

A417 Missing Link
TR010056

7.3 Statement of Commonality (Rev 2)

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APFP Regulation 5(2)(q)
Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009

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(Applications: Prescribed Forms
and Procedure) Regulations 2009**

A417 Missing Link

Development Consent Order 202[x]

Statement of Commonality (Rev 2)

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Commonality has been prepared by Highways England (as the Applicant) to accompany an application for a Development Consent Order (DCO) for the A417 Missing Link scheme (the scheme).
- 1.1.2 This document has been prepared to provide the Examining Authority (ExA) with the current position on Statements of Common Ground (SoCG) between Highways England and prescribed consultees and other interested parties in relation to the scheme. The document also demonstrates where there is commonality on specific points between the SoCGs.
- 1.1.3 This document will be updated at each deadline during the Examination of the scheme to reflect the current position of the SoCGs.
- 1.1.4 This document also sets out the current position between Highways England and statutory undertakers affected by the scheme.
- 1.1.5 This document has been prepared and submitted in compliance with Regulation 5(2)(q) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the APFP Regulations') which states:
"The application must be accompanied by ... any other documents considered necessary to support the application."
- 1.1.6 A detailed description of the scheme can be found in the Environmental Statement (ES) Chapter 2 The Project (Document Reference 6.2, APP-032).

2 Structure of Statements of Common Ground

- 2.1.1 To ensure consistency in the approach taken to documenting matters agreed, matters subject to further negotiation or matters not agreed, each of the SoCGs adopted a standard format in order to provide clarity to other parties and ultimately the ExA.
- 2.1.2 Each SoCG has the following structure:
- Section 1: provides an introduction to the SoCG and a description of its purpose.
 - Section 2: describes the role and where relevant, the responsibilities, of the other party (or parties) in the SoCG and summarises the engagement that has occurred between the Applicant and other party (or parties).
 - Section 3: sets out the topics covered in the SoCG.
 - Section 4: sets out the matters which are agreed.
 - Section 5: sets out the matters which are subject to further negotiation or which are not agreed.
 - Appendix A: the signing sheet for the SoCG.
- 2.1.3 In some instances, there are matters identified in an SoCG in which the position of one or more of the parties is pending, for example where matters may relate to the future detailed design stage of the scheme. Where this is the case, some SoCGs include an Appendix B containing such matters. Highways England will continue to review the matters detailed in Appendix B of the SoCG with the relevant party.
- 2.1.4 Also, additional appendices may be provided in the SoCG containing any relevant documents or information that are referenced in the SoCG and do not otherwise form part of the DCO application.

3 List of Statements of Common Ground

3.1 Parties subject to an SoCG

- 3.1.1 Highways England has prepared SoCGs with a number of parties during the preparation of the DCO application. This includes organisations with which Highways England has a statutory duty to consult with, under section 42 of the Act. It also includes other organisations which have an interest in the scheme and with whom Highways England has engaged with and formally consulted.
- 3.1.2 The parties with which Highways England has prepared an SoCG are listed in Table 3.1 below.

Table 3-1 List of Parties entered into an SoCG with Highways England

Party
Local Authorities (as defined under section 42(1)(b) of the Act)
1. The 'Joint Councils' comprising Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council
Prescribed Consultees (as defined under section 42(1)(a) of the Act)
2. Natural England (NE) 3. Environment Agency (EA) 4. Historic Buildings and Monuments Commission for England (HBMCE), more commonly known as 'Historic England' 5. Cotswolds Conservation Board (CCB) ¹
Other Interested Parties
6. Gloucestershire Wildlife Trust (GWT) 7. National Trust (NT) 8. Walking, Cycling and Horse riding Technical Working Group (WCH TWG): <ul style="list-style-type: none"> • Active Gloucestershire; • British Horse Society (BHS); • Campaign to Protect Rural England (CPRE) Gloucestershire; • Cheltenham and Tewkesbury Cycle Campaign; • Cotswold District Council; • Cotswolds National Landscape (formerly Cotswolds Conservation Board); • Cotswold Trail and Access Partnership; • Cycling UK; • Gloucestershire County Council (GCC) PRoW officer; • GCC transport officer; • GCC ThinkTravel Coordinator; • Gloucestershire Local Access Forum (GLAF); • Gloucestershire Ramblers; • Gloucestershire Wildlife Trust; • National Trust; • Natural England; • Sustrans; • The Disabled Ramblers; and • Trail Riders Federation.

¹ The Cotswolds National Landscape (CNL) is a designated Area of Outstanding Natural Beauty (AONB), managed and looked after by the Cotswolds Conservation Board (CCB)

3.1.3 As Table 3-1 identifies, some organisations are represented both within an individual SoCG and within the SoCG with the WCH TWG. To avoid duplication where appropriate, cross-references are provided between SoCGs where organisations agree or disagree with WCH matters. Furthermore, the organisations listed at 2, 5, 6 and 7 in Table 3-1 have agreed that they will only sign their own SoCG but are content to have their views on WCH matters recorded in the separate WCH TWG SoCG.

3.2 Engagement with SoCG organisations

3.2.1 As set out in the Consultation Report submitted with the DCO application (Document Reference 5.1, APP-027), Highways England has sought to engage with the parties listed in Table 3.1 throughout the development of the scheme. This has included the following activities:

- Non-statutory public consultation in 2018 on route options for the scheme (Chapter 3 of the Consultation Report);
- Non-statutory consultation and engagement between 2019 and 2021 (Chapter 4 of the Consultation Report);
- Statutory public consultation between 27 September 2019 and 8 November 2019 (Chapters 5 to 7 of the Consultation Report);
- Supplementary statutory public consultation between 13 October 2020 and 12 November 2020 (Chapters 8 to 10 of the Consultation Report); and
- Additional, targeted statutory consultation with land interests (Persons with an interest in Land 'PILs') was carried out during January 2020 and March 2021 (Chapter 11 of the Consultation Report).

3.3 Additional SoCGs requested by the ExA

3.3.1 Annex E of the Rule 6 Letter issued by the ExA on 30 September 2021 ([PD-005](#)) made a request for Highways England to enter into 10 additional SoCGs, with draft or agreed versions of the SoCGs submitted at Deadline 1 of the Examination.

3.3.2 At Procedural Deadline A on 22 October 2021, Highways England wrote to the ExA to respond to matters raised within the Rule 6 Letter. Appendix A of that letter ([PDA-001](#)) set out the steps Highways England had taken at that point in relation to the 10 additional requested SoCGs, including the confirmation that Highways England would not seek an SoCG with some of the parties as requested but instead exchange correspondence to set out the latest position on the matters raised, and in some cases (for example with Affected Parties) provide a Position Statement.

3.3.3 An update of the current position in relation to the requested additional SoCGs is provided in Table 3-2 below.

Table 3-2 Status of additional SoCGs requested in Rule 6 Letter (PD-005)

Organisation	Highways England Position
Relevant Statutory Undertakers (including BT Openreach, Gigaclear Ltd, Severn Trent Water Ltd, and Western Power Distribution)	<p>Table 7-1 Statutory Undertakers Position Schedule of this document summarises the position at the time of Deadline 34 with each of the cited statutory undertakers. This table will continue to be updated in future iterations of this document at relevant Examination Deadlines, particularly in relation to ongoing engagement regarding Protective Provisions.</p> <p>Highways England considers that this schedule sufficiently presents the position with the statutory undertakers, such that an individual SoCG with each cited party would not be of additional benefit to the Examination.</p>
Forestry Commission	As set out in Annex A to the letter sent to the ExA on 22 October 2021, Highways England does not consider that an SoCG with the Forestry Commission would be of additional benefit to the Examination. However, Highways England wrote to the Forestry Commission on 12 November 2021 to provide an update on the scheme. A response to this letter has not yet been received.
Council for British Archaeology (CBA)	Highways England wrote to the CBA on 12 November 2021 to provide an update on the scheme, set out its position on the points the CBA raised in their Relevant Representation and to seek the views of the CBA on entering into an SoCG. A response to this letter has not yet been received.
Coberley Parish Council	Highways England wrote to Coberley Parish Council on 12 November 2021 to provide an update on the scheme, set out its position on the points the Council raised in their Relevant Representation and to seek the views of the Council on entering into an SoCG. A response to this letter was received on 8 December 2021, requesting an SoCG and further discussions with Highways England. The most recent version of the SoCG with Coberley Parish Council his is provided at Appendix J of this document. This has been updated following a meeting held with the Parish Council on 1 February 2022, seeking to provide further information in order to progress with a meaningful future update of this SoCG (aiming for Deadline 5).
Cowley and Birdlip Parish Council	Highways England wrote to Cowley and Birdlip Parish Council on 12 November 2021 to provide an update on the scheme, set out its position on the points the Council raised in their Relevant Representation and to seek the views of the Council on entering into an SoCG. A response to this letter was received on 22 November 2021, in which the Council confirmed that it agrees that an SoCG is not necessary. Highways England met with local Parish Councils on 9 December

	2021 to further discuss any concerns or queries held by their members, and update them on the application and examination. Discussions with the Parish Council are ongoing.
Daglingworth Parish Council	Highways England wrote to Daglingworth Parish Council on 12 November 2021 to provide an update on the scheme, set out its position on the points the Council raised in their Relevant Representation and to seek the views of the Council on entering into an SoCG. Daglingworth Parish Council responded to this letter on 17 November 2021, confirming their continued objection to the scheme due to concerns over noise on the concrete section of the A417 at Daglingworth. Highways England understands that Daglingworth Parish Council has made a submission to the ExA at Deadline 1 to formalise this position and their points of objection. Highways England has responded to the matters directly via a letter, which can be made available on request. Highways England met with local Parish Councils on 9 December 2021 to further discuss any concerns or queries held by their members, and update them on the application and examination.
National Star Foundation	As set out in Annex A to the letter sent to the ExA on 22 October 2021, Highways England has developed a Position Statement with this Affected Party to help set out the engagement undertaken between the parties and the latest position on relevant matters discussed. An updated Compulsory Acquisition Schedule (Document Reference 8.9) is <u>was</u> submitted at Deadline 1 and it is considered that the provision of the Position Statement avoids the need for a separate SoCG. The latest version of the Position Statement with National Star Foundation was submitted at Deadline 2 in Appendix A of Response to Written Representations made at Deadline 1 (Document Reference 8.11, REP2-012).
FlyUp Ltd	As set out in Annex A to the letter sent to the ExA on 22 October 2021, Highways England has developed a Position Statement with this Affected Party to help set out the engagement undertaken between the parties and the latest position on relevant matters discussed. An updated Compulsory Acquisition Schedule (Document Reference 8.9) is <u>was</u> submitted at Deadline 1 and it is considered that the provision of the Position Statement avoids the need for a separate SoCG. The latest Position Statement with FlyUp Ltd is provided in Landowner Position Statements (Document Reference 8.22) submitted at Deadline 3.
Alan Dick	As set out in Annex A to the letter sent to the ExA on 22 October 2021, Highways England has developed a Position Statement with this Affected Party to help set out the engagement undertaken between the parties and the latest position on relevant matters discussed. An updated Compulsory Acquisition Schedule

	<p>(Document Reference 8.9) was submitted at Deadline 1 and it is considered that the provision of the Position Statement avoids the need for a separate SoCG. The latest Position Statement with Alan Dick is provided in Landowner Position Statements (Document Reference 8.22) submitted at Deadline 3.</p>
<p>Cellnex UK</p>	<p>Highways England has engaged with Cellnex UK, most recently meeting with them on 1 December 2021 to discuss the matters raised in their Relevant Representation. A draft SoCG has been developed which captures these discussions and the current position of both parties, submitted at Appendix I of this document. This has not been materially updated since its submission within the version of this document submitted at Deadline 1 (REP1-006). Highways England continues to consider the remaining matter outstanding with a view to update Cellnex and the ExA during the Examination.</p>

3.3.4 As set out in Table 3-2, two additional SoCGs [were first](#) ~~have been~~ prepared for Deadline 1, with Cellnex UK and Coberley Parish Council, included as Appendix I and Appendix J to this document, respectively. If any further new SoCGs are produced [during the Examination](#)~~following Deadline 1~~, an update will be provided within this document at the relevant Deadline.

4 Summary of current position

4.1.1 This section provides the current position of each SoCG.

4.1.2 Table 4-1 provides a high-level position and where necessary includes further detail to aid understanding. The high-level positions used in the table are:

- **SoCG in draft** – The SoCG has been drafted by the Applicant, it has been shared with the other party and comments have been provided. Discussion is ongoing to reach a ‘Final Signed SoCG with all matters agreed’ or ‘Final Signed SoCG with matters outstanding’.
- **Final Signed SoCG, all matters agreed** – The final SoCG has been signed by both parties and all matters are agreed.
- **Final Signed SoCG, with matters outstanding** – The final SoCG has been signed by both parties, and there remain matters outstanding that the Applicant and the other party agree will not be resolved during the Examination of the scheme.

4.1.3 Where SoCGs have been submitted with matters subject to further discussion (‘SoCG in draft’), all parties will continue to review these matters in order that a final update can be provided during the Examination.

4.1.4 Table 4-1 also provides a document reference which will be used for each SoCG once signed and submitted to the ExA. Any draft SoCGs updated at each deadline will be appended to this document.

Table 4-1 Summary of current position of SoCGs at time of DCO submission

Document Reference	Party (or Parties)	Position at time of DCO submission	Position at Deadline 1	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4
Local Authorities						
7.3.1	Joint Councils [Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council]	SoCG in draft and agreed for submission with DCO application on 07/05/2021. Provided at DCO submission as Appendix A of this document	Updated draft agreed for Deadline 1 of Examination on 14/12/2021. Provided as Appendix A of this document.	N/A – no updated Statement of Commonality submitted.	Updated draft agreed for Deadline 3 of Examination on 2/2/2022. Provided as Appendix A of this document.	
Prescribed Consultees						
7.3.2	Environment Agency	SoCG in draft and agreed for submission with DCO application on 07/05/2021. Provided at DCO submission as Appendix B of this document	Updated draft agreed for Deadline 1 of Examination on 14/12/2021. Provided as Appendix B of this document.	N/A – no updated Statement of Commonality submitted.	Updated draft agreed for Deadline 3 of Examination on 2/2/2022. Provided as Appendix B of this document.	
7.3.3	Natural England	SoCG in draft and agreed for submission with DCO application on 07/05/2021. Provided at DCO submission as Appendix C of this document	Updated draft agreed for Deadline 1 of Examination on 14/12/2021. Provided as Appendix C of this document.	N/A – no updated Statement of Commonality submitted.	Updated draft agreed for Deadline 3 of Examination on 2/2/2022. Provided as Appendix C of this document.	

