

A417 Missing Link
TR010056

8.22 Landowner Position Statements

Planning Act 2008

APFP Regulation
Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009

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Infrastructure Planning

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**The Infrastructure Planning
(Applications: Prescribed Forms
and Procedure) Regulations 2009**

A417 Missing Link

Development Consent Order 202[x]

Landowner Position Statements

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document has been prepared by National Highways (as the Applicant) during the Examination of the application it has made for a Development Consent Order (DCO) for the A417 Missing Link scheme (the scheme).
- 1.1.2 At the Compulsory Acquisition Hearing 1 (CAH1) held on 26 January 2022, the Examining Authority (ExA) made a request (Hearing Action Point CAH1-AP3) that where there are Position Statements that the Applicant has drafted with Affected Parties but has not yet submitted to the ExA, these are submitted at Deadline 3 of the Examination (2 February 2022).
- 1.1.3 At Deadline 3 of the Examination, this document therefore includes a number of Position Statements that have not yet been submitted to the ExA. It also provides a schedule of all of the Position Statements that have been submitted to the ExA in the Examination so far, and provides a signpost to the document that they are in, if it is not in this document.
- 1.1.4 It is the intention of the Applicant that this document will be updated at one or more future deadlines to include the latest version of all submitted Position Statements.

2 Schedule of Position Statements

- 2.1.1 Table 2-1 provides a schedule of all Position Statements with Affected Parties that have been submitted to the ExA to date and provides a signpost to their location within the Application documents.
- 2.1.2 As set out above, it is intended at a future deadline that all Position Statements would be consolidated into an updated version of this document, with the exception of those Position Statements that are incorporated into a separate Statement of Common Ground.

Table 2-1 Schedule of Position Statements

Affected Party	Location of latest version of Position Statement	Date of latest submission to ExA
Mr Medlock	Appendix A of this document	Deadline 3 (2 February 2022)
Mr Mendel	Appendix B of this document	Deadline 3 (2 February 2022)
Flyup Ltd (Mr and Mrs Ruskin)	Appendix C of this document	Deadline 3 (2 February 2022)
Mrs Besterman	Appendix D of this document	Deadline 3 (2 February 2022)
Mr Dick	Appendix E of this document	Deadline 3 (2 February 2022)
Gloucestershire Wildlife Trust	Appendix C of SoCG with Joint Councils (Appendix F of Document Reference 7.3, Rev 2)	Deadline 3 (2 February 2022)
Gloucestershire County Council	Appendix B of SoCG with Joint Councils (Appendix A of Document Reference 7.3, Rev 2)	Deadline 3 (2 February 2022)
National Trust	Appendix C of SoCG with Joint Councils (Appendix G of Document Reference 7.3, Rev 2)	Deadline 3 (2 February 2022)
Alexander and Angell	Appendix A of Response to Written Representations made at Deadline 1 (Document Reference 8.11, REP2-012)	Deadline 2 (13 January 2022)
Mr and Mrs Ford	Appendix A of Response to Written Representations made at Deadline 1 (Document Reference 8.11, REP2-012)	Deadline 2 (13 January 2022)
Robert, Patricia and Sarah de Lisle Wells	Appendix A of Response to Written Representations made at Deadline 1 (Document Reference 8.11, REP2-012)	Deadline 2 (13 January 2022)
National Star College	Appendix A of Response to Written Representations made at Deadline 1 (Document Reference 8.11, REP2-012)	Deadline 2 (13 January 2022)
Mr and Mrs Field	Appendix A of Response to Written Representations made at Deadline 1 (Document Reference 8.11, REP2-012)	Deadline 2 (13 January 2022)

Appendix A Position Statement with Mr Medlock

Landowner Position Statement – Medlock

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners) directly impacted by the A417 Missing Link project. These have been prepared in collaboration with the District Valuer Services (DVS), National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement regarding Ian Medlock’s position as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by Ian Medlock’s during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to his land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.

Table 1 Record of Key Landowner Engagement

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
27/09/2019	Land Interest Consultation Invitation - Letter	No response received from land owner.
05/11/2019	Meeting	It was explained to Ian Medlock that land take is unlikely to be required for the new road into Birdlip. In collaboration with Ian Medlock, alternative fields were identified for construction landfill sites to created by the scheme.
27/03/2020	Correspondence and Telephone Call	National Highways issued a letter to Ian Medlock outlining intentions to use statutory powers to enter the land unless survey access was agreed. This subsequently led to a call between National Highways and Ian Medlock and his representatives but no agreeable solution between all parties was reached.
30/03/2020	Correspondence	A notice was served to Ian Medlock under Section 172 Planning Act 2016 to obtain access to complete environmental surveys.
22/05/2020	Survey Work	An attempt was made to undertake environmental survey work however the access gates were locked.
04/08/2020	Meeting	Meeting attended by Chris Graham the land agent acting for Ian Medlock, Oliver Kirkham and Michael Downes. Chris Graham requested further information for the works required relating to access. This includes vehicle movements for archaeological works and ground investigation. Chris Graham asked if alternative land take could be agreed in exchange for site access. Oliver Kirkham explained that National Highways do not want to enter into 3 rd party rights of agreement for the purposes of access. Chris Graham explained that Ian Medlock felt positively about agreeing S253 agreements for his land.
13/10/2020	Statutory Consultation Notification	Correspondence issued to Ian Medlock notifying him of the beginning of the public consultation.

26/10/2020	Correspondence	Chris Graham (Land Agent) requested an in-person site meeting.
28/10/2020	Correspondence	Michael Downes explained to Chris Graham and Ian Medlock a Microsoft Teams meeting is the best course of action in the first instance.
28/10/2020	Correspondence	Ian Medlock requested an in-person site meeting.
29/10/2020	Correspondence	Michael Downes explained to Chris Graham and Ian Medlock that due to varying Coronavirus pandemic restrictions across the UK and the need to have certain members of the project team present at this particular meeting an in-person site meeting was not possible. It was explained that anything specific coming out of the update meeting which does require an essential follow up site visit (face to face meeting), a site visit can be reconsidered for the relevant members of the team to attend site. A Microsoft Teams meeting was requested.
30/10/2020	Correspondence	Ian Medlock stated he did not have the IT capabilities to allow for a Microsoft Teams meeting. Ian Medlock suggested that the consultation period is extended or postponed allowing for engagement with all relevant landowners and stakeholders as a result of Coronavirus pandemic restrictions.
10/11/2020	Correspondence	Adam Davis issued a consultation response to Ian Medlock. The response explained that given the current restrictions in place due to the Coronavirus pandemic, unless there is very clear justification for a site meeting, a site visit is not something that can be accommodated. The Section 42 letter dated 13 October 2020 explained National Highways position concerning online or telephone meetings. The relevant software to allow for a virtual meeting was offered to Ian Medlock if required.
11/11/2020	Correspondence	Ian Medlock explained that Stuart Milsom has been employed as a land agent alongside Chris Graham at Moore Allan and Innocent. Ian Medlock raised concerns about the value that a virtual meeting could have. Ian Medlock stated he has attended two public consultation meetings.
12/11/2020	Statutory Consultation Response	Ian Medlock submitted a consultation response in relation to the scheme.

		Ian Medlock opposed and strongly opposed several different aspects of the scheme. Ian Medlock raised concerns about the plans and information produced in relation to the scheme.
15/12/2020	Court Hearing	National Highways had attempted to obtain land access for surveys. Though this could not be agreed with Ian Medlock and his representatives. The use of statutory powers was therefore required to enable the scheme to progress. At the hearing both parties were instructed by the court to come to an agreement on access in the first instance. If this could not be achieved in a four week period a second court date was to be set for a warrant to be provided for survey access. The parties agreed a survey licence to provide access.
16/12/2020	Meeting	Meeting on site with Ian Medlock to discuss the scheme Ground Investigation works.
29/01/2021	Email Correspondence	Draft accommodation works plans issued to Ian Medlock for comment.
08/02/2021	Targeted Landowner Consultation	Correspondence issued to Ian Medlock notifying him of the beginning of the targeted landowner consultation.

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Comment	National Highways Response
1	Land take	Ian Medlock's lawyer requested a comprehensive justification for the land take proposed.	Land take justification was provided in the form of a written note to Ian Medlock's lawyer. Land take justification was accepted on review by Ian Medlock and his lawyer.
2	GI.2A	Ian Medlock refused access to complete the GI.2A survey's for the scheme.	The GI.2A surveys have now been completed in his land.
3	Existing tenant	The existing tenant refused access to the site for the purposes of the scheme.	Notice has been served to the existing tenant. S174 notice served to Mr Pollard on the 29 June 2020. Site access has now been agreed with Mr Pollard.
4	Site Investigation Work	Licence to be signed to allow for the GI.2B site investigation works to begin.	Archaeological licence agreed and signed with Ian Medlock.
5	Plans and Information Provided	Ian Medlock raised concerns about the plans and information provided in relation to the scheme.	National Highways has continued to consult and engage with affected landowners throughout the design of the scheme. This is set out in the Consultation Report (Document Reference 5.1, APP-027), which evidences how National Highways has met the statutory consultation requirements for a

			Nationally Significant Infrastructure Project under the Planning Act 2008.
6	Water Drainage	Ian Medlock raised concerns about the water drainage off of the escarpment from noise, light, nitrogen oxides and carbon monoxide.	National Highways has carried out an assessment of the environmental effects of the scheme as set out in the Environmental Statement (Document Reference 6.2, APP-032 to APP-049) which is submitted with the DCO application and which will be subject to Examination by the Planning Inspectorate. This has been prepared in accordance with the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) and the Planning Act 2008. The Environmental Statement assesses the likely effects of the scheme against the current and future baseline (a 'do minimum' scenario) and identifies measures proposed within the scheme to mitigate likely adverse effects. Chapter 15 Assessment of Cumulative Effects of the Environment Statement assesses the effects of the scheme cumulatively.
7	Birdlip Village Growth	Ian Medlock questioned whether the scheme has considered the future growth of Birdlip village.	Regular advice from Local Planning Authorities and the Cotswold Conservation Board has been considered in the development of the scheme proposals through Strategic Stakeholder Panel meetings. This has included discussing the expansion of Birdlip and Local Plan provision.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Comment	National Highways Response
1	Gloucestershire Way Crossing	Ian Medlock opposes the Gloucestershire Way Crossing. Ian Medlock states that the intended purpose of the Crossing can be achieved by moving the footpath north of Emma's Grove and along the new edge of the A417.	<p>National Highways has continued to consult and engage with affected landowners throughout the design of the scheme. This is set out in the Consultation Report (Document Reference 5.1, APP-027), which evidences how National Highways has met the statutory consultation requirements for a Nationally Significant Infrastructure Project under the Planning Act 2008. Responding to 2019 consultation feedback, the Appendix 2.1 Annex F (Document Reference 6.4, APP-323) proposes the mitigation and enhancement for footpaths and other WCH routes, whilst the Gloucestershire Way crossing and Cotswold Way crossing will help to address the concerns expressed.</p> <p>National Highways continue to look to engage with Ian Medlock about the Gloucestershire Way Crossing.</p>
2	Land Acquisition	Stuart Milsom has advised that if no transaction can take place for a reasonably long duration, property values may therefore change. As such the landowner wishes to wait for a General Vesting Declaration.	A summary of the acquisition types has been provided to Stuart Milsom for his consideration with the landowner. As such they do not wish to commence negotiations for acquisition of the land.
3	Accommodation Works Plans	Accommodation works plans were issued to Ian Medlock on the 26 January 2021.	<p>Ian Medlock did not provide any comments on the draft accommodation works plans provided until the relevant representation response submitted in September 2021.</p> <p>National Highways to agree the accommodation works with Ian Medlock as the scheme progresses.</p>

