehicles remains very important to future land management and restoration of the historic landscape while access for the emergency services and visitor exit is vital for visitor safety and proposed increase in visitor numbers.</p> <p>7.5 PK commented that the A3 exit is unsuitable for visitors and that SFRS treat the A3 as a motorway.</p> <p>7.6 LR asked about contact with the ambulance service. DO advised he had been in touch with the ambulance service so PPT should hear from them shortly.</p>	



ITEM	DESCRIPTION AND ACTION	RESPONSIBLE
8.	<u>AOB</u> None.	
9.	<u>Next Steps</u> Not discussed.	