Document Reference	Party (or Parties)	Position at time of DCO submission	Position at Deadline 1	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4
7.3.4	Historic England	SoCG in draft and agreed for submission with DCO application on 07/05/2021. Provided at DCO submission as Appendix D of this document	Updated draft agreed for submission at Deadline 1 of Examination on 14/12/2021. Provided as Appendix D of this document.	N/A – no updated Statement of Commonality submitted.	Updated draft agreed for Deadline 3 of Examination on 2/2/2022. Provided as Appendix D of this document.	
7.3.5	Cotswolds Conservation Board	SoCG in draft and agreed for submission with DCO application on 07/05/2021. Provided at DCO submission as Appendix E of this document	Updated draft agreed for submission at Deadline 1 of Examination on 14/12/2021. Provided as Appendix E of this document.	N/A – no updated Statement of Commonality submitted.	Updated draft agreed for Deadline 3 of Examination on 2/2/2022. Provided as Appendix E of this document.	
7.3.10	Coberley Parish Council	N/A	Draft SoCG produced in response to ExA request and agreed for submission at Deadline 1 of Examination on 14/12/2021. Provided as Appendix J of this document.	N/A – no updated Statement of Commonality submitted.	Updated draft agreed for Deadline 3 of Examination on 2/2/2022. Provided as Appendix J of this document.	
Interested Parties						

Document Reference	Party (or Parties)	Position at time of DCO submission	Position at Deadline 1	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4
7.3.6	Gloucestershire Wildlife Trust	SoCG in draft and agreed for submission with DCO application on 07/05/2021. Provided at DCO submission as Appendix F of this document	Updated draft agreed for submission at Deadline 1 of Examination on 14/12/2021. Provided as Appendix F of this document.	N/A – no updated Statement of Commonality submitted.	Draft SoCG provided at Appendix F of this document, with no material changes made since Deadline 1.	
7.3.7	National Trust	SoCG in draft and agreed for submission with DCO application on 07/05/2021. Provided at DCO submission as Appendix G of this document	Updated draft agreed for submission at Deadline 1 of Examination on 14/12/2021. Provided as Appendix G of this document.	N/A – no updated Statement of Commonality submitted.	Updated draft agreed for Deadline 3 of Examination on 2/2/2022. Provided as Appendix G of this document.	
7.3.8	WCH TWG	SoCG in draft and agreed for submission with DCO application on 07/05/2021. Provided at DCO submission as Appendix H of this document	Updated draft agreed for submission at Deadline 1 of Examination on 14/12/2021. Provided as Appendix H of this document.	N/A – no updated Statement of Commonality submitted.	Updated draft agreed for Deadline 3 of Examination on 2/2/2022. Provided as Appendix H of this document.	

Document Reference	Party (or Parties)	Position at time of DCO submission	Position at Deadline 1	Position at Deadline 2	Position at Deadline 3	Position at Deadline 4
7.3.9	Cellnex UK	N/A	Draft SoCG produced in response to ExA request and agreed for submission at Deadline 1 of Examination on 14/12/2021. Provided as Appendix I of this document.	N/A – no updated Statement of Commonality submitted.	Draft SoCG provided at Appendix I of this document, with no material changes made since Deadline 1.	

5 Commonality

5.1.1 This section of the document provides a summary of principal topics covered in the SoCGs and highlights where topics have been agreed, are subject to further discussion, or where a topic is not agreed.

5.1.2 The summary in Table 5-1 is presented in such a way to show topics covered within the various SoCGs and any position for each topic. The topics are defined at a high-level to enable overview and comparison and may not reflect the structure of each individual SoCG. The topics have been defined where possible to broadly align with those of the Environmental Statement (ES), which comprises Volume 6 of the DCO application. Table 5.1 shows topics covered within the various SoCG and how these are relevant to each other party. It provides a position for each topic as follows:

	Matter agreed
	Matter subject to further discussion
	Matter not agreed
	Matter not relevant to party / not included in SoCG

Table 5-1 Table of Commonality at Deadline 43 of Examination

SoCG Ref	Party	Broad topics considered in SoCG and current position																								
		Principle of Development	Project Description	Consultation	Assessment of Alternatives	EIA Methodology	Air Quality	Cultural Heritage	Landscape & Visual	Biodiversity	Geology, and Soils	Material Assets and Waste	Noise and Vibration	Population and Human Health	Public Rights of Way	Drainage/Water Environment	Climate	Cumulative effects	De-Trunking	Traffic and Transport	Crossings of the A417	Engineering Design	Draft DCO	Land acquisition and/or impacts on property	Environmental Management Plan	Construction Traffic Management Plan
7.3.1	Joint Councils	Green	Green	Green	Green	Green	Yellow	Red	Green	Yellow	Green	Green	Green	Green	Green	Green	Green	Yellow	Yellow	Yellow	Green	Yellow	Yellow	Yellow	Green	Yellow
7.3.2	Environment Agency	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
7.3.3	Natural England	Yellow	Green	Green	Green	Green	Green	Green	Red	Green	Green	Green	Green	Red	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
7.3.4	Historic England	Green	Green	Green	Green	Green	Green	Red	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Yellow	Green	Green	Green
7.3.5	Cotswolds Conservation Board	Yellow	Green	Green	Green	Green	Green	Yellow	Yellow	Green	Green	Green	Green	Green	Green	Green	Green	Yellow	Green	Green	Green	Green	Green	Green	Green	Green
7.3.6	Gloucestershire Wildlife Trust	Green	Yellow	Green	Yellow	Yellow	Green	Green	Yellow	Green	Green	Green	Green	Green	Green	Yellow	Yellow	Green	Green	Green	Green	Green	Green	Green	Yellow	Green
7.3.7	National Trust	Yellow	Green	Green	Green	Red	Green	Red	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Green	Yellow	Yellow	Green	Green	Green	Green	Green	Green	Yellow	Yellow	Green
7.3.8	WCH TWG	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Yellow	Green	Green	Yellow	Green	Green	Green	Green	Green	Green	Green
7.3.9	Cellnex UK	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green
7.3.10	Coberley Parish Council	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green	Green

6 Current position

~~6.1.1~~ ~~6.1.1~~ This section provides a summary of the current position between the Applicant and each other party, where there are matters outstanding. The individual SoCG should be referred to for the full detail on specific matters.

~~6.1.2~~ This section also identifies where the Highways England is engaged in developing a separate agreement with an SoCG party (see Action Point ISH-AP11, EV-036).

~~6.16.2~~ Local authorities

Joint Councils

~~6.1.16.2.1~~ The SoCG with the Joint Councils is included at Appendix A of this document.

~~6.1.26.2.2~~ The SoCG is provided in draft and is not signed.

~~6.1.36.2.3~~ The most recent SoCG meeting with the Joint Councils was held on 26 January 2022.~~15 November 2021.~~

~~6.1.46.2.4~~ The principle matters that are currently outstanding are:

- a) The provision of lighting at Ullenwood junction.
- b) The approach to archaeological trenching and cultural heritage assessment methodology; and,
- c) The effects of the scheme on the local road network and the requirement, in the view of the Joint Councils, for funding to mitigate such effects.

~~6.1.56.2.5~~ Highways England and the Joint Councils will continue to discuss the matters outstanding in the SoCG and provide a further updated version of the SoCG at a future Examination deadline.

~~6.2.6~~ It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

~~6.1.66.2.7~~ Highways England is progressing a separate agreement with Gloucestershire County Council, which remains under discussion.

~~6.26.3~~ Prescribed consultees

Environment Agency (EA)

~~6.2.16.3.1~~ The SoCG with the EA is included at Appendix B of this document.

~~6.2.26.3.2~~ The SoCG is provided in draft and is not signed.

~~6.2.36.3.3~~ The most recent SoCG meeting with the EA was held on 1 February 2022.~~2 November 2021.~~

~~6.2.46.3.4~~ There are no principle matters outstanding with the EA, however the EA's position on one matter, surface and groundwater monitoring, is pending upon further discussion with Highways England.

~~6.2.56.3.5~~ Highways England and the EA will therefore continue to review this matter detailed in the SoCG.

~~6.2.66.3.6~~ It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

Natural England (NE)

6.2.76.3.7 The SoCG with NE is included at Appendix C of this document.

6.2.86.3.8 The SoCG is provided in draft and is not signed.

6.2.96.3.9 The most recent SoCG meeting with NE was held on 9 November 2021-24 January 2022.

6.2.106.3.10 The principle matters that are currently outstanding are:

- NE have concerns regarding the adverse impact of the scheme on the Barrow Wake part of the The proposals regarding Crickley Hill and Barrow Wake Site of Special Scientific Interest (SSSI) as a result of land take and increased recreational activity. Natural England wishes to see the complete closure of the Barrow Wake car park, ground levels rationalised and the land restored to calcareous grassland, with an understanding that this would contribute towards offsetting the net loss of biodiversity resulting from this scheme. Natural England would also like to see the roundabout at Barrow Wake removed from the scheme.
- ~~and in particular a recommendation for the closure of the Barrow Wake car park within and its restoration to calcareous grassland, as part of the scheme.~~
- NE continue to advocate for further progress to be made towards biodiversity net gain.

6.2.116.3.11 Highways England will continue to review the matters detailed in the SoCG with NE.

6.2.126.3.12 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

Historic England

6.2.136.3.13 The SoCG with Historic England is included at Appendix D of this document.

6.2.146.3.14 The SoCG is provided in draft and is not signed.

6.2.156.3.15 The most recent SoCG meeting with Historic England was held on 7 December 2021-1 February 2022.

6.2.166.3.16 The principle matters that are currently outstanding are:

- HE considers that there is an insufficient evidence base within ES Chapter 6, Cultural Heritage (Document Reference 6.2, APP-037)
- HE consider that the scheme has not provided any enhancement for the harm caused to Crickley Hill
- HE and National Highways are continuing to engage to resolve the following two matters:
 - The enhancement and management of Emma's Grove Barrows, including improved connectivity of calcareous grassland
 - Pre-construction and construction buried archaeology mitigation through the DAMS/OWSI

6.2.176.3.17 There are also a number of matters identified in the SoCG upon which the position of the Historic England is pending upon further discussion with Highways England. Highways England will continue to review the matters detailed in the SoCG with Historic England.

~~6.2.186.3.18~~ It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

Cotswolds Conservation Board (CCB)

~~6.2.196.3.19~~ The SoCG with CCB is included at Appendix E of this document.

~~6.2.206.3.20~~ The SoCG is provided in draft and is not signed.

~~6.2.216.3.21~~ The most recent SoCG meeting with CCB was held on [31 January 2022](#).~~15 November 2021.~~

~~6.2.226.3.22~~ The principle matter that is currently outstanding is:

- The Board considers that further assessments with regards to cumulative effects should be undertaken.

~~6.2.236.3.23~~ There are also a number of matters identified in the SoCG upon which the position of CCB is pending upon further discussion with Highways England. Highways England will continue to review the matters detailed in the SoCG with CCB.

~~6.2.246.3.24~~ It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

6.36.4 Interested parties

Gloucestershire Wildlife Trust (GWT)

~~6.3.16.4.1~~ The [most recent version of the](#) SoCG with GWT is included at Appendix F of this document, [which is the same as that submitted at Deadline 1.](#)

~~6.3.26.4.2~~ The SoCG is provided in draft and is not signed.

~~6.4.3~~ The most recent SoCG meeting with GWT was held on 11 November 2021. [Unfortunately, the two parties were unable to meet again to discuss a meaningful update to the draft SoCG prior to Deadline 3.](#)

~~6.4.4~~ [It is intended that the next updated version of the SoCG with GWT will be submitted at Deadline 5 of the Examination, at the request of GWT.](#)

~~6.3.3~~

~~6.3.46.4.5~~ The principle matters that are currently outstanding are:

- GWT is concerned that the scheme vision, design principles and sub-objectives do not explicitly commit to Biodiversity Net Gain.
- Delivery and management of a high-risk mitigation strategy
- GWT considers that there will be an adverse impact on the ecological features of the Crickley Hill and Barrow Wake SSSI because of increased recreational pressure during the operation of the scheme and its improved PRow network.
- GWT calls for the scheme to include reversion of the Barrow Wake car park to species-rich calcareous grassland.
- Assessment of cumulative impacts: GWT considers the assessment to be inadequate because it does not consider the cumulative impacts of developments that are beneath the EIA threshold. Whilst accepting that this is in-line with LA 104 guidance, it does not provide a true reflection of cumulative impacts

- GWT is concerned that no information has been provided about the time lag between habitat loss and the establishment of new habitat of equivalent quality. Information is also required on what area of priority habitat will become more fragmented and fall beneath minimum viable areas, either permanently or temporarily, because of the scheme. This is important to assess the level of extinction risk for threatened species that require priority habitats and, therefore, the suitability of the design, and relevant management plans.
- GWT considers it is imperative that the scheme is truly landscape-led, repairing historic damage to wildlife habitats and improving ecological networks, rather than just minimising further damage.
- GWT consider that drafts of some key documents relating to ecological issues should've been shared ahead of DCO submission as they feel that it now means that several matters remain outstanding or to be determined due to the lack of design assurance.

[6.4.6](#) There are also a number of matters identified in the SoCG upon which the position of GWT is pending upon further discussion with Highways England. Highways England will continue to review the matters detailed in the SoCG with GWT.

[6.3.5](#)

[6.3.66.4.7](#) It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

National Trust (NT)

[6.3.76.4.8](#) The SoCG with NT is included at Appendix G of this document.

[6.3.86.4.9](#) The SoCG is provided in draft and is not signed.

[6.3.96.4.10](#) The most recent SoCG meeting with NT was held on [22 November 2021](#), [31 January 2022](#).

[6.3.106.4.11](#) The principle matters that are currently outstanding are:

- The scheme's approach to delivering biodiversity net gain;
- The ~~conclusion~~ [conclusion](#) of the predicted impact on Crickley Hill [SSSI unit](#) during construction and operation; and
- That a holistic landscape approach should be taken for scheme mitigation that overlays cultural heritage, historic environment and natural environment.

[6.3.116.4.12](#) Highways England will continue to review the matters detailed in the SoCG with NT.

[6.3.126.4.13](#) It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

Walking, Cycling and Horse riding Technical Working Group (WCH TWG)

[6.3.136.4.14](#) The SoCG with the WCH TWG is included at Appendix H of this document.

[6.3.146.4.15](#) The SoCG is provided in draft and is not signed.

[6.3.156.4.16](#) The most recent SoCG meeting with the WCH TWG was held on [31 January 2022](#) ~~10 November 2021~~. [There have been no new matters added to the SoCG, or existing matters resolved, following that meeting, with minor updates made to the wording of some positions.](#)

~~6.3.166.4.17~~ The principle matter that is currently outstanding is:

- The need for the scheme to provide at least one additional crossing of the A417 between Bentham Lane and Grove Farm underpass, to retain severed or fragmented PRowWs.

~~6.3.176.4.18~~ It should be noted that the principal matter outstanding relates to only some members of the WCH TWG, as some members are in agreement with Highways England on the matter.

~~6.3.186.4.19~~ Highways England will continue to review the matters detailed in the SoCG with the WCH TWG.

~~6.3.196.4.20~~ It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

Cellnex UK

~~6.3.206.4.21~~ The [most recent version of the](#) SoCG with Cellnex UK is included at Appendix I of this document. [No material changes have been made to the matters or respective positions in the SoCG since it was submitted at Deadline 1.](#)

~~6.3.216.4.22~~ The SoCG is provided in draft and is not signed.

~~6.3.226.4.23~~ The most recent SoCG meeting with Cellnex UK was held on 18 October 2021.

~~6.3.236.4.24~~ The principle matter that is currently outstanding is:

- Impacts during construction, specifically the need to ensure that the scheme will not interfere with the operation of the masts.

~~6.3.246.4.25~~ Highways England will continue to review the matters detailed in the SoCG with Cellnex UK.

~~6.3.256.4.26~~ It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

Coberley Parish Council

~~6.3.266.4.27~~ The SoCG with Coberley Parish Council is included at Appendix J of this document, [which is the same as that submitted at Deadline 1.](#)

~~6.3.276.4.28~~ The SoCG is provided in draft and is not signed.

~~6.3.286.4.29~~ The most recent SoCG meeting with Coberley Parish Council was held on [9 December 2021, 1 February 2022, comprising positive progression on matters. An updated SoCG to reflect those and ongoing discussions will be provided at Deadline 5.](#)

~~6.3.296.4.30~~ The principle matters that are currently outstanding is:

- Noise and air pollution due to the new road being nearer to the villages of Coberley, Cowley and Ullenwood;
- Attenuation around the Ullenwood Junction and associated impacts on the water environment and landscape; and
- Traffic impacts at and associated with the proposed new Ullenwood Junction, A436 and its roundabout and crossroads, and Leckhampton Hill Road.

~~6.3.30~~6.4.31 Highways England will continue to review the matters detailed in the SoCG with Coberley Parish Council.

~~6.3.31~~6.4.32 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the Examination.