4	Tunnelling Design Option	<p>Ian Medlock stated that the tunnelling design option should be reconsidered.</p> <p>Ian Medlock stated the cost difference between the tunnelling design option and the preferred scheme option isn't significant.</p>	<p>Tunnel options have been considered as part of options identification and appraisal; however they have been discounted largely due to cost and environmental impact.</p> <p>Tunnel route options for the scheme were discounted prior to the 2018 public consultation, as set out in the Scheme Assessment Report (March 2019) (Document Reference 7.4, APP-420).</p> <p>Please refer to section 3.1 of the Consultation Report (Document Reference 5.1, APP-027) or the Scheme Assessment Report (March 2019) (Document Reference 7.4, APP-420) for further information.</p>
5	AONB Impact	<p>Ian Medlock raised concerns about the scheme's impact on the AONB. Ian Medlock stated the tunnel option would reduce the impact on the AONB.</p>	<p>National Highways recognises the significance and sensitivity of the landscape. National Highways has taken a 'landscape-led' approach to the design of the A417 Missing Link scheme, in which the Cotswolds AONB landscape has been a primary consideration in every design decision made. This is set out and illustrated within the Design Summary Report (Document Reference 7.7, APP-423), whilst an assessment of the effect of the scheme on the landscape is set out in ES Chapter 7 Landscape and Visual Effects (Document Reference 6.2, APP-038).</p>
6	Ecological Impact	<p>Ian Medlock stated the scheme is likely to disturb bat, owl and other species feeding grounds.</p> <p>Ian Medlock raised concerns about the bat report being 'confidential'.</p>	<p>ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) provides an assessment of the effects of the scheme on biodiversity, including through increased recreational pressure.</p> <p>Ecological surveys on protected species have been carried out between 2017 and 2021. Advance survey techniques such as radio tracking were used to assess the movement of bats across the landscape as well as surveys to establish the extent of different badger territories. Population surveys were also carried out for reptiles and great crested newts within</p>

			the survey area. Information on ecological surveys carried out for the scheme is provided in ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039).
7	Ecological Mitigation	Ian Medlock challenged his land being acquired for the purposes of ecological mitigation as shown on Figure 7.11 Environmental Masterplan Sheet 8 of 25 (Document Reference 6.3, APP-175).	National Highways has considered the comments received from Ian Medlock. The ecological mitigation shown on Figure 7.11 Environmental Masterplan Sheet 8 (Document Reference 6.3, APP-175) has been identified as essential for the delivery of the scheme. The landscape design focusses on provision of priority habitats which are present within the Cotswold AONB; lowland calcareous grassland, lowland broadleaved woodland and native species rich hedgerows. The location and design of habitats has considered the draft Nature Recovery Network Map provided by Gloucestershire Wildlife Trust in 2020 and habitats required for specific ecological mitigation as described within ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039). ES Figure 7.11 Environmental Masterplan (Document Reference 6.3, APP-175) provides green infrastructure which would help to deliver climate change resilience for both habitat and wildlife connectivity.
8	PRoW Proposed	Ian Medlock objected to the PRoW proposed on his land if the land is returned to him instead of being used for ecological mitigation.	It is intended that the land will be acquired permanently for ecological mitigation for the scheme.
9	Construction Compound	Ian Medlock contests the construction compound located on his land interest.	National Highways has assessed the compound on Ian Medlock's land as essential for the construction the scheme. All compound locations have been assessed within the Environmental Impact Assessment reported in the ES (Document Reference 6.2, APP-032 to APP-049). Further detail about the layout of the

			compound will be developed by the construction contractor appointed for the scheme.
10	Land Interest Access	Ian Medlock raised concerns about continued access to his remaining land interest not being acquired throughout the construction of the scheme.	The proposed measures to ensure continued access to homes and businesses is set out in the ES Appendix 2.1 EMP Annex B CTMP (Document Reference 6.4, APP-319) which is submitted in support of the scheme. Further opportunity to discuss and agree proposals will be available following the appointment of a contractor, should the DCO be granted.
11	Noise and Light Impacts	Ian Medlock raised concerns about noise and light impacts created by the scheme on his land interest.	ES Chapter 11 Noise and Vibration (Document Reference 6.2, APP-042) sets out the measures that National Highways proposes to mitigate adverse noise effects. The scheme design includes the use of cuttings, earth embankments and other physical features to reduce noise impacts during operation. A low noise road surface is incorporated into the proposed scheme design. The Cotswolds AONB is recognised as having an extensive area of naturally occurring dark night skies. Responding to the scheme's setting within the Cotswolds AONB, the scheme including Shab Hill and Cowley junctions will not be lit, to reduce the amount of light spillage to the Dark Skies area.
12	Security Measures	Ian Medlock requested that appropriate security measures are considered and agreed with him in relation to the scheme.	Once appointed, National Highways will work with their contractor to ensure safe working practices are followed across the construction of the scheme. This would include measures such as security on site / site compounds, fencing and enclosure of work areas from public areas, and staff identification. National Highways would also appoint a community liaison officer for the duration of the construction who

			would be the first point of contact should any safeguarding issues arise.
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Appendix B Position Statement with Mr Mendel

Landowner Position Statement – Mendel

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners) directly impacted by the A417 Missing Link project. These have been prepared in collaboration with the District Valuer Services (DVS), National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement with Steven Mendel as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by Mr Mendel during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to his land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.
- 1.1.5 This Position Statement was updated in December 2021 to ensure that matters raised within Mr Mendel’s Relevant Representation were considered and responded to.
- 1.1.6 This Position Statement is the position as per the key matters outstanding and agreed on the 1st February 2022.

Table 1 Summary of Key Landowner Engagement

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
06/08/2019	Meeting	At the meeting it was identified that Shab Hill Junction takes up most of Mr Mendel's landholding. Access will be provided from the B4070.
27/09/2019	Landowner Consultation Invitation - Letter	Landowner consultation invitation event issued to Mr Mendel by letter. Meeting agreed for the 10 October 2019.
10/10/2019	Meeting	It was agreed that additional copies of the land plans showing the scheme design and Mr Mendel's land will be prepared and issued.
13/01/2020	Landowner Consultation Invitation - Letter	Landowner consultation invitation event issued to Mr Mendel by letter.
05/02/2020	Meeting	<p>The key issues and outcomes agreed at the meeting with Mr Mendel included:</p> <ul style="list-style-type: none"> • Access requirements; • Surveys required; and • Section 253 agreement on environmental mitigation land. <p>Mr Mendel's main concerns following the meeting were:</p> <ul style="list-style-type: none"> • Blight and compulsory purchase of the farmhouse and land • Access to the northern parcels of land being retained. • S.253 agreement on ecological mitigation land. • Impact of the construction compound.
13/10/2020	Statutory Consultation Notification	Correspondence issued to Mr Mendel notifying him of the beginning of the public consultation.
28/10/2020	Meeting (Virtual)	<p>The scheme design changes were explained to Mr Mendel.</p> <p>The key issues and outcomes agreed at the meeting were:</p> <ul style="list-style-type: none"> • Land take; • Land acquisition; • Land access; and

		<ul style="list-style-type: none"> Discretionary purchase. <p>The main concern raised by Mr Mendel at the meeting related to the discretionary purchase application. Mr Mendel stated that he has incurred approximately £70,000 of costs as a result of the scheme. Mr Mendel stated he will pursue compensation for this.</p> <p>It was explained to Mr Mendel that the original discretionary purchase application did not include the farmland and property that he has not been able to sell. Mr Mendel agreed he will discuss the matter further with his land agent before coming back to National Highways.</p>
26/01/2021	Email Correspondence	Draft accommodation work plans issued to Mr Mendel for comment.
08/02/2021	Targeted Landowner Consultation	Correspondence issued to Mr Mendel notifying him of the beginning of the targeted landowner consultation.
12/03/2021	Meeting (Virtual)	<p>Meeting to discuss the discretionary purchase application, and land required and impacted by the scheme.</p> <p>Mr Mendel and National Highways to agree a valuation for the property. The required detail for the discretionary purchase application was explained to Mr Mendel.</p> <p>Justification to be provided for the byway open to all (BOAT) proposed on the eastern boundary of Mr Mendel's land.</p>
23/03/2021	Email Correspondence	Comments received from Mr Mendel in relation to the accommodation work plans issued.
13/05/2021	Email Correspondence	National Highways issued a note to Mr Mendel on the 13 th May 2021 to provide detail about the PRoW and BOAT proposals on his land interest.
11/06/2021	Meeting (Virtual)	Meeting to progress the progress the discretionary purchase application
25/08/2021	Meeting (Virtual)	Meeting to progress the progress the discretionary purchase application
26/08/2021	Email Correspondence	Licence and relevant plans issued to Mr Mendel for the purposes of undertaking intrusive surveys on his land interest.
24/09/2021	Email Correspondence	Signed licence was provided by Mr Mendel to undertake the intrusive surveys.
08/10/2021	Meeting (Virtual)	Meeting to progress the progress the discretionary purchase application

29/10/2021	Meeting (Virtual)	Meeting to progress the progress the discretionary purchase application
12/11/2021	Meeting (Virtual)	Meeting to progress the progress the discretionary purchase application

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matters	National Highways Position
1	Site Access	Access for the site investigation works.	Access has been agreed and the licence signed.
2	Landowner Access	Concerns raised about how access will be retained to the portion of the top field that will remain in family ownership when the scheme is built.	National Highways explained and provided assurances that access to the top field identified will be provided during the construction and operation of the scheme. A new gated access is shown on the general arrangement plans.
3	Scheme Red Line Boundary	Concerns raised that an area of land will be land locked by the scheme red line boundary.	The land identified is an existing area of woodland and is not to be impacted by the scheme.
4	Access	Mr Mendel requested that access is maintained to/from his land to an area of land owned in Ullen Wood.	The gated access location has been agreed as part of the ongoing accommodation work discussions.
5	Section 253 Agreement	Mr Mendel requested that a Section 253 agreement is created with National Highways for land identified for ecological mitigation. At the landowner meeting on the 28th October 2020, a Section 253 for the purposes of access was discussed.	The Discretionary Purchase application submitted by Mr Mendel has identified the area of land to be acquired. This includes the land needed for ecological mitigation. Thus a S.253 agreement is no longer required.
6	Land Ownership	No title information is available for the land to the south and west of Ullenwood though the ownership is historic.	Land ownership information has been provided. The title documents show good ownership, and it has been confirmed that the executors do not need to register the title.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Discretionary purchase	A discretionary purchase application has been submitted by Mr Mendel.	<p>National Highways understanding of the land take included as part of the discretionary purchase application has been explained to Mr Mendel. This issue has now been clarified.</p> <p>The valuation for the land and property has now been agreed.</p> <p>National Highways continue to engage in dialogue with Mr Mendel to progress the discretionary purchase application submitted.</p>
2	Accommodation Works	Mr Mendel has provided comments on the draft accommodation work plans with the final details still to be agreed.	<p>National Highways continue to develop proposals for accommodation works and these will be finalised during detailed design stage in liaison with Mr Mendel.</p> <p>Accommodation works discussions will be progressed in February 2022.</p>
3	BOAT	<p>Concerns raised in relation to the BOAT proposed on the land interest. Mr Mendel does not object to walking, cyclists and horse-riders but objects to motorised vehicles using the BOAT.</p> <p>Mr Mendel raises concerns about the fact that he was not consulted on the BOAT proposed.</p> <p>Safety concerns and the historic use of the proposed BOAT were also challenged.</p> <p>Mr Mendel feels he was not included in the development and decision process for the BOAT across his land.</p>	<p>An unclassified highway (50853) would be severed by the scheme and two new BOATs are proposed, one east and one west of Shab Hill junction, to mitigate the loss of that access. It is the proposed BOAT to the west of the new A417 alignment and south of Shab Hill junction that Mr Mendel objects to, which would connect unclassified roads 50853 and 50944.</p> <p>The BOAT maintains an existing route and is essential mitigation for the scheme.</p> <p>The existing Cowley Footpath 7 lies immediately to the west of the new proposed BOAT location and as such the two routes will be near each other.</p> <p>A section would be stopped up and diverted onto the new BOAT to maintain access. The majority of Cowley footpath 7 is outside of the DCO boundary. As such</p>

an application to Gloucestershire County Council (GCC) for a Stopping up order would be made after the construction phase is complete and the new BOAT in place.