7 Statutory Undertakers Position Schedule

- 7.1.1 Highways England has sought to engage with statutory undertakers who are affected by the scheme, including through statutory pre-application consultation, as required by the Act and as set out in the Consultation Report (Document Reference 5.1, APP-027) submitted with the DCO application.
- 7.1.2 Table 7-1 sets out the current position of statutory undertakers who are affected by the scheme. C3 budget estimate refers to draft scheme and budget estimates as defined in subsection C3 of Appendix C of the Measures Necessary Where Apparatus is Affected by Major Works (Diversionary Works): A Code of Practice 1992 (COP). C4 detailed estimate refers to final scheme and detailed estimates as defined in subsection C4 of Appendix C of the COP.

Table 7-1 Statutory undertakers position schedule

Statutory undertaker	Summary of C3/C4 process and agreement of technical matters	Consultation on draft DCO/Protective Provisions	Summary of current position
British Telecoms Openreach	All technical matters were agreed through direct meetings with representatives of British Telecoms Openreach. British Telecoms Openreach split their C4 estimate into three sections. Agreement was confirmed on 18 November 2020 (section 2) and 15 December 2020 (section 3 and 4) as discussions with British Telecoms Openreach led to the diversion route being agreed as a C4 estimate.	<p>Highways England provided a draft of the proposed Protective Provisions to British Telecoms Openreach in April 2021. Highways England provided a draft of the proposed Protective Provisions to British Telecoms Openreach in April 2021. Highways England has made multiple attempts to engage with British Telecoms Openreach since this time, however there has been no engagement from the telecommunications undertakers.</p> <p>Highways England therefore assumes that British Telecoms Openreach content to rely on the standard provisions as set out in the draft DCO.</p> <p>No Relevant Representation has been received from this statutory undertaker.</p> <p>As discussed in the Compulsory Acquisition Hearing on 26 January 2022 and summarised in the Summary of Applicant's Oral Submissions at Compulsory Acquisition Hearing 1 (CAH1) (Document Reference 8.18), Highways England has not been able to obtain agreement from British Telecoms Openreach regarding the draft protective provisions, despite multiple attempts to do so.</p>	All technical matters agreed. Utility diversions agreed with undertaker, incorporated into scheme design and costs.

		Highways England has taken this to indicate that British Telecoms Openreach does not object to the current drafting, however will make a final attempt to contact British Telecoms Openreach as per the ExA's recommendation at the Hearing, and will provide a further update on this at Deadline 4.	
Gigaclear Ltd	All technical matters were agreed through direct meetings with representatives of Gigaclear Ltd. Agreement was confirmed 21 August 2019 as discussions with Gigaclear Ltd led to the diversion route being agreed as a C4 estimate.	<p>Highways England provided a draft of the proposed Protective Provisions to Gigaclear Ltd in April 2021. Highways England has made multiple attempts to engage with Gigaclear Ltd since this time, however there has been no engagement from the telecommunications undertakers.</p> <p>Highways England therefore assumes that Gigaclear Ltd is content to rely on the standard provisions as set out in the draft DCO.</p> <p>No Relevant Representation has been received from this statutory undertaker.</p> <p>As discussed in the Compulsory Acquisition Hearing on 26 January 2022 and summarised in the Summary of Applicant's Oral Submissions at Compulsory Acquisition Hearing 1 (CAH1) (Document Reference 8.18), Highways England has not been able to obtain agreement from Gigaclear Ltd regarding the draft protective provisions, despite multiple attempts to do so. Highways England has taken this to indicate that Gigaclear Ltd does not object to the current drafting, however will make a final attempt to contact Gigaclear Ltd as per the ExA's recommendation at the Hearing, and will provide a further update on this at Deadline 4.</p>	All technical matters agreed. Utility diversions agreed with undertaker, incorporated into scheme design and costs.
Severn Trent Water Ltd	All technical matters were agreed through direct meetings with representatives of Severn Trent Water Ltd. Agreement was confirmed 11 November 2020 as discussions with Severn Trent Water Ltd led to the diversion route being agreed as a C4 estimate.	Highways England issued a Draft Agreement to Severn Trent in April 2021. Highways England has been contacting the water undertaker's representative on a regular basis to request their comments on the draft agreement which was provided to them for review.	All technical matters agreed. Utility diversions agreed with undertaker, incorporated into scheme design and costs.

		<p>In August 2021 there was some dialogue with the water undertaker’s representative but since then no further communications have been received despite regular contact being made by Highways England. No Relevant Representation has been received from this statutory undertaker.</p> <p>As discussed in the Compulsory Acquisition Hearing on 26 January 2022 and summarised in the Summary of Applicant’s Oral Submissions at Compulsory Acquisition Hearing 1 (CAH1) (Document Reference 8.18), Highways England has not been able to obtain agreement from Severn Trent Water Ltd regarding the draft protective provisions, despite multiple attempts to do so. Highways England has taken this to indicate that Severn Trent Water Ltd does not object to the current drafting, however will make a final attempt to contact Severn Trent Water Ltd as per the ExA’s recommendation at the Hearing, and will provide a further update on this at Deadline 4.</p>	
<p>Western Power Distribution plc</p>	<p>All technical matters were agreed through direct meetings with representatives of Western Power Distribution plc. Agreement was confirmed 19 November 2020 as discussions with Western Power Distribution plc led to the diversion route being agreed as a C4 estimate.</p>	<p>Highways England and Western Power Distribution plc have provisionally reached agreement in principle on the terms of the draft DCO and its application to any Western Power Distribution plc apparatus affected by the project, including the application of the protective provisions (see Schedule 8, part 1 of the draft DCO) as they relate to that apparatus. That agreement however remains provisional at this stage, and the parties will update the ExA of any future change in that position.</p>	<p>All technical matters agreed. Utility diversions agreed with undertaker, incorporated into scheme design and costs.</p>

Appendices

Appendix A Draft Statement of Common Ground with the Joint Councils

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between Highways England (the Applicant) and Gloucestershire County Council (GCC), Tewkesbury Borough Council (TBC) and Cotswold District Council (CDC) together defined as the Joint Councils in relation to the A417 Missing Link scheme.
- 1.1.2 The Joint Councils comprise of three local authorities which are defined as statutory consultees under the Planning Act 2008 (the Act). While all three authorities were notified of statutory consultation individually, they elected to submit a joint formal response to statutory consultation in 2019 and again in response to supplementary consultation in 2020. On this basis, it was agreed between Highways England and the three authorities to enter into a SoCG in a Joint Councils format. This SoCG therefore summarises the discussions held with representatives with all three Councils.
- 1.1.3 The document identifies the following between the parties:
- Matters which have been agreed; and
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.4 The matters which are referenced in this document are that which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES), submitted as part of the Development Consent Order (DCO) application.
- 1.1.5 There are also a number of matters identified in the SoCG upon which the position of the Joint Councils is pending, for example where matters may relate to the future detailed design stage. These are set out in Appendix B, and Highways England will continue to review the matters detailed in this Appendix with the Joint Councils. Discussions will be aided by the Joint Councils being able to review the full suite of DCO application documents on the National Infrastructure Planning website (at the point of submission).
- 1.1.6 The SoCG will continue to evolve as the application for development consent progresses through the Examination stage. It is the intention of parties that an updated, signed version of the SoCG will be provided during the Examination.
- 1.1.7 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) Guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of the Joint Councils in the application and sets out the consultation undertaken with the Joint Councils since Preferred Route Announcement in March 2019.
 - Section 3 summarises the topics considered within the SoCG.

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

- Section 4 lists those matters which have been agreed, including the date that this matter was agreed.
- Section 5 lists those matters which remain outstanding, incorporating: a description of the matter; the position of all parties; any actions taken to address the matter; and the date of the latest position including any further meetings planned regarding the matter.

1.2.2 Appendix A includes the signing sheet.

1.2.3 Appendix B includes the Landowner Position Statement for the Joint Councils.

1.2.4 A number of technical notes discussed and shared with the Joint Councils are referred to in this document. They are available to the Examining Authority (ExA) upon request. The latest versions of these documents are:

- Technical Note H01 Local Roads (last issued 12 April 2021)
- Transport Modelling and Analysis Technical Note (last issued 9 April 2020)
- Signage Strategy (last issued 12 April 2021)
- Drainage Strategy Report (last issued 12 April 2021)
- De-Trunking Report (last issued 28 August 2020)
- Technical Note H02 Lay Bys and Arrester Beds (17 March 2021)
- Crickley Hill Stream Hydraulic Modelling Technical Note (22 June 2021)
- Lighting Technical Note (4 August 2021)
- Through Traffic Technical Note (30 July 2021)
- GCC Detrunking and Asset Handover Approach (25 November 2021)

1.3 Status of this SoCG

1.3.1 This SoCG is a correct reflection of the position of both parties at the Examination Deadline ~~31 (14 December 2021)~~ 2 February 2022.

1.3.2 It is acknowledged that the views and opinions of the parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the Examination.

2 Consultation

2.1 Role of the Joint Councils

Gloucestershire County Council

- 2.1.1 The A417 Missing Link scheme is situated wholly within the boundaries of Gloucestershire County Council. It is therefore a statutory consultee for the scheme, as defined under section 42(1)(b) and section 43(c) of the Act.
- 2.1.2 Gloucestershire County Council is the local highway authority in Gloucestershire and is the Minerals and Waste Planning Authority (MWPA) for Gloucestershire. Gloucestershire County Council also has statutory duties in relation to drainage and flood risk, and heritage assets and archaeology.
- 2.1.3 Gloucestershire County Council also has statutory duties relating to Public Rights of Way (PRoW). GCC is therefore also engaging with Highways England on issues relating to PRoW and provision for walking, cycling and horse riding (WCH) within the A417 Missing Link scheme, through the WCH Technical Working Group (WCH TWG). The discussions between Highways England and GCC relating to PRoW are recorded in a separate Statement of Common Ground with the WCH TWG.

Tewkesbury Borough Council

- 2.1.4 The A417 Missing Link scheme is situated within the boundaries of Tewkesbury Borough Council. It is therefore a statutory consultee for the scheme, as defined under section 42(1)(b) and section 43(b) of the Act.
- 2.1.5 Tewkesbury Borough Council is the local planning authority for Tewkesbury borough.

Cotswold District Council

- 2.1.6 The A417 Missing Link scheme is situated within the boundaries of Cotswold District Council. It is therefore a statutory consultee for the scheme, as defined under section 42(1)(b) and section 43(b) of the Act.
- 2.1.7 Cotswold District Council is the local planning authority for Cotswold District.

2.2 Summary of consultation

- 2.2.1 Highways England has been in consultation with the Joint Councils during the development of the scheme's design, including the optioneering process. The parties have continued communicating throughout the progression of the scheme.
- 2.2.2 All three councils were invited to participate in the following stakeholder groups:
- Landscape, Heritage and Environment Technical Working Group (TWG)
 - WCH TWG
 - Strategic Stakeholder Panel (SSP)
- 2.2.3 See Chapter 4 of the Consultation Report (Document Reference 5.1) for more information on stakeholder groups.
- 2.2.4 The engagement outlined in Table 2-1 covers formal consultation with the Joint Councils, and engagement which pertains to matters raised in this SoCG. Other

exchanges, such as requests for information or clarification points are not detailed below, but are available on request.

2.2.5 The consultation with the Joint Councils since the Preferred Route Announcement in March 2019 is set in Table 2-1.

Table 2-1 Consultation with the Joint Councils since Preferred Route Announcement

Date	Method	Parties concerned	Matters discussed
2 May 2019	Strategic Stakeholder Panel meeting	Highways England SSP member organisations including: Gloucestershire County Council	Project update provided to the SSP on the following: <ul style="list-style-type: none"> Preferred route announcement – review and feedback Status update on the technical working groups Technical partner and programme update Programme/governance update Preliminary design and what to expect
13 June 2019	Strategic Stakeholder Panel meeting	Highways England Gloucestershire County Council Cotswold District Council	Update on the scheme provided. All parties participated in facilitated sessions on: <ul style="list-style-type: none"> Building connections and working together The vision and purpose of the SSP Next steps: shared objectives and ways of working
19 June 2019	Statement of Community Consultation Meeting	Highways England Tewkesbury Borough Council Cotswold District Council	Proposed Statement of Community Consultation (SoCC) and consultation proposals presented and feedback sought.
21 June 2019	Email	Highways England Gloucestershire County Council Tewkesbury Borough Council Cotswold District Council	The Highways England noise specialist emailed all three councils seeking to discuss the proposed noise assessment approach in the Preliminary Environmental Impact (PEI) report.
1 July 2019	Statement of Community Consultation Meeting	Highways England Gloucestershire County Council	Proposed SoCC and the consultation proposals presented and feedback sought.
2 July 2019	TWG Meeting	Highways England TWG member organisations including: Gloucestershire County Council (Drainage Officer, PRow Officer, Transport Officer, Landscape Officer) Cotswold District Council (Archaeology Officer)	The following matters were discussed: <ul style="list-style-type: none"> Update to the scheme 2019 PEI report update Opportunities mapping TWG terms of reference Working group technical discussions

Date	Method	Parties concerned	Matters discussed
30 July 2019	Landscape, Heritage and Environment Technical Working Group Meeting	Highways England TWG member organisations including: Council (Drainage Officer, PRoW Officer, Transport Officer, Flood Officer, Heritage Officer)	The following matters were discussed: <ul style="list-style-type: none"> • Opportunities mapping feedback • PEI report update • Landscape update – approach and sketch designs • Working group technical discussions • Overview of Statement of Common Ground (SoCG)
02 Aug 2019	Phone call	Highways England Tewkesbury Borough Council (Environmental Health Officer)	Highways England noise specialist contacted the Environmental Health Officer (EHO) regarding noise assessment within PEI report. EHO confirmed assessment approach to be satisfactory.
07 Aug 2019	Meeting	Highways England Gloucestershire County Council Highways, Transport Planning, Heritage, Environment and Flooding officers	Overview of: <ul style="list-style-type: none"> • DCO process • Local Impact Report required to be produced by GCC • Statement of Common Ground process. • Landscape approach to the scheme, which is landscape-led • Programme of the scheme • Traffic modelling process • EIA process and PEI report production • Statutory consultation
8 Aug 2019	Walking Cycling Horse riding Technical Working Group Meeting	Highways England TWG Member Organisations including Gloucestershire County Council Highways Officer	The following matters were discussed: <ul style="list-style-type: none"> • Status of the scheme • Purpose of the TWG • PEI report assessment • Draft PRoW Management plan and upcoming statutory consultation. Feedback was sought from attendees.
14 Aug 2019	Walking Cycling Horse riding Technical Working Group Meeting	Highways England TWG Member Organisations including Gloucestershire County Council (PRoW Officer)	The following matters were discussed: <ul style="list-style-type: none"> • Status of the scheme • Purpose of the TWG • PEI report assessment • Draft PRoW Management plan and upcoming statutory consultation. • Assessment methodology • Baseline information
15 Aug 2019	Email	Highways England Landscape officers/representatives at statutory body organisations, including the Joint Councils	Highways England landscape specialist emailed the landscape representatives to share figures of the Zone of Theoretical Visibility (ZTV) and indicative viewpoint locations and seek feedback.