The footpath and unclassified roads serve different purposes and users, as established in engagement and consultation with user groups, including a Walking, Cycling and Horse-riding Technical Working Group (WCH TWG). That group has been involved in the proposals for new and diverted rights of way and this particular proposal to connect unclassified roads 50853 and 50944 is an example where the user groups have worked hard to find a solution to severed routes as part of the scheme (see Statement of Commonality, Document Reference 7.3, REP1-006). PRoW and other routes with public access rights have been considered as part of a WCH assessment and review, undertaken in accordance with the Design Manual for Roads and Bridges (DMRB). This is available in the ES Appendix 12.2 Walking, Cycling & Horse riding including Disabled Users Review at Preliminary Design (Document Reference 6.4, APP-396). ES Chapter 12 Population and human health (Document Reference 6.2, APP-043) undertakes an assessment of PRoW. Routes in the local area have been identified using data and mapping provided by Gloucestershire County Council as the relevant authority responsible for rights of way, and through stakeholder engagement and public consultation.

The proposals were subject to statutory consultation at the pre-application stage.

In March and September 2021, National Highways recommended to Mr Mendel to contact GCC to discuss this issue further. National Highways has offered to assist with Mr Mendel's discussions with GCC but not to reimburse any associated costs. This is because a

			<p>majority of Cowley footpath 7 is outside of the DCO boundary.</p> <p>A supplementary note providing details about the PRow (and BOAT) proposals was issued to Stephen Mendel on 13 May 2021. The GCC definitive maps have been provided and digital links to the 'List of Streets Gazetteer'. This is in addition to signposting to the consultation materials including the then draft PRow Management Plan.</p> <p>Further detail can be found in EMP Annex F Public Rights of Way (PRow) Management Plan (Document Reference 6.4, APP-323).</p> <p>Additional email from GCC Highways Records confirming the status of the unclassified highway provided to Mr Mendel 28/01/22</p> <p>National Highways continues to engage with Mr Mendel on this matter.</p>
4	Ecological Mitigation	<p>Mr Mendel objects to the scheme as his land interest being acquired for the purposes of environmental mitigation. Mr Mendel stated the land take will significantly impact his farm and there is insufficient evidence for it to be included as part of the scheme.</p>	<p>Detail about the proposed ecological mitigation can be found in the Sheet 10, and 25 of the Environmental Masterplan (ES Figure 7.11 Environmental Masterplan (Document Reference, 6.3 APP-177 and APP-192). Further detail can be found in ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039).</p> <p>The calcareous grassland proposed is essential mitigation for that lost elsewhere on the scheme. During the construction phase the ground will be significantly disturbed with the creation of calcareous grassland requiring additional removal or nitrate rich soils from those currently in extent.</p> <p>There will be a mixture of species-rich neutral grassland meadow and calcareous grassland creation in the Shab Hill area on Mr Mendel's land. The management of the grassland types will differ slightly</p>

			<p>but will be managed to provide barn owl and bat foraging habitat to replace habitat lost at Shab Hill. The fields will be managed to provide longer grassland to encourage barn owl prey species and include leaving uncut field margins to provide strips of foraging habitat. Further mitigation for barn owls would be provided on Mr Mendel's land interest. Mitigation would include strategic planting of woody species of a height of at least 3m in areas considered to be of high collision risk i.e. at Shab Hill Junction to encourage barn owls to fly at a safe distance above the road network or along the edge of treelines to safe crossing points such as the Gloucestershire Way crossing. Grass verges and embankments adjacent to the road would be managed as short grassland, with arisings removed to reduce the potential for long tussocky grassland with a deep thatch layer that would support barn owl prey species. This would decrease the foraging potential and collision risks to barn owls.</p> <p>There are several bat roosts in the Shab Hill area which would be subject to higher noise levels because of the scheme in operation. Through the embedded design mitigation proposed, there would be an increase in foraging habitat such as calcareous grassland and broadleaved woodland that would be accessible to the roosts subject to a significant increase in noise level around the wider Shab Hill area. A small brick structure on the edge of Shab Hill beech woodland that is an existing roost used by lesser horseshoes, is falling into disrepair. It is proposed that this is repaired and enhanced to create additional roosting opportunities.</p> <p>A main badger sett at Shab Hill will be closed and replaced with an artificial sett. Sett activity will be confirmed during pre-construction surveys. Two</p>
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			<p>[REDACTED]</p> <p>ES Chapter 12 Population and human health (Document Reference 6.2, APP-043) considers the impacts on agricultural holdings. It reports that to construct the scheme permanent land take is required which would continue to affect farm holdings during operation. Those holdings where a moderate or major magnitude is identified include Shab Hill Farm. The scheme would require a large proportion of the agricultural holding (61%), which may impact on their viability in relation to the amount of land remaining to be farmed/productive. Given the current use and sensitivity of the holding, Shab Hill Farm is expected to experience a potential significant adverse effect. National Highways continues to engage with Mr Mendel on this matter.</p>
5	<p>Safety of Junction between the B4070 and unclassified highway</p>	<p>Concerns raised about horse riders and cyclists travelling onto the Birdlip Link Road from the direction of Shab Hill Farm being exposed to fast moving traffic making the junction unsafe for use.</p>	<p>National Highways is committed to the highest levels of safety for the construction and operation of the scheme and aim to minimise disruption to the public. Where a potential conflict between these two objectives has been identified, National Highways have carefully considered options and proposed a design that provides safe routes for all users. Appropriate safety standards have been incorporated into the design of the scheme. National Highways has discussed the safety standards and works required as part of the scheme design with GCC. Safety is considered throughout the schemes development and the entirety of the scheme is formally assessed at 4 different stages, each stage has a road safety audit undertaken by an independent organisation audit team not associated with the design of the scheme. The objective of the road safety audit process is to provide an effective, independent review</p>

			<p>of the road safety implications of engineering interventions for all road users. This process is detailed in document GG119 of the DMRB. The Stage 1 audit was undertaken in October 2019 and a supplementary Stage 1 audit in June 2020.</p> <p>The scheme has been designed using the design standards detailed in the DMRB. Specifically “DMRB CD 143 - Designing for walking, cycling and horse-riding” has been used to design WCH provision. To enable equestrian, walkers and cyclists to cross the B4070 link road safely an uncontrolled crossing is proposed approximately midway along the B4070 Barrow Wake Road.</p> <p>National Highways continues to engage with Mr Mendel on this matter.</p>
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Appendix C Position Statement with Flyup Ltd (Mr and Mrs Ruskin)

Landowner Position Statement – FlyUp Limited

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners) directly impacted by the A417 Missing Link project. These have been prepared in collaboration with the District Valuer Services (DVS National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement regarding Flyup Limited as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by Flyup Limited during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to this land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.

Table 1 Record of Key Landowner Engagement

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
11/09/2019	Meeting	<p>Angela and Simon Ruskin (FlyUp) commented that they would object to the proposed Public Rights of Way following the south of the carriageway between the Green Bridge and FlyUp 417. It is not currently and horse riding or cycling route and they expressed concern that it goes against two of their operational requirements being insurance and security.</p> <p>FlyUp explained that during their planning application for the bike tracks they faced significant opposition from the ramblers and British Horse Society in relation to the use of the site for mountain biking. There is a bridle way to the north of the site which runs through the staging area at the top of the hill and increasing horse riding use may bring mountain bike users into conflict horse riders. It was stated that these points would be raised with the team working on the Walking Cycling and Horse-riding consultation groups.</p> <p>The current area used for a car park was shown on the scheme consultation boards as being used for tree planting. FlyUp stated that any loss of parking was a concern and that they would not want to lose parking spaces</p> <p>A summary of the main concerns raised by FlyUp at the meeting were:</p> <ul style="list-style-type: none"> • Loss of car parking spaces. • Disruption to downhill tracks. • Loss of the dirt jump field. • Crushed stone access track. • No additional Public Rights of Way (PRoW) through their site. • Insurance and security concerns regarding PRoW's proposed. • Concerns about the noise impact created by the scheme. Appropriate noise mitigation requested. • Concerns about FlyUp's buildings being isolated because of the scheme. <p>To address the concerns raised by FlyUp, it was agreed that the project team will:</p> <ul style="list-style-type: none"> • Review the area of land take required. • Explore PRoW options. • Assess options for reformatting of the site.

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
27/09/2019	Landowner Consultation Invitation - Letter	Meeting arranged with FlyUp for the 09 October 2019.
09/10/2019	Meeting	<p>The following actions were identified at the meeting with FlyUp:</p> <ul style="list-style-type: none"> • Project team to review moving the footpath to avoid hedge clearance. • Alternative location for the septic tank and car park to be considered. • Update track information to include 'dirt-jump' tracks identified by FlyUp at the bottom of the hill. • Agreement to be reached for the surplus Cotswold Brash material. • Noise levels are to be calculated and the relevant mitigation identified.
05/02/2020	Meeting	<p>It was explained that FlyUp's land is required for the following elements of the scheme:</p> <ul style="list-style-type: none"> • Permanent land take is required for essential mitigation and construction. It was explained that mitigation land is pink due to the commitment to retain as planting. • Temporary land take is required for construction access. • Temporary land take with permanent rights are required for the realignment of the stream, maintenance of drainage installations and highway maintenance for the scheme mainline. • It is envisaged that temporary ownership will be for 12 months from the start of construction. <p>FlyUp raised concerns about their car parking being located with the temporary and permanent land take for the scheme. Jonathan Perks (Land Agent – Fisher German) stated the car park is the main limiting factor of the business growth, as the business can only accommodate those that drive and park at site. FlyUp stated that they don't feel that their business needs are being met.</p> <p>FlyUp questioned the number of car parking spaces counted in their car park.</p> <p>FlyUp raised concerns about relocating their car park closer to Alexander and Angell's land interest as the car park, office, café and shop need to be in close proximity to one another.</p> <p>FlyUp stated the dirt jump is critical to their business and can't be lost.</p> <p>FlyUp's preference would be to move the car park closer to the current area of scrub installed as mitigation/screening previously installed for the Brockworth Bypass.</p>

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
		<p>The scheme landscape specialist explained that the purpose of the scrub is to screen the view of the Brockworth Bypass scheme from the Cotswold Way.</p> <p>FlyUp raised concerns about how the closure of their track the 'Dubby Skipper' and the 'dirt jump field' would result in a significant loss in earnings. National Highways agreed to minimise the level of impact on this track.</p> <p>FlyUp stated that any temporary ownership of their pickup point would extinguish their business.</p> <p>FlyUp stated that the access track used for their business would be impacted because of the proposed temporary and permanent land take for the scheme. FlyUp stated that they would feel landlocked. Due to these issues they are not comfortable with the currently proposed land take in this area.</p> <p>FlyUp raised concerns about the noise and air quality impacts created by the scheme in respect of their residential property.</p> <p>At the landowner meeting, it was agreed that the project team will:</p> <ul style="list-style-type: none"> • Review land impact and required for the scheme. • Prepare a draft Position Statement. • Explore further options to accommodate the needs of the business. • Review the planting, car parking, office and shop proposed on FlyUp's land. <p>The main concern for FlyUp was the potential impact the scheme will have on their business and property. This included the direct interference of construction work on their cycle tracks.</p>
21/10/2020	Meeting	<p>FlyUp raised concerns that the new access track proposed will trap their property between the new A417 and the access track. FlyUp requested that the location of the access track is reconsidered. FlyUp and Jonathan Perks agreed to provide a proposed alternative location for the access track.</p> <p>FlyUp raised concerns about the proposed location of the temporary buildings and car park. FlyUp and Jonathan Perks agreed to provide alternative locations for the temporary buildings and car park.</p> <p>National Highways commented that it should be assumed that the temporary buildings will be required for the worst case scenario being at least 3 years in consideration of the duration of the proposed works. FlyUp stated the temporary buildings need to be substantial enough to provide adequate facilities to the bike park for the duration of the construction works.</p>

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
		<p>FlyUp commented that the location of the temporary buildings would not work from a logistical perspective for the bike park.</p> <p>FlyUp to prepare further detail on what is required for the temporary buildings. FlyUp emphasised the importance of preserving the quality of their facilities during the construction works.</p> <p>FlyUp stated a permanent building instead of temporary would be the solution they would prefer if the mitigation car park is to remain on a permanent basis. FlyUp therefore requested that a permanent building be provided as mitigation and included within the DCO submission. FlyUp raised the point that the proposed scheme is inhibiting development of their business as uncertainty with land take required. FlyUp requested compensation for this. Hannah Basham (DVS) explained that sufficient evidence needs to be provided to justify compensation and needs to relate to actual losses incurred by the business. Hannah Basham explained to Jonathan Perks that the business should continue regardless as the DCO has yet to be submitted. FlyUp and Jonathan Perks to provide evidence of losses from not proceeding with new tracks and development of the site.</p> <p>FlyUp raised concerns relating to increased noise levels created by the scheme.</p> <p>FlyUp requested that the location of the Water Environment Survey equipment is moved away from their gateway.</p>
12/11/2020	Consultation Response Received	<p>Consultation response received from FlyUp.</p> <p>FlyUp support the current design that does not include a right of way through their land.</p> <p>FlyUp strongly oppose the greater land take and the road moving closer to their property. FlyUp strongly oppose opening existing footpaths and a new PRow to horse riders and cyclists across their land.</p> <p>FlyUp request that the proposed access track to their site is re-routed. FlyUp request further detail about the noise mitigation available.</p>
17/12/2020	Meeting	<p>Meeting to discuss the site access design and car parking at FlyUp.</p> <p>FlyUp stated that on a Saturday/Sunday there are up to 350/400 journeys on FlyUp's access track. FlyUp's existing car parking provision allows for up to 120 cars on site. Photographs to be provided showing this. FlyUp stated the scheme does not allow enough space for their future requirements.</p>

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
		<p>FlyUp request that the coppice trees along the northern boundary of their land interest are felled and the car parking can be put in their place.</p> <p>Jonathan Perks stated that the costs associated with the temporary buildings means the permanent buildings would be a better option. FlyUp requested permanent buildings rather than the temporary proposed as part of the scheme. It was explained that the provision of new permanent buildings as part of the DCO would be considered 'betterment' and can't be provided.</p> <p>FlyUp request that the access track to their house does not form part of the main access track into their site. FlyUp stated that safe segregation between construction and permanent access tracks and construction works needs to be in place.</p> <p>FlyUp request that all car parking spaces are provided in one place rather than throughout the site.</p> <p>FlyUp stated they are happy that the green route Public Right of Way that was proposed has been removed. FlyUp to share the legal confirmation of the extinguishment of the footpath through their site. This is important if an objection is received about this PRow at the DCO.</p> <p>FlyUp's track to the far right of their site will be altered slightly to move around a tree for the purposes of the construction of the scheme. FlyUp staff member confirmed this won't negatively impact the existing track.</p> <p>Updated noise assessment information to be provided to FlyUp. It was explained that noise reducing materials will be used to construct the main line of the scheme.</p> <p>It was explained that FlyUp can't claim compensation costs relating to an objection to the scheme.</p> <p>FlyUp request that their utility connections are improved because of the scheme. Meeting to be arranged with Taylor Woodrow to discuss.</p>
29/01/2021	Email Correspondence	Draft accommodation work plans issued to FlyUp for comment.
08/02/2021	Targeted Landowner Consultation	Correspondence issued to FlyUp notifying them of the beginning of the targeted landowner consultation. This included land interest plans.
19/03/2021	Meeting (Virtual)	<p>FlyUp raised concerns about the proposed location of the café/reception building location. It was explained that this is an indicative location that FlyUp could use.</p> <p>FlyUp support the revised car parking design.</p>

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
		<p>FlyUp raised concerns about users of the bike park having to travel by the slurry site on the south side of Alexander and Angell's land interest. It was explained that visual mitigation could be provided to address this issue.</p> <p>FlyUp stated they support the planting as part of the scheme but it needs to be sensible to allow for at least 2 metres between cycle tracks.</p> <p>Landscape planting proposed as part of the scheme was explained to FlyUp. FlyUp identified an overlap between a proposed hedge and bike track. The scheme landscape specialist will review and provide comment to FlyUp.</p> <p>It was explained that the access track will be designed using appropriate materials for service vehicle access.</p> <p>Comment from FlyUp was requested on the design proposed for the turning circle. FlyUp to provide comment.</p> <p>Jonathan Perks agreed to provide a quote to the DVS for temporary building structures.</p> <p>It was explained that National Highways can't pay directly for the planning application for FlyUp's new permanent building, but the business would be entitled to business compensation.</p> <p>FlyUp raised concerns about having to apply for planning permission for a building next to the car park. FlyUp requested that the building is included as part of the DCO. National Highways to prepare a response with input from the DVS on this request.</p> <p>FlyUp stated they are still waiting for a licence payment from last year. Licence payment to be issued to FlyUp.</p> <p>It was explained to FlyUp that they will need to arrange their own construction contractor to build their permanent building.</p>
29/03/21	Phone call between DVS and Jonathan Perks	Hannah Basham confirmed that a café/reception building could not be included within the DCO.
12/05/2021	Meeting (Virtual)	<p>The scheme noise specialist provided an overview of the noise levels created by the scheme both during construction and operation.</p> <p>It was explained that construction noise has been assessed as a significant effect at the residential dwelling during the daytime.</p> <p>It was explained that the residential dwelling would also be eligible for noise mitigation due to the operational noise impacts created. Noise mitigation would also include secondary glazing,</p>

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
		<p>insulation, and mechanical air handling. Detail about the noise mitigation that will be available to FlyUp will be provided.</p> <p>The secondary glazing available to FlyUp was explained. It was explained that there could also be a ventilation compensation package available which will be acoustically attenuated.</p> <p>Although FlyUp's property qualifies for noise insulation, the actual increase in noise level won't be significant (1db increase in noise is predicted). It was explained that you wouldn't normally detect a noise level change of 1db (3 db is normally when you'd notice a change).</p> <p>FlyUp asked if National Highways leave after the scheme is built and the noise is louder than expected what will happen. Assurances were provided that everything so far has been based on projections and stated that traffic assessments completed have looked at volume, type of traffic etc. If FlyUp raised concerns about noise created when the scheme is in operation, appropriate assessments would be completed to verify their claims. National Highways would review any noise concerns raised by FlyUp and act appropriately. National Highways would look to see why there is a noise change that was not projected in the pre-construction assessments.</p> <p>The noise assessments consider worst case scenarios and it is hoped that noise levels created will be lower than what is expected. The noise assessments are done from standardised methodologies.</p> <p>FlyUp stated that the green line around the proposed car park is to be removed. It was explained that the removal of the green line was intended but had not yet been done as the comments on the access road and layout from FlyUp were yet to be received.</p> <p>Jonathan Perks requested further detail about meetings recorded in the Position Statement. This included detail discussed at meetings in September 2019, October 2020 and March 2021.</p> <p>Jonathan Perks requested that the permanent building is included as part of the DCO. Jonathan Perks stated that without the building being included in the DCO, FlyUp will object to the scheme. FlyUp stated their business won't be viable without the building being permanent and next to the car park.</p> <p>It was explained that the compensation constraints National Highways are working within means that they can only provide a temporary building. Compensation for business disruption will be available.</p> <p>FlyUp stated a temporary building will need to achieve their wide range of needs. Jonathan Perks stated the important issue is that FlyUp are looking to secure the ability to operate in the future. Jonathan Perks has requested a meeting with the DVS.</p>

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
		<p>Jonathan Perks stated the crux of previous conversations has been about the permanent building provision.</p> <p>It was explained that Arup have produced a design for new car parking which includes space for a permanent reception building. This design means FlyUp have the existing and new car and space for a permanent building.</p> <p>FlyUp stated the business won't work with the car parking proposed without a permanent building in place.</p> <p>It was explained that the construction phase will be approximately 3 years and if there's an opportunity to bring back the existing car park then it'll be reviewed.</p> <p>Jonathan Perks requested confirmation about the temporary buildings to be provided. DVS to provide written confirmation about temporary building cost provision.</p> <p>DVS agreed to look at the costs for the proposed temporary building structures. This money could then be provided to FlyUp for a permanent building. FlyUp stated they will not be applying for planning permission for the permanent building.</p> <p>Jonathan Perks stated there is a disagreement about what has previously been said.</p> <p>FlyUp stated that they thought they have been clear that if the original site is not returned to its original form then it's not a workable solution for going forward.</p> <p>Jonathan Perks stated that the cost of providing temporary buildings may meet or exceed the cost of permanent buildings.</p> <p>Jonathan Perks stated that he realises National Highways guidelines for betterment could create issues but does not believe this is a concern here.</p> <p>Jonathan Perks stated that National Highways stance that the provision of new buildings would be considered betterment is not correct. Jonathan Perks stated that the buildings being supplied by National Highways as part of the DCO or paid for as a compensable item under a claim would have the same impact as betterment. Such elements of the claim can be dealt with as part of the negotiations and Jonathan Perks see's little argument for the legal issues of betterment not being used to provide mitigation as part of the DCO.</p> <p>Jonathan Perks stated the driver for this should be for the business case and the fact that the costs incurred could be greater in the long run for the permanent building rather than the temporary.</p> <p>FlyUp to object to the scheme if this is not resolved.</p>

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
		<p>Reference to two case studies for HS2 in relation to the provision of mitigation buildings being provided. Jonathan Perks to provide information on the two examples.</p> <p>DVS explained an appropriate financial mechanism needs to be identified. Jonathan Perks disagreed and said the big issue is planning.</p> <p>Jonathan Perks raised concerns about construction programmes for the scheme and permanent building aligning.</p> <p>The DVS explained the discretionary advanced payment would be paid in advance to help avoid programme conflicts. The intention of the new access track is to maintain access to the business from the start of construction of the scheme.</p> <p>DVS stated that discretionary payments are not associated with land acquisition. It was explained that FlyUp might end up with money for business losses that can be put towards buildings.</p> <p>FlyUp raised concerns about planning permission for the permanent building being refused by the local planning authority. It was explained that this is unlikely considering the nature of the proposed development but FlyUp would need to discuss this with their appointed planning agent and seek pre application advice from the Local Planning Authority. In terms of time scales a planning application if submitted soon would be quicker than including the provision of a permanent new building in the DCO.</p> <p>Detail to be provided about why the permanent building can't be provided as part of the DCO.</p> <p>FlyUp request that meetings are recorded in the future. Future meeting to be arranged.</p>
23/07/21	Email correspondence	Explanation of why a permanent building cannot be provided. Position the professional fees that would be paid to enable a planning application for a new café/reception/shop building.
30/07/21	Email correspondence	Agent responds that if no permanent building is to be provided as part of the DCO and that the access track will need to be reinstated in front the house once use of the car parking and temporary building ceases. Questions need for areas of land to be acquired on a permanent basis.
6/08/21	Email correspondence	Email response from the A417 Project Director stating position on why a permanent building cannot be provided and explaining support for any planning application the business would wish to make.

Date	Form of correspondence	Key Topics and Key Outcomes Discussed
6/08/21	Email correspondence	Agents response that if the car parking is to be permanent though the building temporary then it needs to be sufficiently substantial construction to be secure for a bike shop. If there is only going to be a temporary building provided then the access track will have to revert to the front of the house once construction activity is complete.
23/08/21	Email correspondence	Further email response from the A417 Project Director stating position on why a permanent building cannot be provided. Explanation of why a permanent building cannot be included within the DCO. The use of public funds and explanation of value for money was also provided. It was stated that a planning application for a permanent building would be assisted and that if any discussions where required with potential consultees this would also be supported. It was acknowledged that the planning process for the bike park itself has been challenging though it was felt that Mr and Mrs Ruskin would be better placed to “own” the design process.
08/12/21	Meeting	Meeting held to discuss access track and car parking provision during the construction phase. Discussion held also regarding permanent and temporary buildings.
12/01/22	Meeting (Virtual)	Revised car parking and access track presented for consideration. Alternation to land required for the scheme and nature of land required also presented. Access track to revert to being in front of the residential building and reduction of permanent land take affecting car parking.