Date	Method	Parties concerned	Matters discussed
20 Aug 2019	Landscape, Heritage and Environment TWG Meeting	Highways England TWG Member Organisations including: Gloucestershire County Council (Drainage Officer, Ecology Officer, Archaeology Officer, Landscape Officer) Cotswold District Council (Archaeology Officer)	The following matters were discussed: <ul style="list-style-type: none"> • Feedback from last TWG • Ecology update on surveys • Landscape update on design approach and Landscape and Visual Impact Assessment (LVIA) • Geology update on investigations/surveys • DCO process overview • Working group technical discussions
2 Sept 2019	Email	Highways England Cotswold District Council (CDC)	Highways England noise specialist received an email in response to a written request (21 June 2019) for the Joint Councils' comments on the proposed assessment methodology.
4 Sept 2019	Strategic Stakeholder Panel meeting	Highways England SSP member organisations, including: Gloucestershire County Council	Highways England provided a project update to the SSP members: <ul style="list-style-type: none"> • Progress update • TWG update • Public consultation details and materials preview
9 Sept 2019	Technical meeting	Highways England Gloucestershire County Council highways and traffic modelling officers	The following matters were discussed: <ul style="list-style-type: none"> • Update on the traffic modelling to date • review of meeting minutes from a meeting held in April • Agreement to answer GCC queries.
17 Sept 2019	Technical meeting	Highways England Gloucestershire County Council (Highways Officers)	The following matters were discussed: <ul style="list-style-type: none"> • Update on the Local Roads Technical Note • Design of mainline and climbing lane • Design of junctions • Traffic modelling and GCC concerns over traffic impacts • Design standards for local roads • Attenuation basins • Review of revised technical note • Agreement that meetings on drainage, de-trunking and maintenance were required
17 Sept 2019	Site walkover and scheme orientation visit	Historic England Gloucestershire County Council	Discussion on assets beyond 1km which could potentially experience setting impacts- agreed to consider Leckhampton Camp in the ES.
26 Sept 2019	Stakeholder Preview Event	Highways England Gloucestershire County Council	Highways England hosted a Stakeholder Preview Event ahead of the launch of statutory consultation on the 27 September 2019, to allow key stakeholders to familiarise themselves with the consultation material and ask any questions to the Highways England team.

Date	Method	Parties concerned	Matters discussed
27 Sept 2019	Formal notification of statutory consultation	Highways England Gloucestershire County Council Tewkesbury Borough Council Cotswold District Council	Highways England sent formal notification of the statutory consultation via post and email to all three Councils, in accordance with section 42(1)(b) of the Planning Act 2008. This set out a deadline to submit comments of the 8 November 2019. GCC were also notified under section 42(1)(d) of the Act due to their affected land interests.
10 Oct 2019	Walking Cycling Horse riding Technical Working Group Meeting	Highways England Gloucestershire County Council (PRoW Officer) and Gloucestershire Local Access Forum	The following matters were discussed: <ul style="list-style-type: none"> Information relating to scheme progress EIA methodology Design of crossings, and signage. The importance of attending public consultation events and submitting formal consultation responses Agreement to provide further update following the finalisation of the scheme design
25 Oct 2019	Technical meeting	Highways England Gloucestershire County Council (Drainage and Highways officers)	The following matters were discussed: <ul style="list-style-type: none"> Current baseline information on existing drainage within the project area Current design and underlying concepts with regard to drainage for the project Design standards B4070/Barrow Wake road connection
4 Nov 2019	Technical meeting	Highways England Gloucestershire County Council (Highways Officers)	The following matters were discussed: <ul style="list-style-type: none"> Requirements and strategy for signage design and placement along the scheme Proposals to take forward into further design revisions
8 Nov 2019	Formal response to statutory consultation	Joint Councils	The Joint Councils submitted a joint formal response to the statutory consultation to Highways England via letter.
11 Nov 2019	Email	Gloucestershire County Council Heritage Team Leader to Highways England	Email response regarding trenching plan.
20 Nov 2019	Technical meeting	Highways England Gloucestershire County Council highways and traffic modelling officers	Discussion on traffic modelling and reassignment at Leckhampton Hill.
27 Nov 2019	Walking Cycling Horse riding Technical Working Group Meeting	Highways England Gloucestershire County Council (PRoW Officer)	The following matters were discussed: <ul style="list-style-type: none"> An update of the project Draft PRoW Management Plans SoCG An overview of next steps and programme

Date	Method	Parties concerned	Matters discussed
24 Jan 2020	Technical meeting	Historic England Gloucestershire County Council Highways England	The following matters were discussed: <ul style="list-style-type: none"> • Current position regarding archaeological surveys, geophysics and trial trenching • Reasoning for number and location of trenches • Datasets used to establish baseline • Basis for assessment • Overarching Written Scheme of Investigation, • Risk to construction programme • Proposed GI and the scope of the archaeological watching brief and geoarchaeological interpretation
27 Jan 2020	Email	Highways England to Joint Councils	Highways England described the methodology for the air quality assessment following updates to DMRB (Design Manual for Roads and Bridges) methodology and invited questions and comments.
27 Jan 2020	Email	Cotswold District Council	CDC provided comments about the selection of receptors and monitoring for model verification for the assessment and were satisfied with the proposed methodology.
5 Feb 2020	Technical meeting	Highways England Gloucestershire County Council (Drainage, Traffic Modelling and Highways Officers)	The following matters were discussed: <ul style="list-style-type: none"> • The latest position on issues relating to de-trunking • The local road network including road adoption, traffic modelling and drainage design
6 Feb 2020	Email	Gloucestershire County Council Heritage Team Leader to Highways England	Follow-up email regarding additional trenches proposed by Highways England.
3 March 2020	Walking Cycling Horse riding Technical Working Group Meeting	Highways England TWG member organisations including Gloucestershire County Council (PRoW Officer)	The following matters were discussed: <ul style="list-style-type: none"> • Update on the scheme • Draft PRoW Management Plan • WCH SoCG
6 March 2020	Email	Highways England to Gloucestershire County Council drainage and highways officers and Environment Agency	Highways England shared the draft Flood Risk Assessment (FRA) for comment.
9 April 2020	Email	Highways England to Gloucestershire County Council highways officers	Issue of updated Transport Modelling and Analysis Technical Note.
22 April 2020	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers	The following matters were discussed: <ul style="list-style-type: none"> • Draft SoCG (as shared on 18 March 2020) comments • Update of the next draft SoCG via the SoCG comment tracker.

Date	Method	Parties concerned	Matters discussed
27 April 2020	Email	Highways England Gloucestershire County Council officers	Issue of drainage strategy report and drawings for review.
28 May 2020	Email/phone call	Highways England to Gloucestershire County Council transport planning manager Cotswold District Council head of paid service Tewkesbury Borough Council deputy Chief Executive	Email to explain that the A417 DCO submission would be postponed to 2021, including: <ul style="list-style-type: none"> • Reiteration of Highways England's commitment to the scheme and stakeholder engagement, • Funding for the scheme
18 June 2020	Email	Gloucestershire County Council transport officer to Highways England	Email including: <ul style="list-style-type: none"> • GCC had reviewed the updated Transport Modelling Technical Note sent on 9 April 2020 • Confirmation that the updated Technical Note is sufficient to address the issues previously identified by GCC
30 June 2020	Email	Gloucestershire County Council Archaeologist to Highways England cultural heritage specialist	Query as to when trial trenching might be happening and if any project update is available.
02 July 2020	Email	Highways England cultural heritage specialist to Gloucestershire County Council Archaeologist	Confirmed that trenching likely to start in middle of August however land access issues are causing some issues regarding certainty of programme for trenching. An update on the scheme would be provided imminently from the project team.
20 July 2020	SSP Meeting	SSP members including representatives of Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council	The following matters were discussed: <ul style="list-style-type: none"> • Update on the scheme • Design changes and the programme change • Governance that has underpinned this change
22 July 2020	Combined Technical Working Group	Highways England Landscape, Heritage and Environment TWG members and Walking Cycling and Horse Riding TWG members	The following matters were discussed: <ul style="list-style-type: none"> • Project update following delay to programme • Key changes to the design and the amended timescales • Invited questions from stakeholders during the session
22 July 2020	Email	Highways England to TWG member organisations including Historic England and GCC	Request and agreement that the SOCG meeting with Historic England on 30 July include GCC Heritage Team and Historic England's Science Advisor.
29 July 2020	Landowner meeting	Highways England Gloucestershire County Council officers	Landowner meeting to discuss design change and effect on GCC land.

Date	Method	Parties concerned	Matters discussed
29 July 2020	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers	The following matters were discussed: <ul style="list-style-type: none"> • The approach to the SOCGs following the scheme design change • Design changes that were presented at TWG and SSP • Progress of SOCG to date • Programme for sharing information and updated SOCG
30 July 2020	Statement of Common Ground meeting	Highways England Historic England and Gloucestershire County Council officers	The following matters were discussed: <ul style="list-style-type: none"> • Historic environment • Scheme update • Key design changes Meeting minutes and slides were provided on 18 August.
30 July 2020	Statement of Community Consultation Meeting	Highways England Gloucestershire County Council officers	Meetings to discuss the draft Statement of Community Consultation and seek views of the Joint Councils on the proposals it contains ahead of being formally consulted on the draft SOCC.
31 July 2020	Statement of Community Consultation Meeting	Highways England Cotswold District Council officers	
3 Aug 2020	Statement of Community Consultation Meeting	Highways England Tewkesbury Borough Council officer	
4 Aug 2020	Email	Gloucestershire County Council traffic modelling officer to Highways England	Query as to whether traffic modelling will be redone based on the scheme programme and design change.
10 Aug 2020	Email	Highways England Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council	Highways England notified each Council via email of formal consultation on the draft SoCC under section 47(1) of the PA2008, requiring feedback by 7 September 2020. Highways England sought feedback on any additional groups that should be included.
12 Aug 2020	Email	Highways England traffic modelling officer to Gloucestershire County Council traffic modelling officer	Confirmation that traffic modelling will be redone based on the changing nature of the scheme and that Highways England is monitoring Department for Transport (DfT) guidance on modelling related to Covid-19. Suggestion of a teleconference in near future to advise what the updated modelling is showing and to discuss DfT guidance.
12 Aug 2020	Statement of Common Ground Meeting	Highways England Members of the Walking, Cycling and Horse riding TWG including: Gloucestershire County Council PRow officer and Think Travel officer	The following matters were discussed <ul style="list-style-type: none"> • Update on how the design changes in the scheme have resulted in changes to the PRow network. • Outline of next steps

Date	Method	Parties concerned	Matters discussed
20 Aug 2020	Email	Highways England to Gloucestershire County Council transport planning manager	Email to state that Highways England considering the provision of a school bus stop in Birdlip following consultation feedback, requesting a meeting with relevant people in GCC to discuss further.
25 Aug 2020	Email	Gloucestershire County Council Highways team to Highways England	Email to confirm that 10 Departures from Standards are signed off by GCC's Highways Operations Manager.
28 Aug 2020	Email	Highways England to Gloucestershire County Council officers and members of WCH TWG (including Cotswold District Council officer)	Email containing a link to a first tranche of technical information for review and comment including ecology surveys, updated De-Trunking Report and Work in Progress 2020 PEI Report chapters.
Sept 2020	Email(s)	Highways England Gloucestershire County Council archaeologist	A series of emails exchanged discussing: <ul style="list-style-type: none"> • Draft Overarching Archaeological Written Scheme of Investigation (OWSI) shared with GCC archaeologist and Historic England by Highways England contractor, and initial comments • Highways England specialist shared LIDAR data and discussion around this, its findings and presentation in ES • Geophysical/trenching update
4 September 2020	Email	Highways England to Historic England and GCC archaeologist	Email discussing: <ul style="list-style-type: none"> • Confirmation that specific paleoenvironmental sampling was not planned to be undertaken as part of the trenching • Geoarch monitoring, interpretation and deposit modelling has been included in the scope of future GI • In terms of the lidar interpretation, a number of new features have been identified, but none specifically within the DCO Boundary • Shared the draft interpretation shapefiles for information
16 Sept 2020	Meeting	Highways England Gloucestershire County Council PRoW officer and highways officer	The following matters were discussed: <ul style="list-style-type: none"> • The Council's position on a new unclassified road connecting to Shab Hill junction • Historic severance of PRoW either side of Dog Lane and Cold Slad
18 September 2020	Email	Highways England to Historic England and GCC archaeologist	Email to share OWSI.
28 Sept 2020	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers	Meeting to discuss updated draft of the Joint Councils SoCG and next steps.
29 Sept 2020	Technical meeting	Highways England Gloucestershire County Council Cowley and Birdlip Parish Council	The following matters were discussed: <ul style="list-style-type: none"> • Bus stop provision and feedback received by Highways England in relation to this issue, • Impact of scheme on local bus services/routes.

Date	Method	Parties concerned	Matters discussed
29 Sept 2020	TWG meeting	Highways England Gloucestershire County Council PRow officer	The following matters were discussed: <ul style="list-style-type: none"> WCH SoCG Updates to the PRow Management Plan, ahead of supplementary consultation
30 Sept 2020	Email	Highways England to Gloucestershire County Council officers and members of WCH TWG (including Cotswold District Council officer)	Email containing a link to second tranche of technical information for review and comment.
30 September 2020	Emails	Highways England to Historic England and GCC archaeologist	Emails to share latest survey results and drawings with trench numbers attached.
7 Oct 2020	Strategic Stakeholder Panel meeting	Highways England SSP members including Joint Councils	Meeting to review discussions had through Collaborative Planning meetings (Gloucestershire Wildlife Trust, National Trust, Cotswold National Landscape) and upcoming supplementary consultation.
7 Oct 2020	Technical meeting	Highways England Gloucestershire County Council traffic modelling officers	Meeting to discuss updates to traffic modelling and implications of Covid-19 on model updates.
9 Oct 2020	Statement of Common Ground Meeting	Highways England Historic England Gloucestershire County Council officers	Historic England SoCG meeting with attendance from GCC officers.
13 Oct 2020	Formal notification of supplementary consultation	Highways England Gloucestershire County Council Tewkesbury Borough Council Cotswold District Council	Highways England sent formal notification of the supplementary consultation via post and email to all three Councils, in accordance with section 42(b) of the Planning Act 2008. This set out a deadline to submit comments of the 12 November 2020. Gloucestershire County Council were also notified under section 42(d) of the Act due to their affected land interests.
20 Oct 2020	Technical meeting	Highways England Gloucestershire County Council PRow officer	Meeting to discuss proposals for Cotswold Way National trail under revised scheme design.
11 Nov 2020	Formal response to statutory consultation	Joint Councils	The Joint Councils submitted a joint formal response to the statutory consultation to Highways England via letter.
11 Nov 2020	Technical meeting	Highways England Gloucestershire County Council PRow officer	Meeting with Gloucestershire Local Access Forum to discuss revised proposals within the scheme relating to PRow.
24 Nov 2020	Technical meeting	Highways England Gloucestershire County Council highways and drainage officers	Discussion of revised drainage strategy for the scheme and its implications – feedback sought from GCC on the proposals ahead of their inclusion in the final design.
24 Nov 2020	Technical meeting	Highways England Gloucestershire County Council highways officers	Discussion of the scheme design and maintenance.

Date	Method	Parties concerned	Matters discussed
2 Dec 2020	Technical meeting	Highways England Gloucestershire County Council officers	The following matters were discussed: <ul style="list-style-type: none"> Crossings and integration strategy within the revised scheme design, with reference to feedback received at supplementary consultation
14 Dec 2020	Email	Highways England Planning officers at Gloucestershire County Council, Tewksbury Borough Council and Cotswold District Council	Highways England Specialist emailed planning officers at all three Councils to update the list of developments to inform the assessment in Chapter 15 Assessment of Cumulative Effects for the ES.
15 Dec 2020	Email	Highways England Gloucestershire County Council officers	Response on behalf of the Joint Councils providing comments on technical information issued to the Councils by Highways England during September and October. This includes comments on updates to all Technical Notes.
13 Jan 2021	Technical meeting	Highways England Gloucestershire County Council drainage officer National Star College	A meeting was held to discuss drainage design around the area of National Star College.
3 Feb 2021	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers	Meeting to discuss updated draft of the Joint Councils SoCG and next steps.
17 Feb 2021	Technical meeting	Highways England Gloucestershire County Council highways and PRow officers	The following matters were discussed: <ul style="list-style-type: none"> Update on the project with regard to PRow since the design fix Feedback sought on the issues of additional crossings to the west of the scheme and proposed bus stop near Birdlip
17 Feb 2021	Strategic Stakeholder Panel meeting	Highways England SSP members including Joint Councils	Highways England provided an update on the scheme and its timeline. Outstanding issues for the SSP members were discussed and a Q&A session provided.
23 Feb 2021	Technical meeting	Highways England Gloucestershire County Council highways, public transport and PRow officers	Follow-up meeting from 17 Feb 21 meeting, to discuss provision of a bus stop in Birdlip within the scheme.
17 Mar 2021	Email	Highways England Gloucestershire County Council officers	Email containing updated SoCG for discussion at meeting on 24 March 2021, as well as Technical Note H02- Lay Bys and Arrester Bed provision.
19 Mar 2021	Email	Highways England Gloucestershire County Council officers	Email containing list of Departures from Standard affecting Highways England retained network.
24 Mar 2021	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers	The following matters were discussed: <ul style="list-style-type: none"> Updated draft of the Joint Councils SoCG Landscape matters Next steps

Date	Method	Parties concerned	Matters discussed
6 Apr 2021	Phone call	Highways England noise specialist Gloucestershire County Council highways officer	Discussion regarding noise effects of the scheme affecting GCC road network ahead of meeting on 7 April.
7 Apr 2021	Meeting	Highways England noise specialist Gloucestershire County Council highways officer and noise specialist	Meeting to discuss results of noise assessment in the ES and effects on GCC road network outside of the DCO Boundary.
9 Apr 2021	Meeting	Highways England traffic modelling specialist Gloucestershire County Council highways officers	The following matters were discussed: <ul style="list-style-type: none"> Outstanding matters relating to traffic modelling for the scheme Effects of the scheme on the road network
20 Apr 2021	Email	Highways England to Gloucestershire County Council officers	Following the 7 April meeting, Highways England provided information to GCC on significant noise effects at Stratton and Leckhampton Hill and options being considered.
5 May 2021	Strategic Stakeholder Panel meeting	Highways England SSP members including GCC and TBC	Highways England provided a project update and information on the next steps following submission of the DCO application.
6 May 2021	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers	The following matters were discussed: <ul style="list-style-type: none"> Updated draft of the Joint Councils SoCG ahead of DCO submission
25 May 2021	Email	Highways England to Gloucestershire County Council officers	Highways England shared the final version of the draft SoCG prior to submission to PINS.
27 May 2021	Meeting	Highways England Gloucestershire County Council officers Environment Agency Natural England	Discussion regarding other consents and licenses required for the scheme. An email sent on 28 May 2021 from Highways England summarised this discussion and highlighted that Highways England is seeking consent from GCC to disapply land drainage consent.
1 June 2021	Email	Highways England to Gloucestershire County Council officers	Highways England confirmed via email that the DCO Application had been submitted to PINS and shared a link to the documents prior to them being made public at acceptance.
22 June 2021	Email	Highways England to Gloucestershire County Council officers	Issue of Crickley Hill Stream Hydraulic Modelling – Technical Note P04 for information.
1 July 2021	Email	Gloucestershire County Council officers to Highways England	Confirmation that GCC has no concerns about disapplying Land Drainage Consent through the DCO process.
20 July 2021	Email	Gloucestershire County Council officers to Highways England	GCC shared a list of clarifications emerging from the initial review of the DCO Application for consideration and response by Highways England.
30 July 2021	Email	Highways England to Gloucestershire County Council officers	Issue of Through Traffic Technical Note to GCC.

Date	Method	Parties concerned	Matters discussed
4 August 2021	Email	Highways England to Gloucestershire County Council officers	A417 Lighting Technical Note shared with GCC.
6 August 2021	Email	Highways England to Gloucestershire County Council officers	Highways England provided response to GCC's clarification questions sent on 20 July 2021.
3 Sep 2021	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers	The following matters were discussed: Changes to the positions of the matters in the SoCG and any new matters raised by the Joint Councils following review of the application.
8 Sep 2021	Strategic Stakeholder Panel meeting	Highways England SSP members including GCC and TBC	Highways England provided a project update and information on the next steps/Examination.
15/16 Sep 2021	Email	Highways England Gloucestershire County Council officers	Exchange of emails regarding legal representatives and arrangement of discussions on draft DCO.
16 Sep 2021	Meeting	Highways England Gloucestershire County Council officers	Discussion on the Classification of Roads plans and amendments requested by GCC.
17 Sep 2021	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers Historic England	Meeting to discuss Historic England SoCG.
29 Sept 2021	Technical meeting	Highways England Gloucestershire County Council Cotswold District Council Tewkesbury Borough Council Cheltenham Borough Council	Meeting with Highways England noise specialist and noise/environmental health specialists from the councils to discuss significant effect reported in the ES for a number of properties in Stratton and Leckhampton, substantially outside of the DCO boundary. The councils attending confirmed that they agree with the methodology of the assessment and the conclusions that whilst it is a significant effect in DMRB terms, the actual impact on occupants of the property is likely to be negligible as 1DB difference is of limited perception to humans. It was agreed that GCC will consider further whether there is an inclination to implement the speed limit reduction in this area as proposed by Highways England as mitigation.
15 Oct 2021	Email	Gloucestershire County Council officers to Highways England	Updated SoCG shared with Highways England.
18 Oct 2021	Letter	Gloucestershire County Council officers to Highways England	Letter sent confirming updated position on the matter of street lighting in the scheme.
1 Nov 2021	Email	Gloucestershire County Council officers to Highways England	Joint Councils legal representatives provided comments on the draft DCO to the Highways England legal representatives.
15 Nov 2021	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers	The following matters were discussed: Changes to the positions of the matters in the SoCG and any new matters raised by all parties.

Date	Method	Parties concerned	Matters discussed
22 Nov 2021	Strategic Stakeholder Panel meeting	Highways England SSP members including Joint Councils	Highways England provided an update on the scheme and the Examination process.
25 Nov 2021	Email	Highways England Gloucestershire County Council officers	Issue of Detrunking and Asset Handover Approach technical note and responses to GCC comments on the draft DCO.
16 Dec 2021	Meeting	Highways England Gloucestershire County Council officers	Discussion between legal representatives of the parties on the draft DCO and potential legal agreement.
16 Dec 2021	Email	Gloucestershire County Council officers to Highways England	Issue of Joint Councils comments on Detrunking and Asset Handover Approach technical note.
21 Jan 2022	Email	Highways England Gloucestershire County Council officers	Issue of draft legal agreement to Joint Councils legal representatives.
26 Jan 2022	Statement of Common Ground Meeting	Highways England Gloucestershire County Council officers	The following matters were discussed: Changes to the positions of the matters in the SoCG and any new matters raised by all parties.
1 February 2022	Email	Highways England to Gloucestershire County Council officers	Highways England provided an update with regards to the Cotswold Way National Trail Diversion Report following the ExA's Rule 17 request.

3 Topics covered in this SoCG

3.1.1 The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 Summary of the topics considered within this SoCG

Overarching topic	Topic number	Topic
Background	1.	Principle of Development
	2.	Consultation
Relevant ES Chapter	3.	Assessment of Alternatives (Chapter 3 of the ES)
	4.	Environmental Impact Assessment Methodology (Chapter 4 of the ES)
	5.	Air Quality (Chapter 5 of the ES)
	6.	Cultural Heritage (Chapter 6 of the ES)
	7.	Landscape and Visual Effects (Chapter 7 of the ES)
	8.	Biodiversity (Chapter 8 of the ES)
	9.	Geology and Soils (Chapter 9 of the ES)
	10.	Material Assets and Waste (Chapter 10 of the ES)
	11.	Noise and Vibration (Chapter 11 of the ES)
	12.	Population and Human Health (Chapter 12 of the ES)
	13.	Road Drainage and the Water Environment (Chapter 13 of the ES)
	14.	Climate (Chapter 14 of the ES)
	15.	Assessment of Cumulative Effects (Chapter 15 of the ES)
Other topics	16.	De-trunking
	17.	Traffic and Transport
	18.	Crossings of the A417
	19.	Engineering design, also including: <ul style="list-style-type: none"> • design of local roads • safety • drainage • signage • lighting
	20.	Draft Development Consent Order
	21.	Land
	22.	Environmental Management Plan (EMP)
	23.	Construction Traffic Management Plan (CTMP)

4 Matters agreed

- 4.1.1 Table 4-1 shows those matters which have been agreed by the parties, including that matters reference number, and the date and method by which it was agreed.
- 4.1.2 Where a matter relates to the position of one council only, or there are differences in the position between the councils, the matter is subdivided. In all other instances, the position relates to that of the Joint Councils.

Table 4-1 Matters agreed between the Joint Councils and Highways England

Matter reference number	Matter which has been agreed	Date and method of agreement
1. Principle of Development		
1.1.	Highways England and the Joint Councils agree that the need for this scheme has been apparent for many years with the road's poor safety record, daily congestion and severance affecting users. There have been 10 fatal personal injury collisions between 2013 and April 2018, which have affected many lives in the area. It is agreed that this scheme will reduce this unacceptable level of serious accidents on this road.	Response to statutory consultation, covering letter, 8 November 2019
1.2.	The Councils fully support Highways England's vision of the A417 Missing Link as a landscape-led scheme that will deliver a safe and resilient free-flowing road whilst conserving and enhancing the special character of the nationally important protected landscape of the Cotswolds Area of Outstanding Natural Beauty (AONB) that the new route passes through. The Councils' vision of the scheme is also that which reconnects landscape and ecology; brings about landscape, wildlife and heritage benefits, includes enhanced visitors' enjoyment of the area; improves local communities' quality of life; and contributes to the health of the economy and local businesses.	Response to 2019 statutory consultation, (p4), 8 November 2019
1.3.	The Joint Councils support the changes to the scheme design since 2019, which were subject to a supplementary consultation in October and November 2020.	Joint Councils' response to supplementary consultation (p1/p29) 12 November 2020
2. Consultation		
2.1.	Since the previous consultations in 2018 and 2019, the Joint Councils and Highways England have worked collaboratively through the Stakeholder Group, Technical Working Groups, topic-based sessions and individual meetings to ensure that the objectives of the A417 Missing Link scheme are met. The three authorities and Highways England continue to be satisfied that the scheme is being designed as a landscape-led exemplar project.	Joint Councils' response to supplementary consultation (covering letter), 12 November 2020

Matter reference number	Matter which has been agreed	Date and method of agreement
2.2.	The Joint Councils would like to continue to be involved in the development of the detailed design of the scheme and its implementation. Highways England agrees with this intention and will continue to engage with the Joint Councils during the detailed design and construction of the scheme.	SoCG Meeting 22 April 2020
2.3.	Outside of the DCO process, the Joint Councils and Highways England are jointly committed to ongoing discussions regarding designated funds projects within the area, including in relation to biodiversity net gain , active travel and cycle initiatives.	SoCG meeting, 24 March 2021
3. Consideration of Alternatives (Chapter 3 of the ES)		
3.1.	The Joint Councils fully support the proposal known as 'Option 30' to improve the single carriageway section between the Brockworth bypass and Cowley roundabout. The Joint Councils have previously set this out to Highways England in their formal responses during the 2018 consultation and 2019 consultation.	Joint Councils' response to supplementary consultation (covering letter), 12 November 2020
4. Environmental Impact Assessment Methodology (Chapter 4 of the ES)		
4.1.	The Joint Councils and Highways England agree that there was sufficient and appropriate reference to the local development plans of relevance to the scheme within the 2020 PEI Report and that this has been sufficiently updated in the ES to refer to any new relevant policy published between production of the 2020 PEI Report and the ES.	SoCG Update for Deadline 1, 14 December 2021
4.2.	The Joint Councils and Highways England are in agreement that it is not appropriate to include reference to COVID-19 in the EIA at this time, as long-term impacts on traffic volumes, mode choice and travel patterns remain unclear. At present Highways England is following the Department for Transport recommendation to use the current traffic growth forecasts in the appraisal of the scheme, however where COVID-19 has had an impact on process or procedure this is referenced, e.g. in the Consultation Report (Document Reference 5.1).	SoCG Update for Deadline 1, 14 December 2021
5. Air Quality (Chapter 5 of the ES)		
5.1.	The Joint Councils and Highways England consider that the scheme will help to address the existing air quality management area by cutting congestion along the whole length of the scheme.	Joint Councils' response to supplementary consultation (covering letter), 12 November 2020
5.2.	It is agreed between the Joint Councils and Highways England that the air quality assessment in the 2020 PEI Report has followed the DMRB guidance LA105 which is appropriate for this project.	Joint Councils' response to supplementary consultation (p11), 12 November 2020

Matter reference number	Matter which has been agreed	Date and method of agreement
5.3.	It is agreed between the Joint Councils and Highways England that the scheme should not have a significant adverse effect on air quality and should lead to improvements at the Birdlip AQMA.	Joint Councils' response to supplementary consultation (p10), 12 November 2020
5.4.	It is agreed that the scheme would not have a significant adverse effect on human health receptors once operational.	SoCG Update for Deadline 1, 14 December 2021
6. Cultural Heritage (Chapter 6 of the ES)		
6.1.	Following comments made by the Joint Councils in response to the 2019 statutory consultation, Highways England extended the 1km search buffer to include all visual and noise receptors, and included the scheduled Leckhampton Camp and barrow in impact assessments. The Joint Councils and Highways England agree this matter is resolved.	Joint Councils' response to supplementary consultation (p12), 12 November 2020
6.2.	The Joint Councils are satisfied that Portable Antiquities (PAS) data has now been included in the desk-based assessment by Highways England, as set out in the 2020 PEI Report. Although not used to inform trial trenching, the extent of Roman settlement near to the Cowley roundabout should still be reasonably established by ongoing trial trenching.	Joint Councils' response to supplementary consultation (p13), 12 November 2020
6.3.	The Joint Councils and Highways England agree that the demolition of the Air Balloon Public House (a non-designated heritage resource) has been assessed in Chapter 6 Cultural Heritage of the 2020 PEI Report and ES. It is agreed that to mitigate the demolition of the Air Balloon Public House, the building would be subject to Level 3 recording prior to and during its demolition, according to the standards set out in Historic England's guide Understanding Historic Buildings. This is set out in 2020 PEI Report and the subsequent ES and EMP.	SoCG update, March 2021
6.4.	It is agreed between the Joint Councils and Highways England that the WWII building 91B, which is proposed to be converted to a bat roost as part of the scheme, is a building of low significance and in a poor state of repair. The proposed conversion to a bat roost would preserve the structure.	SoCG meeting 24 March 2021
7. Landscape and Visual Effects (Chapter 7 of the ES)		
7.1.	<p>The use of LA107 Landscape and Visual Effects for the assessment methodology and production of visuals has been agreed between the Joint Councils and Highways England. The following aspects of the assessment are also agreed:</p> <ul style="list-style-type: none"> • the additional viewpoints added into the visual assessment for the 2020 PEI Report • that assessment of impacts of changes to the Public Rights of Way (PRoW) network and the effect on the landscape, and the assessment of sequential views along PRoW • An eye level of 1.6m for the ZTV 	SoCG meeting 24 March 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	<ul style="list-style-type: none"> The assessment contained in the 2020 PEI Report is clearer on where significant (adverse and beneficial) landscape and visual effects are likely to occur, or the elements of the proposal that are generating these adverse impacts although the scheme would not be lit, the visual assessment will include a qualitative assessment of the predicted changes in light levels/light pollution as a result of traffic moving along the scheme the updated Zone of Theoretical Visibility as provided in the 2020 PEI Report the use of Landscape Character Types (LCTs) in the LVIA the extent and scope of cross-sections to be provided as part of the assessment 	
7.2.	The Joint Councils consider that the amended scheme design presented at the 2020 consultation does not appear to have any additional landscape impacts over and above the scheme design consulted upon in 2019.	Joint Councils' response to supplementary consultation (p16), 12 November 2020
7.3.	The Joint Councils and Highways England agree that the Phase 2A ground investigations will be used to inform the ES, including Chapter 7 Landscape and Visual Effects. It is agreed that Phase 2B investigations will be undertaken as part of detailed design and will not inform the ES.	SoCG update, March 2021.
7.4.	The Joint Councils and Highways England agree on the approach taken to assessing the impacts on views from sensitive visual receptors including residential receptors, in which combined effects on several properties have been considered through aggregating properties within settlements and reporting against 'community' groups. It is agreed that Highways England has engaged with property owners where queries have been made about the specific effects on views from their property, including those that are isolated receptors. In addition, statutory consultation with affected landowners has been undertaken during the development of the scheme as set out in the Consultation Report submitted with the DCO application.	SoCG meeting, 24 March 2021
7.5.	The Joint Councils and Highways England agree that there is a need for a document within the DCO application setting out the design rationale for the scheme and how the landscape-led design approach was applied to the scheme. The Design Summary Report (Document Reference 7.7, APP-423) submitted with the DCO application sufficiently sets this out.	SoCG Update for Deadline 1, 14 December 2021
8. Biodiversity (Chapter 8 of the ES)		
8.1.	The Joint Councils consider that the scope and detail of the ecology survey methods undertaken by Highways England appear to be appropriate although it is recognised that some survey work remains incomplete (due to land access issues).	Joint Councils' response to supplementary consultation (p17), 12 November 2020
8.2.	Highways England and the Joint Councils agree that the assemblage of bats in the area is of national importance and a key factor for the EIA to consider, particularly crossing points over existing and proposed A417 layouts.	Joint Councils' response to supplementary