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Agricultural/HGV Vehicle Access	FlyUp raised concerns about the ability of agricultural vehicles and HGV's to access their site in the future.	A new access track on the southern side of FlyUp's land interest will be provided. The new access track will be suitable for HGVs and farm vehicles. Passing places have been included in the design and combine harvester access will be provided to the land south and west of FlyUp.
2	Cotswold Brash Material	FlyUp requested that an agreement was made for the excessive Cotswold Brash Material produced by the scheme.	The demand for crushed stone at FlyUp is noted. Construction contractor to be made aware this request.
3	PRoW	FlyUp are concerned that the scheme could increase bridleway traffic on their land creating a safety risk to cyclists. FlyUp requested that the PRoW proposals are changed to not encourage new users of the PRoW.	Proposals issued as part of the 2020 consultation through the PRoW management plan, show a consolidation of PRoW in the west of FlyUp, with the existing bridleway stopped up and a footpath provided along the new access road to carry routes that join from the south. FlyUp have been advised that signage and guidance measures will encourage use of the detrunked A417 rather than the bridleway that goes through their land. National Highways have removed the PRoW that passes through FlyUp's land holding.
4	Pick-up Point	FlyUp stated that any temporary ownership of their pick-up point could extinguish their business.	The scheme design has considered FlyUp's comment and will not include the pick-up point as part of the proposed land take.

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
5	Access	FlyUp requested a design change to the access track to minimise potential conflict between construction traffic and customer access.	National Highways have realigned the access track to FlyUp's property and business to remove potential conflict between construction traffic/activities and the access used by FlyUp and their customers.
6	Car Parking	FlyUp raised concerns about the temporary loss of car parking during the construction phase of the scheme.	National Highways have included additional car parking along the realigned access track which mitigates the temporary loss of car parking during the construction phase of the scheme. This results in a net gain in overall in permanent car parking.
7	Eastern Bike Track	FlyUp raised concerns about the land required for the construction of the scheme to limit impact on the eastern bike tracks.	National Highways have revised the land required for the construction phase to minimise land impact on the eastern bike tracks and enable the existing bike tracks to operate during the construction phase of the scheme.
8	Children's Track and Jump Track	FlyUp raised concerns about the scheme's impact on their children's track and jump track.	National Highways revised the scheme design to avoid the loss of the children's track and jump track.
9	Site Connectivity	FlyUp requested that an effective means of access from the downhill tracks, back to the café, shop and uplift is maintained during construction.	National Highways will maintain connectivity on FlyUp's site between the relevant buildings as required.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Access Track Ownership	FlyUp requested detail about the ownership of the access track into their site.	<p>National Highways have reviewed the title deeds relating to FlyUp's land interest. No covenant or formal right of access appears to have been agreed across the existing access track that goes through the neighbouring landowner's land.</p> <p>National Highways cannot provide freehold ownership of the access track to FlyUp as it is not within their power to do so.</p> <p>However, as part of the scheme, National Highways will provide a permanent right of access across the new access track on the southern side of FlyUp and the neighbouring landowners land connecting to the public highway.</p> <p>National Highways are awaiting comment from FlyUp to closeout this issue.</p>
2	Bike Tracks	FlyUp are concerned the land take and construction work could impact their downhill run track making it unusable. The runoff area is within the area of permanent land take.	<p>FlyUp to provide comment on the revised scheme design impact on bike tracks.</p> <p>FlyUp will provide comment when the car parking provision is agreed.</p>
3	Compensation – Planned Bike Track Construction	FlyUp have lost money due to a planned track not being built. The track was not built due to scheme groundworks restricting development.	<p>National Highways have explained that sufficient evidence needs to be provided to justify compensation. It was explained that FlyUp should not have postponed construction plans due to the emerging scheme as it is yet to gain consent and therefore not implementable. Any developments secured (e.g., new planning permissions) by FlyUp during the scheme design would have been considered by the design team.</p> <p>FlyUp and Jonathan Perks to provide evidence of losses for the compensation claim.</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
4	Legal confirmation of extinguishment of PROW	FlyUp to share the legal confirmation of the extinguishment of the footpath through their site.	Awaiting FlyUp to share the legal confirmation of the extinguishment of the footpath through their site.
5	Hedge/Bike track overlap	FlyUp identified an overlap between a proposed hedge and a bike track.	National Highways to review the landscape overlap and provide update to FlyUp. National Highways will undertake this review during the detailed design stage of the scheme.
6	Turning circle	A design for the proposed turning circle was provided to FlyUp for comment.	FlyUp to provide comment when the car parking provision is agreed.
7	Network Rail Compensation Examples	Jonathan Perks stated he has examples of Network Rail projects where compensation has been provided for permanent buildings impacted by schemes.	Jonathan Perks to provide Network Rail compensation examples.
8	Scheme Phasing Plan	FlyUp requested the scheme phasing plan to plan for the permanent reception building proposed on their land.	Scheme phasing plan to be provided to FlyUp when the construction contractor has contractually appointed.
9	Permanent Building Provision	<p>FlyUp requested that permanent rather than temporary buildings (including the reception, shop, café, office) are provided as part of the DCO.</p> <p>The permanent buildings would adjoin onto their new car park. FlyUp stated that if they did not have permanent buildings with the specified facilities included then their business could no longer continue to operate.</p> <p>FlyUp stated that a temporary building with the facilities required would be more expensive than a permanent building.</p> <p>FlyUp stated they do not wish to proceed with their own planning application due to issues with the planning authority in the past.</p>	<p>National Highways are unable to provide the permanent buildings requested as part of the DCO.</p> <p>National Highways have agreed to pay the planning application fees for the permanent building should the business so wish.</p> <p>The cost of temporary buildings will be provided to Flyup Limited to contribute towards construction of a permanent building if Flyup Limited obtains planning permission for a permanent Café/reception/shop building. Such permission would need to be obtained prior to work commencing on any temporary buildings.</p> <p>National Highways continues to engage with FlyUp on this matter and the provision of a temporary building.</p> <p>No details on the type and specification has been provided to date.</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
		<p>FlyUp stated the works as currently proposed will have a significant impact on their business and homelife, both temporarily and permanently.</p> <p>FlyUp stated that the current site layout means that anyone entering the site by car has to park beyond the administrative buildings and walk past such to get to the pick up point. On returning to their car, they walk back past the café. The proposed location for the new buildings will allow cars to park near the pick up point without passing the admin and café buildings. This raises issues of income and insurance, together with poorer visitor experience leading to lack of trade.</p> <p>The suggestion of new buildings is to allow the administration building and café to be by the car park. Any such buildings need to be substantial as, amongst other concerns, the bike shop needs to be at first floor level and secured (as is currently the case).</p>	
10	Septic Tank	FlyUp requested that an alternative location for the septic tank is considered.	National Highways to review the possibility of an alternative septic tank location during the detailed design stage of the scheme.
11	Land Take	FlyUp requested detail about the temporary and permanent land take as part of the scheme.	National Highways to provide detail about the temporary and permanent land take as part of the scheme. Detail about the permanent and temporary land take is included in the Book of Reference (Document Reference 4.3, APP-026) and Statement of Reasons (Document Reference 4.1, APP-024) submitted as part of the DCO.
12	Site Operation	FlyUp raised concerns about the operation of their site throughout the construction and operation of the scheme. These concerns relate to the powers that National Highways will have on their land if the DCO is	A meeting will be arranged between FlyUp and the construction contractor when they are appointed.

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
		granted and the construction impacts the scheme will create.	
13	Car park	<p>FlyUp requested a new car park as the scheme will impact their current parking facilities.</p> <p>FlyUp stated that because of the scheme, if the car parking was, post works, returned to its original position, it seems likely that it would be of smaller size than before. FlyUp are currently at capacity on car parking and would have limited room to extend such. The scheme will therefore put a permanent constraint on their visitor numbers</p>	<p>Approximately 90 car parking spaces will be provided temporarily during the construction phase, to the west of the site in proximity to the current pick up point for the uplift. The numbers of car parking spaces is based on our estimated capacity of the existing car parking area as the existing car parking is not formalised.</p> <p>Once construction has been completed the current car park would be returned in full.</p> <p>Sketch plans have been provided for consideration and discussion.</p>
14	Access Track	<p>FlyUp raised concerns about the new access track proposed into their site. The current access design means that the residential property on FlyUp's site will be located between the scheme and the access track. FlyUp feel that this could have a negative impact upon their enjoyment of the existing property.</p>	<p>National Highways revised the access track into FlyUp's land.</p> <p>National Highways developed the new access to the property and business in collaboration with FlyUp to limit potential construction impacts conflicting with vehicles and other works.</p> <p>Following further discussions, the access track will revert to close to its current position in front of the residential property if changes accepted into examination.</p>
15	Land take	<p>FlyUp raised concerns relating to the land take proposed and the impact it could have on their cycle lanes.</p> <p>FlyUp identified an area for planting which is to be permanently acquired for the scheme.</p>	<p>The area of concern identified by FlyUp would be reduced through any design change and excluded from the land take for the scheme.</p> <p>National Highways continue to engage with FlyUp in regard to the planting proposed for the scheme which focusses on the area around the temporary car parking.</p> <p>Areas required for woodland planting mitigation can have the freehold retained by FlyUp if a S.253</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
			agreement can be reached and discussions in relation to this are ongoing.
16	Compensation – Business Impact	<p>FlyUp raised concerns about the scheme’s permanent and temporary acquisition of their land interfering with existing bike tracks.</p> <p>FlyUp stated that meaningful engagement is yet to occur regarding land take and the impact on the business.</p> <p>FlyUp raised concerns about the scheme resulting in the temporary and potentially permanent closure of their business.</p>	<p>National Highways continues to engage with landowners directly affected by the scheme using clear statutory procedures, to understand the effects of the scheme on their land interest. Specific mitigation solutions or compensation will be agreed on a case by case basis as appropriate, in line with statutory compensation guidelines and policy including Part 1 of the Land Compensation Act 1973.</p>
17	Noise	<p>FlyUp raised concerns about the noise levels the scheme could create. FlyUp questioned the noise impact assessments completed.</p>	<p>The results of the noise assessment completed to inform the development of the scheme is set out in ES Chapter 11 Noise and Vibration (Document Reference 6.2, APP-042), which also sets out the measures included by National Highways to mitigate adverse noise effects.</p> <p>Construction noise has been assessed as a significant effect at the residential dwelling during the daytime.</p> <p>Daytime construction noise could exceed noise thresholds which means the residential dwelling at FlyUp is eligible for noise insulation. The residential dwelling would be eligible for noise insulation due to the operational noise impacts created.</p> <p>Noise mitigation would include secondary glazing.</p> <p>An air quality ventilation compensation package would also be available to FlyUp which will be acoustically attenuated.</p> <p>Although FlyUp’s property qualifies for noise insulation, the actual increase in noise level is low (1db increase in noise is expected). It was explained that you wouldn’t normally detect a noise level change of 1db (3 db</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
			<p>increase is the standard level for which you'd detect an increase).</p> <p>Means of funding and instruction of the noise mitigation works to be agreed between National Highways and FlyUp.</p>
18	Planting	Flyup Limited are concerned that woodland planting will interfere with the operation of the western bike tracks.	<p>Areas required for woodland planting mitigation can have the freehold retained by FlyUp if a S.253 agreement can be reached.</p> <p>The planting will be designed to avoid the route of the bike tracks.</p> <p>The duration and timing of planting works are to be agreed with the landowner to avoid disruption to the business</p>
19	Uplift	(Point raised in CAH) The uplift buses will not be able to operate during the construction phase	<p>The uplift buses will be able to utilise the new access track. An option to increase capacity would be the provision of an additional uplift bus to transport people visiting the site from the temporary car park to the current location of the café/reception and shop buildings. Introducing increased uplift bus capacity could negate the need for a temporary building.</p> <p>The existing access track is open to the public highway and there is no solid barrier preventing cyclists from entering the site and the tracks without paying. The construction phase of the scheme does not alter this situation.</p>

Appendix D Position Statement with Mrs Besterman

Landowner Position Statement – Besterman

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners) directly impacted by the A417 Missing Link project. These have been prepared in collaboration with the District Valuer Services (DVS), National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement with Mrs Besterman as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by Mrs Besterman and/or her agent during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to this land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.
- 1.1.5 This Position Statement has been updated in December 2021 in order to ensure matters raised in the Relevant Representation, submitted to the Examination are considered and responded to.

Table 1 Record of Key Landowner Engagement

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
30/7/2019	Meeting	<p>Meeting with Mrs Besterman and Mr Boucher (Farm Manager). The following issues and outcomes were discussed and agreed at the meeting:</p> <ul style="list-style-type: none"> • The overbridges at Stockwell Farm will be wide enough for farm machinery; • Tree retention • Cowley lane and the main scheme alignment; • Lighting; • Noise concerns; • Public Rights of Way (PRoW); and • Accommodation works to be provided.
27/9/2019	Land Interest Consultation Invitation Letter	Consultation invitation issued to Mrs Besterman.
08/11/2019	Consultation Response	<p>Statutory consultation response received from Mrs Besterman objecting to the scheme. Mrs Besterman objects to the scheme due to issues identified relating to the following:</p> <ul style="list-style-type: none"> • The principle of the development; • AONB; • Loss of Amenity; • Volume of Traffic; • Construction Impacts; • Ecological Concerns; and • Insufficient supporting information.
13/01/2020	Land Interest Consultation Invitation Letter	Meeting arranged with Mrs Besterman and Tim Broomhead (Land Agent).
27/01/2020	Meeting	<p>Meeting with Mrs Besterman and Tim Broomhead (Land Agent). The following issues and outcomes were discussed and agreed at the meeting:</p> <ul style="list-style-type: none"> • Land take to be reduced to minimise impact on lambing;

		<ul style="list-style-type: none"> • Compensation for land agent fees was explained; • Further survey work; • Potential conflict between works and water supply; and • Ecological survey findings and proposed mitigation.
24/08/2020	Meeting	<p>Meeting with Mrs Besterman and Tim Broomhead. The following issues relating to the archaeological works were discussed at the meeting:</p> <ul style="list-style-type: none"> • Access; • Compensation; • Phasing; and • Timescales.
13/10/2020	Statutory Consultation Notification	Correspondence issued to Mrs Besterman notifying her of the beginning of the public consultation.
05/11/2020	Meeting (Virtual)	<p>Meeting with Mrs Besterman and Tim Broomhead as part of the statutory consultation for the scheme. A summary of the key actions from the meeting were:</p> <ul style="list-style-type: none"> • Traffic impacts through Stockwell Farm as a result of the proposed works along Cowley Lane. • Reasoning for the footpath going past the quarry. • Further detail required for the car parking proposed on the Birdlip junction/old Birdlip Road. • Transport modelling data and methodology to be provided for the relevant areas discussed. • Tree planting proposed and the arboriculture report to be issued to Mrs Besterman and Tim Broomhead. A plan showing the trees to be removed by the scheme on Mrs Besterman's land to be provided. • A cross section of the overbridge at Stockwell Farm to be provided.
16/12/2020	Meeting	Meeting with Mrs Besterman to discuss updates from the meeting on the 5 th November. Updates were provided and it was agreed that the Arup project team would provide further detail on the issues discussed before the end of the year.

		Michael Downes and Tim Broomhead completed a site walkover of Mrs Besterman's land inspecting and photographing the archaeological trenching remediation work completed.
30/12/2020	Correspondence	Email correspondence received from Mrs Besterman providing photographs of the weather conditions at Stockwell Farm in the winter months. Appropriate response to be prepared and issued to Mrs Besterman.
11/01/2021	Email Correspondence	Email issued to Mrs Besterman explaining the considerations and mitigation in place to ensure the roads around and through Stockwell Farm are safe in the winter months.
28/01/2021	Email Correspondence	Draft accommodation works plans issued to Mrs Besterman for comment.
08/02/2021	Targeted Landowner Consultation	Correspondence issued to Mrs Besterman notifying her of the beginning of the targeted landowner consultation.
02/03/2021	Targeted Landowner Consultation Response	Targeted landowner consultation response received from Mrs Besterman.
21/04/2021	Email Correspondence	A response to Mrs Besterman's Consultation Response was issued to Mrs Besterman for review.
28/04/2021	Email Correspondence	Draft Position Statement issued to Mrs Besterman for review.
10/05/2021	Email Correspondence	Tim Broomhead issued a letter with regard to the draft Position Statement issued on the 28 th April.
13/05/2021	Landowner Meeting	<p>Meeting with Mrs Besterman to discuss the issues raised in the consultation response received in February 2021 and provide a wider scheme update.</p> <p>Agreed actions at the meeting included:</p> <ul style="list-style-type: none"> • The archaeological report and/or information relevant to the ground investigation that took place on Mrs Besterman's land to be provided. • Cross sectional plans to be issued to Mrs Besterman showing the scheme from her main dwelling. • The height of Stockwell Bridge is to be provided to Mrs Besterman. • Environmental Masterplan to be shared with Mrs Besterman in regard to her land interest.

		<ul style="list-style-type: none"> The methodology for the safety assessments completed to provide a case for the scheme <p>It was explained that when the DCO is submitted, the documents will be made publicly available on the Planning Inspectorate website.</p> <p>Discussions began about each of the points raised in Mrs Besterman's consultation February 2021 response. At the meeting, it was realised that Mrs Besterman and Tim Broomhead had not seen the email from Michael Downes on the 21st April 2021 which contained a written response to Mrs Besterman's issues. It was agreed that Tim Broomhead would review National Highways consultation response and provide comments. It was agreed that discussions about the consultation response would be progressed when Tim Broomhead provides comments to National Highways response.</p> <p>Tim Broomhead requested that land acquisition and compensation discussions are advanced. Hannah Basham stated Tim Broomhead would need to apply for discretionary purchase. Tim Broomhead explained that a hybrid approach of acquisition would be Mrs Besterman's preference.</p> <p>Tim Broomhead and Hannah Basham to arrange a separate meeting to discuss a means of acquisition Tim Broomhead to provide this meeting request and agenda to Mrs Besterman in writing.</p>
06/08/2021	Email Correspondence	Email correspondence issued to Mrs Besterman requesting access to undertake ecological surveys. Mrs Besterman agreed to the ecological surveys in an email on the 6 th August 2021.
05/10/2021	Correspondence	Tim Broomhead prepared and issued a draft set of Heads of Terms (HOTs) as per land acquisition discussions between him and Hannah Basham (DVS). National Highways to provide comments on the draft HOTs.

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matters Comment	National Highways Position Response
1	Land take	Mrs Besterman raised concerns that the land take proposed included the removal of fields that are currently used for lambing.	Land take proposed was revised to ensure sections of the land used for lambing were maintained. The right to maintain a field drain adjacent to the detrunked A417 was also revised.
2	Ecology	Ecology information requested by Mrs Besterman.	The ecology detail requested was provided to Mrs Besterman. Further details about ecological assessments completed for the scheme can be found in ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039).
3	PRoW	Mrs Besterman raised concerns about the PRoW proposed next to the quarry. Mrs Besterman was concerned that the footpath could create a maintenance burden on her.	The PRoW identified by Mrs Besterman is an existing footpath. It is being re-designated from a footpath to a bridleway to improve connectivity for a wider range of users.
4	Vehicle Parking	Mrs Besterman raised concerns about the vehicle parking along the existing A417. It was proposed to provide disabled parking bays and horse box spaces on the detrunked section immediately west of the turning for Stockwell Lane. Mrs Besterman requested that the parking proposed is moved to Barrow Wake.	Vehicle parking has been moved next to the Golden Heart Inn.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Land Impact	Mrs Besterman raised concerns about the amount of land take proposed. Specific concerns were identified for the land next to Barrow Wake and the field drain opposite the Birdlip Junction.	<p>Land take and the acquisition of permanent rights is only proposed where necessary.</p> <p>It was explained to Mrs Besterman that the land take is required for the connection of the PRow routes from Shab Hill Junction to the repurposed A417 and the wider area.</p> <p>National Highways are awaiting confirmation from Mrs Besterman that her concerns about the land impact at Barrow Wake and the field drain opposite Birdlip Junction are addressed.</p>
2	Rat Running	Mrs Besterman raised concerns that 'rat running' could be created by the scheme. Mrs Besterman was concerned that road users travelling to Cowley could now bypass Stockwell Farm. This could create higher volumes of traffic flow by her property.	<p>By improving congestion and reliability, the scheme aims to reduce rat running through neighbouring communities and make it easier for drivers, walkers and other local road users to get around. National Highways has carried out traffic modelling throughout the development of the scheme to inform its design and to understand its likely effects on traffic.</p> <p>Traffic assessments completed do not suggest rat running will occur along the road at Stockwell Farm.</p> <p>The methodology and results of the traffic modelling is reported in the Transport Report (Document Reference 7.10, APP-426).</p>
3	Stockwell Farm Overbridge	Mrs Besterman asked for confirmation that the overbridge proposed at Stockwell Farm is of a sufficient size and load bearing capacity to support modern farming machinery.	<p>The Stockwell Farm overbridge will be of a size and scale to support farming machinery.</p> <p>A cross section plan was issued to Mrs Besterman for review.</p> <p>National Highways are awaiting confirmation from Mrs Besterman that her concerns about the Stockwell Farm Overbridge are addressed.</p>
4	Accommodation Works	Accommodation works to be provided as part of the scheme are to be agreed.	Accommodation works will be developed and agreed as the scheme progresses. Comments have been received from Mrs Besterman on draft accommodation works plans.

5	Land Acquisition	Land acquisition discussions to begin.	Land acquisition discussions will be progressed by the DVS. Land acquisition discussions have advanced with Mrs Besterman. Tim Broomhead submitted draft HOTs to National Highways on the 5 th October 2021. National Highways are currently reviewing the draft HOTs received.
6	Weather Concerns	Mrs Besterman raised concerns about the visibility for drivers using the part of the scheme to be constructed on her land.	<p>National Highways recognises the concerns relating to operation during inclement weather conditions. The Cotswolds AONB is recognised as having an extensive area of naturally occurring dark night skies and it is therefore not proposed to light the scheme. The maintenance strategy for the scheme provides details of how the route would be maintained to mitigate weather risks. It is proposed to provide reflective road studs to ensure lanes are visible during the hours of darkness. It is not currently proposed to heat the road surface, however technologies which improve road safety are always considered during scheme development.</p> <p>The organisation responsible for maintaining the road and managing the road during periods of severe weather are required to produce a severe weather plan each year. However, it is recognised that due to the particular high-risk nature of elements along the scheme, a co-ordinated multi-agency response is required to ensure public safety and prevent motorists becoming stranded in their vehicles. This multi-agency response is detailed in National Highways A417 Vulnerable Location Plan Version 2.6 in ES Appendix 2.1 EMP Annex B Construction Traffic Management Plan (CTMP) (Document Reference 6.4, APP-323).</p>
7	Targeted Landowner Consultation Response – February 2021	Targeted landowner consultation response received from Mrs Besterman raising several concerns in relation to the scheme.	<p>National Highways issued a response to Mrs Besterman's consultation response in email correspondence sent on the 21st April 2021.</p> <p>National Highways are awaiting a response from Tim Broomhead and Mrs Besterman as agreed at the landowner meeting on the 13th May 2021.</p>