Matter reference number	Matter which has been agreed	Date and method of agreement
	Habitat and roost loss should be temporary and reversible with local populations conserved and potentially enhanced in the long-term.	consultation (p18), 12 November 2020
8.3.	Highways England and the Joint Councils agree that reptiles in the area are of at least county importance with 4 species occurring in many places. Translocation is required from affected areas, but the scheme will retain much habitat and probably create new/improved opportunities for reptiles.	Joint Councils' response to supplementary consultation (p18), 12 November 2020
8.4.	Highways England and the Joint Councils agree that invertebrates within the scheme footprint are of at least county importance and at Crickley Hill of national importance. The scheme will retain as well as create/enhance habitat for invertebrates.	Joint Councils' response to supplementary consultation (p18), 12 November 2020
8.5.	The Joint Councils and Highways England agree that whilst the need for achieving BNG is reflected in the Government's 25 Year Plan and is also set out in local policy, the National Policy Statement for National Networks (NPSNN) makes no specific policy requirement for national networks NSIPs to provide BNG. It is also agreed that The Environment Act 2021 includes requirements for NSIPs to achieve 10% BNG, however, secondary legislation (Regulations) is required to bring this part of the act into force.	SoCG meeting, 24 March 2021
8.6.	The Joint Councils agree that Highways England is working hard to maximise biodiversity improvements on the land that is available. Highways England has worked collaboratively with Natural England and other environmental bodies to consider the evolving Biodiversity Metric 2.0 tool and have agreed to focus on providing functional priority habitats, which are in keeping with the special qualities of the Cotswolds AONB, as part of this scheme. Highways England is continuing to investigate further opportunities to achieve BNG with neighbouring landowners and through looking at other off-site measures. Highways England and the Joint Councils agree that the scheme must aim to maximise biodiversity and a gain of priority habitats, but that this should not just be evaluated using an agreed Biodiversity metric - professional ecologists' judgement is important too.	SoCG meeting, 24 March 2021
8.7.	Highways England and the Joint Councils agree that overall, there will be a significant net gain in hedgerow length once the scheme is complete and in the operational phase. Newly planted hedgerows will be species-rich comprising a mix of at least seven woody native species of local provenance and in keeping with species recorded in the area. Honeysuckle is to be included to attract dormice which are in surrounding areas but have not been recorded present within the DCO footprint. Advance planting where possible will happen to help early mitigation for later losses.	Joint Councils' response to supplementary consultation (p19), 12 November 2020
8.8.	Highways England and the Joint Councils agree that rock exposures and substrate suitable for colonisation of calcareous grassland species is an important feature of the landscaping in places along limited areas of woodland and trees for critical ecological reasons only.	Joint Councils' response to supplementary consultation (p16), 12 November 2020

Matter reference number	Matter which has been agreed	Date and method of agreement
8.9.	It is agreed that the assessment described in the 2020 PEI Report has followed the DMRB guidance LA108 (EIA) and LA115 (HRA), which is appropriate for this project.	SoCG update March 2021
8.10.	Following the 2020 supplementary statutory consultation, Highways England amended the scheme design to incorporate two new habitat patches (or 'stepping stones') to the north and south of the scheme that would mitigate the impacts of further SSSI fragmentation, by providing functional habitat connectivity for species associated with Crickley Hill and Barrow Wake SSSI units to disperse. This change was implemented taking into account feedback received from environmental stakeholders and the Joint Councils in response to the supplementary consultation. The Joint Councils are in agreement that this change to the scheme design provides the required connectivity between the two units of the SSSI and addresses concerns of habitat fragmentation.	SoCG update, April 2021
8.11.	The Joint Councils note that ecological surveys are as complete as is reasonable and will inform the final delivery of the road scheme appropriately. It is accepted that some follow up/repeat protected species surveys, such as for example roosting bats in trees, must necessarily occur just prior to works commencing in order to populate the bat licence application and to take account of any changes in the situation, and thus avoid potential but unlikely significant impacts.	SoCG Update for Deadline 1, 14 December 2021
8.12.	The Joint Councils consider that significant impacts on local populations of great crested newts (GCNs) is unlikely but cannot be ruled out. It is agreed that there will be continuing dialogue between Highways England and Natural England (NE) to ensure any unavoidable impact on GCNs are dealt with appropriately through non-licensed method statements and additional mitigation if required. Should the scope of works change or results of preconstruction surveys differ from the baseline, then further consultation will be conducted with NE and the requirement of a licence reassessed.	SoCG Update for Deadline 1, 14 December 2021
8.13.	The Joint Councils previously raised a number of matters relating to the Habitats Regulation Assessment (HRA) and the lack of a completed Statement to Inform Appropriate Assessment (SIAA) – as stated in Appendix B of the Joint Councils SoCG submitted with the DCO Application. The SIAA was submitted with the DCO Application and has been reviewed by the Joint Councils, who agree that it adequately addresses the matters raised.	SoCG Update for Deadline 1, 14 December 2021
8.14.	The Joint Councils are satisfied that ES Chapter 8 Biodiversity adequately assesses and mitigates for the long-term impacts of changes in hydrology on biodiversity.	SoCG Update for Deadline 1, 14 December 2021
8.15.	The Joint Councils are satisfied that ES Chapter 8 Biodiversity adequately demonstrates that the loss of veteran trees is unavoidable in line with the requirements of the NPSNN.	SoCG Update for Deadline 1, 14 December 2021
<u>8.16.</u>	Having reviewed the National Highways Comments on the Local Impact Report (Document Reference 8.12, REP2-013), the Joint Councils accept the justification provided by National Highways to support their statement in ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) that Emma's Grove is not ancient woodland.	SoCG Update for Deadline 3, 2 February 2022
9. Geology and Soils (Chapter 9 of the ES)		

Matter reference number	Matter which has been agreed	Date and method of agreement
9.1.	The Joint Councils consider that the summary of geology and geomorphology impacts is appropriate.	SoCG Meeting 22 April 2020
9.2.	The Joint Councils accept that Highways England used available ground investigation (GI) data up to 1 June 2020 to inform the 2020 PEI Report. The Joint Councils are in agreement that new GI data has been used in the ES and is acceptable.	SoCG Update for Deadline 1, 14 December 2021
9.3.	The Joint Councils consider the methodology for the assessment of construction impacts and operational impacts to be appropriate. The methodology has been updated in the 2020 PEI Report and is in accordance with the DMRB LA109 guidance.	Joint Councils' response to supplementary consultation (p20), 12 November 2020
9.4.	The Joint Councils are satisfied with the details on soil management and agricultural land mitigation in the ES Chapter 9 Geology and Soils and the reference within ES Appendix 2.1 EMP to a Soil Management Plan to be adopted on site.	SoCG Update for Deadline 1, 14 December 2021
9.5.	The Joint Councils are satisfied that an Agricultural Land Classification (ALC) report is included as part of the ES and that a monitoring requirement for temporary loss of Grade 3a and 3b agricultural land has now been provided and secured via the EMP.	SoCG Update for Deadline 1, 14 December 2021
9.6.	The Joint Councils and Highways England are in agreement that construction stage effects are greater than operational effects because that is when the land is impacted (whether temporarily or permanent).	SoCG Update for Deadline 1, 14 December 2021
9.7.	The Joint Councils and Highways England are in agreement that there is sufficient provision secured within the DCO Application to safely deal with unexpected contamination should this arise. This is secured through the DCO Requirement 3 (construction stage EMP), in which there is a commitment to develop an Action Plan for unexpected contamination and through DCO Requirement 8 (land and groundwater contamination).	SoCG Update for Deadline 1, 14 December 2021
10. Material Assets and Waste (Chapter 10 of the ES)		
10.1.	Highways England and the Joint Councils are in agreement that the amount of surplus material that needs to be transported within or out of the county should be minimised to ensure minimal effect on the environment. It is agreed that Highways England would re-use as much material as possible on-site, if it is suitable for re-use, as set out in the 2020 PEI Report and ES Chapter 10 Material Assets and Waste.	SoCG update March 2021
10.2.	Highways England and the Joint Councils consider that a benefit of the revised scheme design, in which the proposed gradient of the highway up Crickley Hill has been increased from 7% to 8% (although still a reduction from the existing 10%), is that it has significantly reduced the volume of surplus material that would be generated by the scheme. Following the update to the volumes of material use and waste generation in the 2020 PEI Report, the Joint Councils agree with Highways England's assessment that effects will be slight, and impacts will not be significant.	Joint Councils' response to supplementary consultation (p21), 12 November 2020

Matter reference number	Matter which has been agreed	Date and method of agreement
10.3.	It is agreed that the assessment described in the PEI Report has followed the DMRB guidance LA110, which is appropriate for this project.	SoCG update March 2021
10.4.	It is agreed that the site construction compound locations have been included in the assessment that was provided in the 2020 PEI Report and that will be included in the ES. It is agreed that the General Arrangement Plans published as part of the 2020 supplementary statutory consultation identified where the construction compounds would be located.	SoCG update March 2021
10.5.	The Joint Councils are in agreement with the mitigation proposed in ES Chapter 10 Material Assets and Waste (Document Reference 6.2).	SoCG Update for Deadline 1, 14 December 2021
10.6.	The Joint Councils are in agreement with the content of the Materials Management Plan and Site Waste Management Plan, Annex E and Annex H respectively of ES Appendix 2.1. EMP (Document Reference 6.4).	SoCG Update for Deadline 1, 14 December 2021
11. Noise and Vibration (Chapter 11 of the ES)		
11.1.	The Joint Councils consider that the 2020 PEI Report assessment has followed the DMRB guidance LA 111, which is appropriate for this project.	Joint Councils' response to supplementary consultation (p22), 12 November 2020
11.2.	The Joint Councils and Highways England are in agreement that the scheme would result in no adverse significant effects to Noise Important Areas (NIAs). As set out in the 2020 PEI Report, where two NIAs would have been subject to noise increases as a result of the scheme, noise mitigation has been incorporated to reduce noise to below those levels without the scheme (a permanent likely significant beneficial effect).	Joint Councils' response to supplementary consultation (p22), 12 November 2020
11.3.	The Joint Councils consider that the construction noise assessment within the 2020 PEI Report is appropriate and resolves concerns raised by the Joint Councils in response to the 2019 PEI Report.	Joint Councils' response to supplementary consultation (p22), 12 November 2020
11.4.	The Joint Councils stated in response to the 2019 PEI Report that noise mitigation should avoid the use of artificial features such as noise fencing. It is agreed, upon review of the 2020 PEI Report, that Highways England has proposed 14 noise mitigation enhancements mainly consist of earth bunds and stone walls, with only 2 proposed noise barriers in areas where there are space constraints.	Joint Councils' response to supplementary consultation (p22), 12 November 2020
11.5.	The Joint Councils and Highways England are in agreement that the potential change in noise on the concrete section of road (the A417/A419 south of the scheme) has been assessed by Highways England, and that the change in noise was not found to be significant.	Joint Councils' response to supplementary consultation (p22), 12 November 2020

Matter reference number	Matter which has been agreed	Date and method of agreement
11.6.	<p>Due to increases in traffic as a result of the scheme, the noise assessment has identified significant adverse effects by virtue of the DMRB methodology relating to 12 properties in Stratton and 5 properties on Leckhampton Hill, all outside of the DCO Boundary. These properties already experience high levels of noise and there would be a slight increase in noise caused by the slight increases in traffic along the roads on which these properties face. Highways England proposes to offer noise insulation to these properties as an appropriate form of mitigation in these circumstances, on a discretionary basis. This is recorded in the ES and secured through ES Appendix 2.1 EMP (Document Reference 6.4, APP-317).</p> <p>The significant adverse effects identified at the 12 properties in Stratton and 5 properties on Leckhampton Hill relate to noise increases of just over 1dB, which in reality, is likely to be indiscernible to the receptors. The Institute of Environmental Management and Assessment's Guidelines for Noise Impact Assessments explains that '<i>for broad band sounds which are very similar in all but magnitude, a change or difference in noise levels of 1dB is just perceptible under laboratory conditions, 3dB is perceptible under most normal conditions.</i>'</p> <p>Highways England has met with the Joint Councils and Cheltenham Borough Council to discuss this matter in terms of potential mitigation and has also explored opportunities for other forms of mitigation in collaboration with the Joint Councils. In particular, the potential for the removal of the significant effect via a speed limit reduction along the relevant sections of roads has been considered to be the only viable potential mitigation method beyond the noise insulation mitigation already proposed. Through discussions, the Joint Councils has confirmed that mitigation measures beyond those already proposed would be disproportionate to the effect, especially when taking into account the reduction of speed limits would require them to undertake a traffic order under section 84 of The Road Traffic Regulation Act 1984, and because this is a strict legal process which requires speed survey or collision data and statutory consultation (including with the Police), the outcome of this process cannot be pre-empted or guaranteed. As such, the Joint Councils and Highways England agree that speed limit reductions on these roads cannot be relied upon to mitigate the identified noise effect. All other potential forms of mitigation that have been identified and explored have been discarded as being unfeasible or ineffective (this has been captured in a technical note recording the findings).</p> <p>Highways England and the Joint Councils are therefore in agreement that options for mitigating the significant adverse effect at Stratton and Leckhampton Hill have been fully explored and it is concluded that there is not an appropriate measure that can be taken beyond the mitigation already secured through the DCO Application in ES Appendix 2.1 EMP (Document Reference 6.4, APP-317).</p>	SoCG Update for Deadline 1, 14 December 2021
11.7.	The Joint Councils agree with the operational noise assessment in ES Chapter 11 Noise and Vibration (Document Reference 6.2, APP-042).	SoCG Update for Deadline 1, 14 December 2021
12. Population and Human Health (Chapter 12 of the ES)		