8	Route Selection	<p>Mrs Besterman stated that the preferred route (Option 30) has insufficient justification from a cost and environmental perspective. It is considered that the previous route put forward as a solution (Option 12) along the existing A417 is less damaging than the proposed route.</p>	<p>Taking into account feedback received in response to the 2018 public consultation, Option 30 was selected, and a Preferred Route Announcement was made in 2019. Please refer to section 3.3 of the Consultation Report (Document Reference 5.1, APP-027) for further information.</p> <p>The Case for the Scheme (Document reference 7.1, APP-417) submitted with the DCO application sets out how the benefits of the scheme are balanced against its adverse impacts, and how the scheme complies with the National Planning Statement for National Networks.</p>
9	AONB Impact	<p>Mrs Besterman raised concerns about the impact the scheme will have on the AONB and the wider environment. Mrs Besterman stated that Option 12 would have less of an environmental impact.</p>	<p>National Highways recognises the significance and sensitivity of the landscape. National Highways has taken a 'landscape-led' approach to the design of the A417 Missing Link scheme, in which the Cotswolds AONB landscape has been a primary consideration in every design decision made. This is set out and illustrated within the Design Summary Report (Document Reference 7.7, APP-423), whilst an assessment of the effect of the scheme on the landscape is set out in ES Chapter 7 Landscape and Visual Effects (Document Reference 6.2, APP-038).</p>
10	Cowley Wood Lane	<p>Mrs Besterman stated that the stopping up of Cowley Wood Lane and its replacement with a public right of way is unnecessary and detrimental to [redacted] for two reasons:</p> <ul style="list-style-type: none"> • The removal of vehicular rights on the highway will increase the traffic on the Stockwell Lane from Cowley, damaging the hamlet of Stockwell and • Public highway [redacted] is used by the farm as access north/south. The closure of the highway to traffic will be detrimental to the farming business. 	<p>Following on from the 2019 public consultation events and a review of the roads surrounding Cowley, National Highways made the decision to remove the connection between Cowley Village and Cowley junction via Cowley Woods from the scheme. The route will become a private access for local properties and for WCH, including for disabled users. Access restrictions (to Cowley village) will be finalised in the detailed design stage of the project and will be carefully considered in agreement with the local authority and relevant property owners.</p> <p>Traffic assessments completed do not suggest rat running will occur along the road at Stockwell Farm.</p> <p>The methodology and results of the traffic modelling is reported in the Transport Report (Document Reference 7.10, APP-426).</p>

			Compensation will be paid to Mrs Besterman in instances where the scheme impacts the farming business.
11	Tree Removal	Mrs Besterman raised concerns about the removal of trees on Stockwell Lane. Mrs Besterman stated that the removal of 6 trees; forming part of the avenue to the East of Stockwell, is excessive and reduces the amenity of the Stockwell hamlet. The re-routed Stockwell lane should be designed to retain as many avenue trees as possible.	<p>The alignment of Cowley lane has been designed to minimise the removal of trees on the avenue and across the scheme in general. However, some trees will be lost to accommodate the mainline A417 and the realignment of Cowley Lane via the Cowley crossing. Replacement tree planting is proposed along the new section of Cowley Lane, with a 3m wide hedgerow across Cowley crossing. Further tree and woodland planting are proposed along the mainline carriageway to help mitigate for visual effects of the scheme.</p> <p>An Arboricultural Impact Assessment has been completed for the site (ES Appendix 7.6, Document Reference 6.4, APP-353).</p>
12	Agricultural Land Impact	<p>Mrs Besterman raised concerns about the significant areas of land take at the following locations:</p> <ul style="list-style-type: none"> • A strip of land south of Hardings Barn (land ref 6/5f); • Land between footpath 22 and the road cutting (land ref 5/6d); • Land south west of the Stockwell Bridge (land ref 5/3ae and 6/5d); • Land to the north west of the Stockwell Bridge (land ref 5/3ae); • Land south east of Shab Hill Junction (land ref 4/2p); • Land south of the Shab Hill lane (land ref 3/15a). 	<p>National Highways require land reference 6/5f for essential mitigation planting in the form of woodland edge/scrub. Detail about the mitigation planting proposed can be found on the Environmental Masterplan Sheet 16 (Figure 7.11 Document Reference 6.3, APP-183).</p> <p>National Highways require clarification from Mrs Besterman about her concerns regarding land reference 5/6d as it is not located on existing Land Plans (Document Reference 2.2, APP-006).</p> <p>National Highways require land reference 3/15a, 4/2p, 5/3ae and 6/5d for the reasons stated in the Statement of Reasons (Document Reference 4.1, APP-024).</p>
13	Business Impact	Mrs Besterman raised concerns about the impact the scheme will have on her farming business in the future.	Mrs Besterman would be eligible to make a claim under Part 1 of the Compensation Act if their business is negatively impacted by the scheme. Sufficient evidence needs to be provided to justify

		Mrs Besterman stated that the agricultural land is important to her sheep enterprise and the separation of the buildings created by the scheme will have a detrimental impact on her ability to run the agricultural enterprise.	compensation. National Highways continues to engage with Mrs Besterman on this matter.
14	Alternative PRow Proposals	Mrs Besterman raised concerns about the permanent right of access sought by National Highways through the farmyard to access the Stockwell overbridge and balancing pond. Mrs Besterman stated it limits the ability to use the yards and buildings. There are alternatives for National Highways from either Nettleton Bottom or the Cowley Lane junction which should be used in preference to imposing rights in the farmyard.	The PRow on Mrs Besterman's land performs best in consideration of the assessments and consultation completed to develop the ES Appendix 2.1 EMP Annex F PRow Management Plan (Document Reference 6.4, APP-323). All proposals for WCH are detailed in ES Appendix 2.1 EMP Annex F PRow Management Plan (Document Reference 6.4, APP-323). That includes consideration of local routes used by vehicles and WCH, and in the Shab Hill to Cowley junction area diverted, reclassified and new routes are proposed to help connect severed 'green lanes' or 'unclassified roads' in this location, and joining them to safe crossings of the A417 such as the Cowley and Stockwell overbridges and beyond.
15	PRow Impact	Mrs Besterman raised concerns about the following PRow proposed: <ul style="list-style-type: none"> • The reclassification of footpath 22 to a restricted byway • The reclassification of footpath 21 to a bridleway. • The diversion of restricted byway 26, when this route could follow the new Stockwell lane. • The new link between the Shab Hill lane and the former A417 near the Barrow Wake underpass, which could be achieved on highway land without land acquisition. 	ES Appendix 2.1 EMP Annex F PRow Management Plan (Document Reference 6.4, APP-323) sets out the mitigation and enhancement for WCH and other users of rights of way/highway with public access. This includes a number of proposals to improve and increase safe connectivity, and addresses the suggestions made. The reclassification of Cowley footpath 22 to a restricted byway seeks to create continuous WCH route between Cowley overbridge and Cowley junction and beyond, as set out in ES Appendix 2.1 EMP Annex F PRow Management Plan (Document Reference 6.4, APP-323). Cowley Restricted Byway 26 would be stopped up with its total severance by the mainline of the proposed scheme, with a minor diversion of that route on a similar alignment a few meters to the east to avoid the fence line. That is set out in ES Appendix 2.1 EMP Annex F PRow Management Plans (Document Reference 6.4, APP-323) which incorporates the Public Rights of Way

			<p>Management Plan and sets out the mitigation and enhancement for WCH and other users of rights of way/highway with public access. This includes connecting restricted byway 26 to the overbridges and the proposed reclassification of footpath 21 to a bridleway as suggested.</p> <p>The new link between Shab Hill lane and the former A417 near the Barrow Wake underpass is a new restricted byway connected the re-purposed A417 with Cowley footpath 44 and realigned B4070. This is needed to provide a safe connection for WCH, given the differences in gradient and not wanting to put WCH directly through the proposed roundabout junction.</p>
16	Attenuation Basin maintenance access	The designed route goes through the farm yard at Stockwell and would be detrimental to the farm.	<p>Alternative maintenance access routes are being sought. The current telecoms mast access track would provide a possible solution to avoid using the farmyard.</p> <p>National Highways are continuing discussions with the land owner.</p>

Appendix E Position Statement with Mr Dick

Landowner Position Statement – Dick

1.1 Purpose of this Document

- 1.1.1 National Highways have prepared a series of Position Statements with landowners) directly impacted by the A417 Missing Link project. These have been prepared in collaboration with the District Valuer Services (DVS), National Highways Property and Compensation Team and National Highways Project Management Team to inform ongoing discussions about land interests.
- 1.1.2 The purpose of the Position Statement is to provide a ‘live’ document that captures the key engagement activities held with a landowner and record important matters raised, and with a National Highways response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement with Mr Dick as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by Mr Dick and/or his agents during targeted landowner and statutory consultation periods can be found in the Consultation Report (Document Reference 5.1, APP-027) and Consultation Report Appendices (Document Reference 5.2, APP-028, APP-029) submitted in support of the DCO application. Where appropriate, matters pertinent to his land raised in those submissions are captured in this document, whereas wider matters (for example any opinions expressed about the principle of development) are not captured in this document to avoid duplication.
- 1.1.5 This Position Statement was updated in December 2021 to ensure matters raised within Relevant Representations or Written Representations submitted into the Examination at the appropriate Deadlines were considered.
- 1.1.6 This Position Statement is the position as per the key matters outstanding and agreed on the 1st February 2022.

Table 1 Record of Key Engagement

Date	Form of correspondence	Key Topics Discussed and key outcomes
01/08/2019	Meeting	Borehole locations and access routes were agreed.
27/09/2019	Consultation Invitation - Letter	Meeting arranged with Mr Dick for the 10 October 2019.
10/10/2019	Meeting	<p>The following issues were discussed at the meeting with Mr Dick:</p> <ul style="list-style-type: none"> • Old Pats Rugby club using Mr Dick's land as a training facility. • Soil waste created by the scheme being used at Cotswold Hills Golf Club for enhancement purposes. • Land agent fees. • Proposed tree planting for the purposes of landscape mitigation.
13/01/2020	Land Interest Consultation Invitation - Letter	Meeting arranged with Mr Dick for the 20 March 2020.
20/03/2020	Meeting (Virtual)	<p>Mr Dick's main concerns at the meeting related to:</p> <ul style="list-style-type: none"> • Land acquisition. • Compulsory acquisition. • Survey work and licences required. • Project timeline.
13/10/2020	Statutory Consultation Notification	Correspondence was issued to Mr Dick to notify him of the beginning of statutory consultation.
14/10/2020	Consultation Response	<p>Mr Dick submitted a consultation response in relation to the scheme. The following questions were asked in the consultation response provided:</p> <ol style="list-style-type: none"> 1. Has the A436 access road been moved slightly west nearer the junction to Birdlip? 2. Is a footbridge proposed crossing the A436 and A417 just north of the major Birdlip village A417/intersection? 3. Does the bridge that forms part of the Cotswold Way pass over Mr Dick's land? 4. Is a construction compound proposed to the north of Mr Dick's land? 5. Mr Dick requested a face to face meeting.

Date	Form of correspondence	Key Topics Discussed and key outcomes
		6. Mr Dick requested clarification about land take proposed for the scheme.
03/11/2020	Meeting (Virtual)	<p>Mr Dick requested clarification about the drainage infrastructure proposed for McCarthy Taylor Systems. It was explained that the drainage infrastructure and design is still being developed for the scheme. Detail will be provided to Mr Dick when available for review.</p> <p>Mr Dick raised concerns about the impact on his land proposed as part of the scheme. Land take proposed is currently being reviewed by the scheme solutions team.</p> <p>Land acquisition and compensation discussions to be led by the DVS.</p>
29/01/2021	Email Correspondence	Draft accommodation works plans issued to Mr Dick for comment.
08/02/2021	Targeted Landowner Consultation	Correspondence issued to Mr Dick notifying him of the beginning of the targeted landowner consultation.
17/02/2021	Meeting (Virtual)	<p>Meeting with Mr Dick as part of the targeted landowner consultation.</p> <p>National Highways explained to Mr Dick that his land is required permanently for the purposes of ecological mitigation. The ecological mitigation will consist of species rich calcareous grassland.</p> <p>The temporary land take identified is required to mitigate a pinch point adjacent to the Birdlip Radio Station. The works proposed consist of the construction of a slip road, land bunds and a drainage channel. National Highways are unable to amend the red line boundary to remove the temporary land impact on Mr Dick's land. Land is also required to gain access for the scheme construction and the drainage basin located near Mr Dick's land. The temporary land take required will also allow for working room to construct the ditch.</p> <p>The actions recorded at the meeting were:</p> <ul style="list-style-type: none"> • Review of temporary land take proposed. • Draft or example environmental management plan to be issued to Mr Dick for review. • National Highways to provide further detail about the proposed S253 to Mr Dick. • National Highways to provide further information about the scheme construction phasing and proposed works to Mr Dick.
15/09/2021	Email Correspondence	Follow up of issue of position statement and request for comment land management requirements for S253.

Date	Form of correspondence	Key Topics Discussed and key outcomes
17/09/2021	Email Correspondence	Email correspondence from Mark Warnett (Land Agent – Carter Jonas) requesting the following: <ul style="list-style-type: none"> • Position Statement to be resent; • Detail about the ecological management agreement; and • Detail about the planned surveys in 2022.
23/09/2021	Email Correspondence	Position Statement provided to Mark Warnett and Mr Dick. Email correspondence provided detail about the ecological management. A draft investigation licence was provided for review and signature. This was issued to allow National Highways to undertake the required ground investigation and ecological surveys for the scheme.
06/10/2021	Telephone Call	Telephone call to Mr Dick to provide detail about the draft examination timetable. Mr Dick stated that he would contact Mark Warnett to provide feedback to National Highways on the ecological mitigation and compensation.
12/10/2021	Telephone Call	Telephone call with Mr Dick. Mr Dick stated that he would contact Mark Warnett to provide feedback to National Highways on the ecological mitigation and compensation.
25/10/2021	Email Correspondence	Response from Mark Warnett that more detailed information is required to enter a S.253 agreement and that sufficient justification for the permanent land take had not been provided.
16/12/2021	Email Correspondence	Updated site investigation work licence provided to Mark Warnett for review and signature.
22/12/2021	Email Correspondence	Request to Mark Warnett that the site investigation licence is reviewed and signed.
22/12/2021	Email Correspondence	Mark Warnett confirmed receipt of updated licence and stated will check and provide comments the first week in January 2022.
17/01/2022	Email Correspondence	Request to Mark Warnett that the site investigation licence is reviewed and signed.
19/01/2022	Email Correspondence	Comments provided by Mark Warnett on behalf of Mr Dick in regard to the site investigation licence.

Date	Form of correspondence	Key Topics Discussed and key outcomes
19/01/2022	Email Correspondence	<p>Comments provided by Mark Warnett raising concerns in regard to the Position Statement. Mark Warnett requested that a Statement of Common Ground is produced in regard to Alan Dick's land interest rather than a Position Statement.</p> <p>Concerns raised in regard to the management requirements on Alan Dick's land in the absence of a management plan.</p> <p>Draft S253 agreement requested.</p>
01/02/2022	Email Correspondence	Updated licence issued to Mark Warnett and Alan Dick for review and comment.

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner Matters Comment	National Highways Position
1	A436 Access Road	Mr Dick questioned whether the A436 access road has been moved slightly west near the junction to Birdlip.	National Highways can confirm that the A436 has been moved west to reduce the space between the A417 and the A436.
2	Public Right of Way (PRoW)	Mr Dick asked if a footbridge is proposed across the A436 and A417 just north of the major Birdlip village A417/intersection.	National Highways can confirm that the Gloucestershire Way crossing has been included in the design to the north of the Shab Hill Junction. The crossing is proposed to provide essential ecology mitigation as well as walking, cycling and horse-riding link which would carry the Gloucestershire Way.
3	Construction compound	Mr Dick raised concerns about a believed construction compound to be located to the north of his land.	National Highways can confirm that the current design does include proposals for a construction compound to the north of Mr Dick's land.
4	Scheme red-line boundary	Mr Dick raised concerns about the small triangles of land that will not be taken by the scheme that could become "dead space" due to the scheme red-line boundary.	The scheme red-line boundary has been revised to include the small areas adjacent to the transmission mast identified by Mr Dick.
5	Ecology	Mr Dick requested the ecology survey report as agreed in exchange for access.	ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) can be found on the planning inspectorate website ES Chapter 8 provides detail about all the ecological surveys and assessments completed for the scheme.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner Matters Comment	National Highways Position
1	Principle of the scheme	Mr Dick objects to the principle of the scheme on need and environmental grounds.	<p>The objection to the principle of the scheme is noted. Please refer to the Case for the Scheme (Document Reference 7, APP-417) which sets out the environmental, economic and transport need for the scheme. The Scheme does not conflict with the UK's International commitments and domestic policy on climate change.</p> <p>National Highways continues to engage with Mr Dick on this matter.</p>
2	Temporary Land Impact	Mr Dick questioned the need for the temporary land impact to plot reference 1143/2	<p>National Highways are unable to remove the temporary land impact on Mr Dick's land.</p> <p>The temporary land take is a pinch point adjacent to the Birdlip Radio Station and the area is required to build the slip road, landform and a drainage channel.</p> <p>The land is required to gain access for the scheme construction and the drainage basin located near Mr Dick's land. The temporary land take will also allow for working room to construct the ditch. This has been identified following an assessment of likely working space required for the construction work.</p> <p>The temporary land take proposed will be given back to Mr Dick when the relevant scheme construction works are complete. A detailed programme of construction work on Mr Dick's land will be developed by the scheme construction contractor during the detailed design stage of the scheme.</p> <p>If Mr Dick requires access to the area of land impacted temporarily during the scheme construction, the contractor will be able to fence off and limit activities in</p>

Issue No.	Sub-section/ Discipline	Landowner Matters Comment	National Highways Position
			<p>the entirety of the area identified for an agreed period of time.</p> <p>National Highways will have an appointed liaison officer throughout the construction of the scheme who will be able to coordinate with the construction contractor on Mr Dick's behalf.</p> <p>The land identified will be given back to Mr Dick after the scheme has been constructed and he will receive the relevant compensation for the temporary impacts created because of the scheme.</p> <p>National Highways continues to engage with Mr Dick on this matter. National Highways await confirmation from Mr Dick that this matter has now been agreed.</p>
3	Permanent Land Impact	Mr Dick requested that the land impact for the two large fields north and south of the Birdlip link road (plot reference 1143/2) is changed to from permanent to temporary.	<p>National Highways have reviewed the land impact concerns. The two large fields are required permanently for the purposes of essential ecological mitigation. The two fields are required for species rich calcareous grassland creation.</p> <p>A Section 253 agreement (Highways Act 1980) has been identified as a possible option for Mr Dick to retain ownership of his land with certain agreements in place regarding its use. Further detail about the possible Section 253 Agreement can be found below.</p>
4	S253 Agreement	<p>Mr Dick has offered to enter into a management agreement with National Highways as an alternative to compulsory acquisition. Mr Dick states that no alternative agreement has been offered by National Highways.</p> <p>Mr Dick objects to the fact that site specific ecological mitigation management plans will not be developed until the detailed design stage of the scheme.</p>	<p>Mr Dick's land is required for essential ecological mitigation.</p> <p>National Highways are unable to provide the landowner with a site-specific management plan for a S.253 agreement at this stage of the DCO application due to further design and assessment being required.</p> <p>Site specific ecological mitigation management plans will be developed at the detailed design stage of the</p>

Issue No.	Sub-section/ Discipline	Landowner Matters Comment	National Highways Position
		<p>Mr Dick is already exploring ecological management proposals and states that alternative land should be acquired for the purposes of ecological mitigation for the scheme.</p>	<p>scheme. An indication of likely requirements has been provided below.</p> <p>The fields surrounding Mr Dick's land around the Shab Hill junction will be enhanced from their current state to a more species rich neutral grassland following the scheme works. Methods to achieve this may include harrowing and spreading of green hay from local meadows but this is yet to be determined and the exact nature of the works and the impact on the fields will determine this.</p> <p>Management regimes will depend on whether Mr Dick wishes to graze the land or not. Detail of an example management plan typical for species rich grassland meadow is set out below:</p> <ul style="list-style-type: none"> • First 1-2 years: The grassland may require several cuts and/ or light grazing in years 1-2. This could be required to remove larger annuals and arisings, encouraging wildflower growth. • Subsequent years – if no grazing is proposed: Subsequent years could require a cut annually in autumn (no earlier than mid-July). This would allow the wildflowers and grasses to set seed and provide maximum value for invertebrates and small mammals. Cuttings will need to be wilted and turned in situ to allow seeds to drop before removal. Removing the cuttings reduces soil fertility, which will reduce dominant grasses and stop new seedlings from being smothered. This initial cut could be followed by a second aftermath cut • Subsequent years - if grazing is proposed: Grazing can occur after the main flowering period and continue throughout autumn and winter if the

Issue No.	Sub-section/ Discipline	Landowner Matters Comment	National Highways Position
			<p>land is not too wet. Grazing should be stopped from April for the summer months to allow flowering of grass and flower species. A combination of cutting and grazing can also be used.</p> <p>This field contributes to scheme wide mitigation to replace grassland lost to the scheme. Whilst there are large gains in calcareous grassland throughout the scheme in accordance with the overall scheme vision which compensates for grassland loss, there is a net loss of neutral grassland of -1.38ha and a loss of approximately 4ha of species rich lowland meadow habitat to the north of Shab Hill. Enhancing the species diversity of this field and the adjacent fields will overtime partly compensate for the lowland meadow habitat lost to the scheme. With continued management as a grassland field, it will continue to provide ecological functionality and a wildlife corridor.</p> <p>A written update on the S253 Agreement is being submitted as part of 'Deadline 3' during the DCO Examination.</p>
5	Accommodation works	Accommodation works discussions are to be advanced.	<p>Preliminary accommodation works plans have been produced and shared with Mr Dick. These will be developed further during the detailed design stage of the scheme.</p> <p>Accommodation works discussions will be progressed in February 2022.</p>
6	Land acquisition and compensation	Land acquisition and compensation discussions to be progressed.	Land acquisition discussions will be progressed by the DVS.

Issue No.	Sub-section/ Discipline	Landowner Matters Comment	National Highways Position
7	Badger Fencing	Mr Dick requested the badger fencing proposed to the south of his land interest is removed and accommodation works reviewed so retained land will be practical to manage.	<p>Detail about the badger fencing proposed on Mr Dick's land can be found in Figure 7.11 Environmental Masterplan (Document Reference 6.3, APP-166 to APP-192).</p> <p>The badger fencing proposed is essential to prevent badger access to the highway network and reduce the risk of road traffic mortality, and has been informed by the ecological surveys completed and detailed in ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039).</p> <p>The exact location of the badger fencing could be potentially refined at the detailed design stage of the scheme, but it is generally scheme wide and Shab Hill is an area of high risk due to the activity of badgers in this general area.</p> <p>National Highways continues to engage with Mr Dick on this matter. National Highways await confirmation from Mr Dick that this matter has now been agreed.</p>
8	Drainage and Utilities Infrastructure	Mr Dick requested detail of the drainage infrastructure proposed at McCarthy Taylor Systems as it impacts his service provision.	The foul water drainage infrastructure for Shab Hill Radio Station will be replaced as part of the scheme. This will be progressed during detailed design stage of the scheme.
9	PRoW	<p>Mr Dick asked if the bridge that forms part of the Cotswold Way pass over his land.</p> <p>Mr Dick objects to the creation of a new right of way over his property. Mr Dick states that insufficient justification has been provided to justify the use of compulsory purchase powers on his property.</p>	<p>The proposed bridge will carry the Gloucestershire Way. A new Private Means of Access carrying a new PRoW will provide user access to the crossing.</p> <p>ES Appendix 2.1 EMP Annex F PRoW Management Plan (Document Reference 6.4, APP-323) sets out the mitigation and enhancement for WCH and other users of rights of way/highway with public access including crossing points for cyclists and pedestrians. This document includes detail about the need for the PRoW</p>

Issue No.	Sub-section/ Discipline	Landowner Matters Comment	National Highways Position
			<p>proposed and what has informed the development of the new right of way.</p> <p>National Highways continues to engage with Mr Dick on this matter. National Highways await confirmation from Mr Dick that this matter has now been agreed.</p>
10	Statutory Undertaker Rights	Mr Dick raised concerns that no detail has been provided about the rights over his land being acquired for statutory undertakers.	<p>Details about statutory undertaker rights being acquired can be found in the Book of Reference (Document Reference 4.3, APP-026) and Statement of Reasons (Document Reference 4.1, APP-024). These rights are required for ongoing maintenance of assets.</p> <p>National Highways continues to engage with Mr Dick on this matter. National Highways await confirmation from Mr Dick that this matter has now been agreed.</p>