Matter reference number	Matter which has been agreed	Date and method of agreement
12.1.	The Joint Councils and Highways England agree that the assessment methodology of Chapter 12 has been updated based on the most up-to-date guidance (DMRB LA 112), which is appropriate for this project. It is agreed that the majority of comments made by the Joint Councils on the assessment methodology in response to the 2019 PEI Report have been incorporated into the 2020 PEI Report.	Joint Councils' response to supplementary consultation (p23), 12 November 2020
12.2.	The Joint Councils and Highways England agree that the assessment of employment impacts during construction and operation no longer forms a part of the DMRB LA112 assessment guidance and the removal of this topic from Chapter 12 is therefore accepted and agreed.	SoCG Meeting 22 April 2020
12.3.	The Joint Councils and Highways England agree that the assessment of Driver Stress no longer forms a part of the DMRB LA112 assessment guidance and the removal of this topic from Chapter 12 is therefore accepted and agreed.	SoCG Meeting 22 April 2020
12.4.	The Joint Councils and Highways England agree that Chapter 12 of the 2020 PEI Report (and ES) sets out, at a high level, employment and economy matters during construction. Further information on this matter can be made available if a contractor is appointed and if the scheme is progressed to construction, Highways England would engage in further discussions with the Councils on these matters. Highways England recognises that the Joint Councils would like these discussions to include information on: anticipated workforce numbers by employment type (to understand the opportunities available to local small and medium enterprises); a commitment to employing locally where possible; and, accommodation and transportation of workers during construction.	SoCG update, March 2021
12.5.	Highways England and the Joint Councils are in agreement regarding changes made to the proposed parking near the Golden Heart Inn following the 2020 supplementary statutory consultation, which were made to help to address concerns expressed about a possible redistribution of anti-social behaviour to the area.	SoCG update, April 2021
Public Rights of Way (Chapter 12 of the ES)		
12.6.	The Joint Councils are engaging with Highways England and other stakeholders in the WCH TWG Statement of Common Ground and comments on PRoW are provided through this ongoing process.	Joint Councils' response to supplementary consultation (p23), 12 November 2020
13. Road Drainage and the Water Environment (Chapter 13 of the ES)		
13.1.	The Joint Councils and Highways England agree that the methodology for Chapter 13 of the 2020 PEI Report has been updated and is in accordance with the new DMRB LA104 and LA113 guidance, which is appropriate for this project.	Joint Councils' response to supplementary consultation (p24/25), 12 November 2020
13.2.	<p>Following clarifications provided within the 2020 PEI Report, the Joint Councils agree with Highways England on the following aspects of the Chapter 13 assessment:</p> <ul style="list-style-type: none"> that the purpose of the Tracer Test was to ascertain hydraulic connection to Norman's Brook 	Joint Councils' response to supplementary

Matter reference number	Matter which has been agreed	Date and method of agreement
	<ul style="list-style-type: none"> • that 2-D and conceptual groundwater models will be used by Highways England to inform design • that the effect of changing groundwater level and flow on Groundwater Dependent Terrestrial Ecosystems (GWDTEs) will be assessed in the ES, as will further details of construction practices and accidental spillage • the cross-reference to the assessment (including aquatic ecology) in Chapter 8 Biodiversity of the ES • that a Water Framework Directive (WFD) compliance assessment will be conducted in support of the ES • that the study area of the assessment has been extended beyond a 1km buffer to reflect comments of the Planning Inspectorate and Environment Agency • that the appropriate stakeholders were consulted with by Highways England • that the use of the Highways England Water Risk Assessment Tool (HEWRAT) to assess the potential impacts of routine runoff on surface water quality is appropriate • that a detailed Flood Risk Assessment will be produced in support of the ES • the intention to consider Natural Flood Management options as part of the scheme 	consultation (p24-26), 12 November 2020 / Joint Councils comments on SOCG and technical information (p5), 15 December 2020
13.3.	The Joint Councils consider that the approach to surface water quality monitoring taken by Highways England is reasonable, with the expected parameters being tested.	Joint Councils comments on SOCG and technical information (p5), 15 December 2020
13.4.	The Joint Councils and Highways England agree that the Tracer Test confirms that Crickley Hill stream discharges to Norman's Brook.	Joint Councils comments on SOCG and technical information (p5), 15 December 2020
13.5.	The Joint Councils and Highways England agree that the modelling undertaken and reported in the ES indicates no increase in overall flows in Norman's Brook and that the proposed drainage strategy and tributary of Norman's Brook realignment does not detrimentally affect existing flood risk.	SoCG Update for Deadline 1, 14 December 2021
13.6.	<p>The Joint Councils agree that the hydrological and hydraulic modelling undertaken to date contain a number of simplifications and assumptions but is adequate for the current level of design development. It is recognised (as set out in Crickley Hill Stream Hydraulic Modelling Technical Note P04, issued 22 June 2021) that further modelling will be undertaken to support detailed design of the proposed scheme and afford the appropriate level of confidence in model outputs at that stage. Modelling of a sufficient level of detail and accuracy is required to confirm the scheme will meet the primary flood risk management outcome of not increasing flows passed forward to the downstream catchment.</p> <p>Specific areas that are expected to be updated as modelling is progressed to the next stage are:</p>	SoCG Update for Deadline 1, 14 December 2021

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	<ul style="list-style-type: none"> Review of modelling software being used (currently Microdrainage) and consideration of whether alternatives are better suited to supporting detailed design (e.g. Infoworks ICM), notably with respect to representation and stability of 1D-2D connectivity; Modelling will be updated to include accurate representation of existing hydraulic structures (culverts, bridges) based on topographical survey that will be acquired for the next stage; Refinement of Crickley Hill stream realignment design and representation in the model (channel geometry, Manning's 'n' value); Development of the hydrological model based on rural flow hydrographs calculated using Flood Estimation Handbook methodology, to replace the direct rainfall approach in the current model; A full suite of standard sensitivity tests to be carried out on the model including sensitivity to flow, Manning's 'n', culvert discharge co-efficient and any other aspects of model parameterisation or schematisation that are based on remaining assumptions or simplifications; and, Reporting to include results for all key points of interest and structures in the model for maximum flow and water level at all return periods simulated, irrespective of oversizing of structures. <p>It is anticipated that as the modelling is progressed at the next stage of the scheme, Highways England will continue to engage with GCC in technical discussions and agreement of modelling approach and reporting in line with the above.</p>	
14. Climate (Chapter 14 of the ES)		
14.1.	Highways England recognises that all three statutory authorities which comprise the Joint Councils have adopted a Climate Change Strategy and have pledged to reduce carbon emissions.	Joint Councils' response to supplementary consultation (covering letter), 12 November 2020
14.2.	The Joint Councils are satisfied that the assessment of ES Chapter 14 Climate (Document Reference 6.2) includes reference to the Climate Change Act amendment and the breakdown of the 5 year carbon budgets. It is agreed that this was as complete an assessment of the carbon budgets and path to 100% carbon reduction that Highways England could have carried out at the time of the DCO Application submission. It is also agreed that Highways England has now provided a supplementary assessment of the sixth carbon budget which was legislated after DCO Application submission, and which was submitted at Procedural Deadline A (22 November 2021).	SoCG Update for Deadline 1, 14 December 2021
14.3.	The Joint Councils recognise that DMRB Guidance LA114 does not provide a clear method for determining whether a scheme will impact the government's ability to meet its carbon reduction. It is also noted that there is no guidance available (including IEMA guidance) for determining exactly when a project has a significant impact on	SoCG Update for Deadline 1, 14 December 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	the government's ability to meet its carbon reduction requirements. The approach taken by Highways England in following LA114 in ES Chapter 14 Climate (Document Reference 6.2) is therefore agreed.	
14.4.	Having reviewed the National Highways Comments on the Local Impact Report (Document Reference 8.12, REP2-013), the Joint Councils are in agreement with National Highways that operational energy consumption is appropriately scoped out of the GHG emissions assessment.	SoCG Update for Deadline 3, 2 February 2022.
15. Assessment of Cumulative Effects (Chapter 15 of the ES)		
15.1.	The Joint Councils and Highways England agree that the assessment methodology of ES Chapter 15 Assessment of Cumulative Effects reflects DMRB guidance and has been structured clearly to distinguish between in-combination and combined effects.	Joint Councils' response to supplementary consultation (p27), 12 November 2020
15.2.	The Joint Councils and Highways England agree that the method for selecting relevant projects for Chapter 15 is consistent with DMRB guidance.	Joint Councils' response to supplementary consultation (p27), 12 November 2020
15.3.	It is agreed that the Joint Councils have assisted Highways England to provide relevant projects to inform Chapter 15 of the ES, as well as preliminary assessment in Chapter 15 of the 2020 PEI Report and 2019 PEI Report.	SoCG update March 2021
15.4.	The Joint Councils and Highways England are in agreement on the thresholds for the scale of 'other development' in ES Chapter 15.	SoCG Update for Deadline 1, 14 December 2021
15.5.	The Joint Councils and Highways England are in agreement on the Zone of Influence applied for the assessment reported in ES Chapter 15.	SoCG Update for Deadline 1, 14 December 2021
16. De-trunking		
16.1.	The Joint Councils support the proposals by Highways England to either remove or downgrade existing lengths of carriageway to WCH routes where they are no longer required.	Joint Councils' response to statutory consultation (p13), 8 November 2019
16.2.	Through the scheme, GCC will inherit new assets, comprising of; existing A417 that is de-trunked and retained as highway, existing A417 that is de-trunked and converted to a WCH asset (the Air Balloon Way); and, new carriageway connections from the existing local road network to the A417. GCC and Highways England have been positively engaging on the creation of a detrunking and asset handover process, including through provision by Highways England of an Asset Adoption Plan, a Detrunking and Asset Handover Approach technical note and	SoCG Update for Deadline 3, 2 February 2022.

Matter reference number	Matter which has been agreed	Date and method of agreement
	<u>the development of a side agreement. Whilst these remain in development and are not finalised, both parties are confident that they will be agreed by the close of the Examination process.</u>	
17. Traffic and Transport		
17.1.	<p>The Joint Councils and Highways England agree that:</p> <ul style="list-style-type: none"> • added benefits of the Missing Link scheme will be the reduction of the rat running that takes place through communities who suffer on a daily basis, with traffic using roads that are unsuitable. • Local businesses will benefit from greater reliability for their journeys bringing prosperity across the county. • There will be significant traffic benefits of relieving a key long-term constraint and accident hotspot. 	Joint Councils' response to supplementary consultation (covering letter), 12 November 2020/ SoCG update March 2021
17.2.	It is agreed between the Joint Councils and Highways England that GCC and their consultants have been overseeing and reviewing the Highways England SATURN model (developed for the scheme) over a number of years and reviewing the traffic figures and impact of the scheme as a whole, and not just on the 'missing link' scheme itself. Changes were made from the initial Stage 1 model (completed for the Option Sifting) to incorporate further detail, and incorporate all anticipated network changes and committed development, particularly on a local level within the County.	SoCG Meeting 22 April 2020
17.3.	A revised Transport Modelling and Analysis Technical Note was issued by Highways England to GCC traffic modelling officers in April 2020. A further meeting was held on 7 October 2020 to discuss updates to the traffic modelling. The information provided resolved numerous matters raised by GCC regarding the traffic modelling and the effects of the scheme on the road network. However, both parties agree that there will be a new traffic model run in 2021 when revised TAG information is available and further discussion will be undertaken when the results of that model are available.	Joint Councils comments on SOCG and technical information (p7/8), 15 December 2020
17.4.	It is agreed that the change to Cowley junction as presented at the 2020 supplementary consultation (removal of general vehicular access to Cowley Wood Lane) sufficiently resolves concerns previously raised by GCC regarding potential for rat-running through Cowley junction. Whilst this change has been included in the latest traffic modelling exercise (April 2020 Technical Note), Highways England is undertaking re-modelling to account for network changes and will share this with GCC upon completion in 2021.	Joint Councils comments on SOCG and technical information (p8/10), 15 December 2020
17.5.	The Joint Councils agree with Highways England that the design change to B4070 since the 2019 statutory consultation would have little effect on traffic flows. Highways England have confirmed that this has been included within the latest traffic modelling exercise (April 2020 Technical Note), which was received by GCC.	Joint Councils comments on SOCG and technical information (p10), 15 December 2020
17.6.	The Joint Councils and Highways England recognise that Covid-19 could have long-term impacts on traffic and travel patterns. There have been discussions between Highways England and the Department for Transport on how the impact of COVID-19 is dealt with. It may be that the low growth sensitivity test takes on a more prominent role in the appraisal of the scheme. The Department of Transport issued the Route Map for Updating TAG on 23	SoCG Update for Deadline 1, 14 December 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	July 2020 and this details the process for updating the relevant information and an indication as to when this data is likely to be available. Following discussion with GCC officers at a meeting held on 7 October 2020, Highways England has reviewed the modelling and economic assessment in light of changes to TAG databook, Highways England has confirmed to the Joint Councils that TAG changes have not impacted on the results of the modelling with the new iterations and therefore can remain as a matter agreed.	
17.7.	GCC on behalf of the Joint Councils received a Highways England note on Through Traffic (May 2021) as previously requested. This does fulfil the request made for more information. Highways England will update the traffic model for the next stage (detailed design) of the project. These updates will include revised cost parameters in the model and the latest design for M5 Junction 10 and the A40 schemes. It is considered that the changes are unlikely to have a significant impact on traffic assignment, however Highways England will continue to engage with GCC regarding the traffic model and any updates at the next stage.	SoCG Update for Deadline 1, 14 December 2021
18. Crossings of the A417		
18.1.	The Joint Councils and Highways England agree that potential crossing points of risk for animals have been identified (especially for bats, barn owls, badgers, deer and other mammals/amphibians) and mitigated/improved as part of the scheme. There will always be a risk to barn owls from the proposals however, but some of the risk has been reduced down as far as is reasonably possible without compromising too many other biodiversity objectives. Landscaping and structures in the right locations and of the right type/design are critical so they are effective as crossing routes. Some will require monitoring and suitable aftercare.	Joint Councils' response to supplementary consultation (p18), 12 November 2020
18.2.	The Joint Councils agree that ES Chapter 8 Biodiversity (Document Reference 6.2) and the Design Summary Report (Document Reference 7.7) provide an adequate description of the scheme and design development in relation to maximising the biodiversity value of all planned crossings, and provides sufficient justification where ecological connectivity is not included in a crossing.	SoCG Update for Deadline 1, 14 December 2021
Gloucestershire County Council		
18.3.	<p>In terms of the baseline at the western end of the scheme, GCC and Highways England agree that the previous A417 scheme caused fragmentation or severance of historic crossing points of the A417 near Dog Lane and Badgeworth Footpath 86, which has been exacerbated by increased traffic levels. GCC has expressed these routes may have been better stopped-up to prevent safety concerns associated with some users continuing to attempt to cross the A417 mainline at grade despite areas of vegetation, embankment, fencing and central reservation/safety barriers causing obstruction to crossings.</p> <p>GCC and Highways England agree that, where possible and reasonable to do so, the scheme could help to provide enhancement rather than mitigation by addressing the fragmentation or severance caused by the previous scheme by providing crossings of the A417 where appropriate and safe to do so. The proposal for the Grove Farm underpass would adequately achieve this.</p>	<p>WCH TWG meeting held on 27.11.2019</p> <p>GCC PRoW meeting held on 16.09.2020</p>
19. Engineering design		

Matter reference number	Matter which has been agreed	Date and method of agreement
<ul style="list-style-type: none"> Engineering design 		
19.1.	The Joint Councils agree that Highways England has taken into account the 10 principles of good road design in the Highways England publication The Road to Good Design.	SoCG Meeting 22 April 2020
19.2.	<p>In the response to statutory consultation (page 6, 8 November 2019), the Joint Councils queried the need for the northbound exit at Cowley junction and sought that Highways England revisit this aspect of the design. In the revised scheme design, Highways England has removed the northbound exit to Cowley from Cowley junction. This change was driven by concerns raised during statutory consultation about the necessity and safety of this junction. The link to Cowley has now been removed and replaced with a private means of access to fields and residential properties. The Joint Councils are satisfied with and agree with this design change.</p> <p>The Joint Councils also queried whether the junction with the old A417 needs to be a roundabout – noting that traffic figures are low and other similar left in, left out junctions on the A417 towards Cirencester do not have a roundabout.</p> <p>Highways England have explained that:</p> <ul style="list-style-type: none"> Removing the northbound off-slips at Cowley would also impact on the business of the Golden Heart Inn which is currently accessed via the Cowley junction. A roundabout at this location also helps with the construction phasing of the scheme. The design of Cowley junction has been refined as a result of comments received during the statutory consultation. <p>The Joint Councils are satisfied with this explanation and this matter is agreed between both parties.</p>	Joint Councils comments on SOCG and technical information (p11), 15 December 2020
19.3.	The Joint Councils agree that Highways England has reduced and refined the size, excavations and land take required for the proposed Shab Hill Junction in order to reduce the potential for significant impacts.	Joint Councils' response to supplementary consultation (p9), 12 November 2020
19.4.	The Joint Councils support the change in gradient of the scheme on the Crickley Hill section from a change of 10% (as existing) to 8% (proposed), as presented at the 2020 supplementary consultation.	Joint Councils comments on SOCG and technical information (p11), 15 December 2020
<ul style="list-style-type: none"> Design of local roads 		
19.5.	An updated version of Technical Note H01 – Local Authority Roads reflecting the revised scheme design issued 12 April 2021 is accepted by the Joint Councils and the content agreed in principle. It is agreed between Highways England and the Joint Councils that further discussion on the design of local roads can be discussed in the detailed design stage of the scheme, should it receive development consent.	Updated technical note H01, issued 12 April 2021

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19.6.	As set out in Table Ref 2.1.7 in the Joint Councils Comments on responses to ExQ1, Comments on Written Representations, and Comments on responses received by D1 (REP2-034), Highways England acknowledges that it is GCC policy for all county roads, in general, not to be resurfaced using a Thin Surface Course System (TSCS) and that GCC endorses the use of Hot Rolled Asphalt and Chips. Highways England agrees that Hot Rolled Asphalt could be accommodated in the scheme on the roads to be adopted by GCC, however this will be considered further and confirmed at detailed design.	SoCG Update for Deadline 3, 2 February 2022
<ul style="list-style-type: none"> Highways safety 		
19.6.19.7.	Risk-assessments in relation to snow fencing have not been undertaken – it is agreed by Highways England and the Joint Councils that it is expected that these would be undertaken during the detailed design stage. It is agreed that a Maintenance and Repair Strategy has been developed for the scheme by Highways England which outlines proposals for dealing with inclement weather as well as other maintenance activities. Careful consideration of methods to mitigate issues with drifting snow will be reviewed during later stages of design of the scheme. GCC would like to obtain a copy of GG104 Risk Assessments once completed.	Joint Councils comments on SOCG and technical information (p12), 15 December 2020
19.7.19.8.	The Joint Councils are satisfied that a Safety Risk Assessment in accordance with GG104 has been undertaken. Highways England has confirmed to the Joint Councils that a comprehensive review of road safety has been ongoing throughout the design process recorded through a number of documents. A number of Risk Assessments (RA's) in accordance with GG104 have been undertaken. During this stage of the design process a Stage 1 Road Safety Audit has been undertaken. The Design CDM Risk Register records identified hazards and associated control measures to eliminate or control risk.	Joint Councils comments on SOCG and technical information (p12), 15 December 2020
19.8.19.9.	The Joint Councils are satisfied by the assurance of Highways England that where there is a hazard identified in relation to cutting slopes identified, appropriate control measures would be provided to protect mammals and users. These may include fences, walls and hedges. The Councils are satisfied with Highways England's reassurance that safety measures would be applied to the revised, shallower cutting of 8%.	Joint Councils comments on SOCG and technical information (p12), 15 December 2020
19.9.19.10.	<p>In their response to statutory consultation (page 5, 8 November 2019), the Joint Councils raised concern over the design of the climbing lane approaching Shab Hill junction and the potential for side-swipe type accidents. The Joint Councils are satisfied that Highways England has modified the design of the climbing lane at Shab Hill junction to ensure the merge from Lane 3 to Lane 2 would occur prior to the eastbound merge from Shab Hill junction. The revised eastbound merge would now merge approximately 220m further east. This would therefore separate these manoeuvres and ensure safe operation of the road reducing the probability of congestion issues.</p> <p>In addition, the Joint Councils and Highways England agree that community safety during construction, related to slow HGVs climbing the Crickley Ridge, will be addressed in the Public Rights of Way Management Plan and Construction Traffic Management Plan submitted with the DCO application.</p>	Joint Councils comments on SOCG and technical information (p12), 15 December 2020 / SoCG update, March 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
19.10.19.11.	The Joint Councils are satisfied that Highways England has allowed for stopping sight distances in accordance with standards on the connector roads. The landscaping proposals indicated would be refined to ensure visibility in compliance with the requirements under Schedule 2 Requirement 5 of the DCO. Due to minor road flows, Cowley junction has been designed in accordance with the requirements for compact grade separated junctions.	Joint Councils comments on SOCG and technical information (p12), 15 December 2020
19.11.19.12.	The Joint Councils are satisfied that Highways England would provide appropriate anti-dazzle measures in the design.	Joint Councils comments on SOCG and technical information (p12), 15 December 2020
19.12.19.13.	Following the amendments to the scheme design since the 2019 statutory consultation, Highways England has removed the access from Grove Farm to the mainline A417 from the scheme. This has sought to improve safety and accommodate design changes to the mainline. An alternative access is provided by the Grove Farm underbridge. This change was previously advocated for by the Joint Councils and is therefore wholly supported and agreed.	Joint Councils comments on SOCG and technical information (p12), 15 December 2020
19.13.19.14.	With regard to future proofing the route, the Joint Councils are satisfied that the design of the route has been undertaken to provide predicted traffic capacity for up to 15 years after opening and that provision for new technologies is under constant review by Highways England across the network.	SoCG update, March 2021
19.14.19.15.	Highways England and the Joint Councils have reached agreement on the Departures from Standard affecting GCC carriageways and GCC have also received a list of departures affecting the Highways England retained network, as previously requested.	Email, 19 March 2021
19.15.19.16.	Highways England and the Joint Councils agree that the potential for an arrester bed within the scheme has been considered and assessed by Highways England, within Technical Note H02 Lay By and Arrester Bed Provision which has been shared with the Councils. Highways England and the Joint Councils agree with the conclusions of this assessment are that an arrester bed will not be provided within the scheme.	SoCG update, April 2021
<ul style="list-style-type: none"> • Drainage 		
19.16.19.17.	The Joint Councils and Highways England agree that discussions on the drainage design for the scheme, including information on hydraulic modelling, have taken place during the development of the scheme. This discussion has included technical meetings and the issue of technical notes, including the Drainage Strategy Report, by Highways England to GCC officers for comment, in their capacity as the Lead Local Flood Authority. The most recent issue of information was 12 April 2021. Comments of GCC have been taken into account by Highways England in developing the drainage design, which is agreed in principle and forms Appendix 13.10 Drainage Report of the ES. It is agreed between Highways England and the Joint Councils that the parties will continue to engage on matters relating to drainage in the detailed design stage of the scheme, should it receive development consent.	Issue of updated drainage information, 12 April 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
19.17-19.18.	The Joint Councils and Highways England agree that discussions relating to the Flood Risk Assessment have taken place during the development of the scheme. Technical discussions regarding the Flood Risk Assessment scheme have taken place through meetings with GCC officers, the Environment Agency and Highways England. It is agreed that GCC flood risk officers have provided comments on 15 December 2020 to Highways England on the draft Flood Risk Assessment and that Highways England has had regard to such comments in developing the Flood Risk Assessment submitted with the DCO application, as Appendix 13.3 of the ES. It is agreed between the Joint Councils and Highways England that the parties will continue to engage on matters relating to flood risk in the detailed design stage of the scheme, should it receive development consent.	SoCG meeting, 24 March 2021
<ul style="list-style-type: none"> • Signage 		
19.18-19.19.	The Joint Councils and Highways England agree that discussions relating to road signage on the scheme have taken place during the development of the scheme design. This has included the issue of a Signage Strategy by Highways England to GCC officers for comment, which have subsequently been taken into account. The most recent version of the Signage Strategy was issued on 12 April 2021 and the content of the document is agreed in principle. It is agreed between the Joint Councils and Highways England that the parties will continue to engage on matters relating to signage in the detailed design stage of the scheme, should it receive development consent.	Updated Signage Strategy, issued 12 April 2021
<ul style="list-style-type: none"> • Lighting 		
Cotswold District Council		
19.19-19.20.	CDC are in support of the proposal by Highways England to provide no street lighting at side road junctions. CDC consider this is key in reducing the potential landscape impacts as dark skies are an important component of the character of the Cotswolds AONB and the Dark Skies initiative. CDC support the Dark Skies policy and the conclusions of the TA49 Lighting Assessment Report which states that lighting is not justified. A GG104 risk assessment has been undertaken to evaluate risk and identifies mitigation measures to address risk. Highways England and Cotswold District Council recognise that their agreement on this matter differs from that of Gloucestershire County Council, the local highway authority, as set out in Table 5.2 of this SoCG. CDC has not undertaken a safety assessment of the impacts of lighting (or lack of lighting) on highway safety, as this is outside their remit. CDC consider that additional landscape assessment work will be required if lighting is to be installed – this may lead to the need for further changes to the highway design to minimise the need for lighting, or for additional landscape/biodiversity mitigation proposals to minimise the impacts of any lighting on the wider landscape and biodiversity.	SoCG update, April 2021
20. Draft Development Consent Order		
20.1.	No matters identified	
21. Land		

Matter reference number	Matter which has been agreed	Date and method of agreement
21.1.	<p>Highways England and the Joint Councils acknowledge feedback received in response to public consultation on the A417 Missing Link, which has suggested the reduction, removal or relocation of the Barrow Wake car park. It is agreed that this change is outside the scope of the scheme and the car park is not owned as part of the strategic road network by Highways England and acquisition of the land could not be justified as part of the DCO.</p> <p>The Joint Councils recognise that there is an opportunity at Barrow Wake Car Park to make potential changes that could enhance Biodiversity Net Gain in the area around the Missing Link scheme, whilst at the same time resolve some of the anti-social behaviour within the car park and immediate area. The Joint Councils also recognise that there needs to be a thorough investigation of the pros and cons of any changes at the car park. For this reason GCC is leading the Barrow Wake Car Park study, which will investigate all options for the car park. This study has commenced but is unlikely to conclude before the end of the A417 Missing Link Examination, especially if public consultation is necessary. However, the Joint Councils are content for the study to proceed and conclude, and will work with the various stakeholders involved in the study, along with Highways England. For this reason it is considered that this matter is now agreed subject to the outcome of the Barrow Wake Car Park study. Highways England will ensure the A417 scheme is able to accommodate the existing car park arrangement, or a future scenario where the car park is reduced or removed.</p>	SoCG Update for Deadline 1, 14 December 2021
22. Environmental Management Plan (EMP)		
22.1.	The Joint Councils and Highways England are in agreement with the contents of the Landscape and Ecological Management Plan (LEMP) which forms Annex D of ES Appendix 2.1 EMP (Document Reference 6.4). It is agreed that this sufficiently provides for the long-term management of areas of habitat creation.	SoCG Update for Deadline 1, 14 December 2021
22.2.	<p>The Joint Councils are satisfied that the ES provides an adequate description of the proposed scheme and construction works in relation:</p> <ul style="list-style-type: none"> a) to the extent and nature of habitat and vegetation that will be retained, protected and cleared; b) construction lighting c) further survey work required d) aftercare and monitoring of ecological mitigation 	SoCG Update for Deadline 1, 14 December 2021
23. Construction Traffic Management Plan (CTMP)		
23.1.	No matters identified.	

5 Matters outstanding

5.1 Principal matters outstanding

5.1.1 The principal matters outstanding between the Joint Councils and Highways England are:

- The provision of lighting at Ullenwood junction;
- The approach to archaeological trenching and cultural heritage assessment methodology; and,
- The [provision of commuted sums and the requirement for funding to mitigate the effects of the scheme on the local road network at Leckhampton Hill](#). ~~the local road network and the requirement, in the view of the Joint Councils, for funding to mitigate such effects.~~

5.2 Matters outstanding

5.2.1 Table 5-1 shows those matters that are outstanding between the parties, including that matters reference number, and the date of the latest position.

5.2.2 Where a matter relates to the position of one council only, or there are differences in the position between the councils, the matter is subdivided. In all other instances, the position relates to that of the Joint Councils.

5.2.3 In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of the Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 5-1 Matters outstanding between the Joint Councils and Highways England

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
1.	Principle of Development			
1.1.	No matters identified.			
2.	Consultation			
2.1	No matters identified.			
3.	Consideration of Alternatives (Chapter 3 of the ES)			
3.1.	No matters identified.			
4.	Environmental Impact Assessment Methodology (Chapter 4 of the ES)			
4.1.	No matters identified			
5.	Air Quality (Chapter 5 of the ES)			
5.1.	Mitigation	<p>There is concern over the impact on air quality at Air Balloon Cottages during construction as a result of the additional HGVs. Additional mitigation options are requested to alleviate any adverse effect.</p> <p>As stated in Table Ref 2.1.3 of the Comments on responses to ExQ1, Comments on Written Representations, and Comments on responses received by D1 (REP2-034), the Joint Councils would like confirmation that the traffic diversion measures stated would be put in place and would like confirmation of when the CTMP/EMP would be updated.</p>	<p>As stated in the response to the Exa's Written Questions (Document Reference 8.4, REP1-009), no bespoke mitigation has been recommended at this location due to the temporary nature of the effect, and there is no suitable mitigation that could be applied.</p> <p>Construction traffic routing would be diverted to avoid the Air Balloon roundabout as soon as practicable, once haul routes are established which will move construction traffic away from the cottages. Details would be provided in the EMP (construction), which will see ES Appendix 2.1 EMP Annex B Construction Traffic Management Plan (CTMP) (Document Reference 6.4, REP2-008/9) of ES Appendix 2.1 EMP (Document Reference 6.4, APP-319) refined for the consented project, in advance of construction.</p> <p>To clarify for the Councils, the details of the construction traffic routing would therefore be</p>	<p>SoCG Update for Deadline 3, 2 February 2022 SoCG Update for Deadline 1, 14 December 2024</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
			<p>provided at the detailed design stage of the scheme, as part of the refinement of the EMP/CTMP prior to construction. As stated in the National Highways response to ExQ 1.2.11, based on the CTMP, Highways England believes that traffic would be expected to reduce at the existing Air Balloon roundabout during the construction phase.</p>	
5.2.	Monitoring	<p>It is acknowledged that there will be a significant adverse effect on the Ullen Wood ancient woodland, and that compensation measures have been agreed with Natural England. It is suggested that monitoring should also be undertaken, including before construction to confirm the baseline.</p>	<p>Monitoring for change in species composition would be required in Ullen Wood during the operational phase of the scheme to ensure efficacy of conservation management techniques in preventing degradation of woodland habitat from increased nitrogen deposition. This is documented in <i>Table 8.20 Summary of monitoring requirements</i> in ES Chapter 8 – Biodiversity (Document Reference 6.2, APP-039) and in Environmental Statement - Appendix 2.1 - Environmental Management Plan (EMP) (Document Reference 6.4, APP-317) by commitment reference BD51.</p> <p>In addition to this, it is agreed that air quality monitoring would be undertaken at appropriate locations to determine emissions during operation of the scheme and confirm the impact on Ullen Wood Ancient Woodland and Veteran Trees (VT VT13, VT21, VT43 and VT98). Monitoring would be undertaken for 1 year from the first full year of operation. Should monitoring identify poorer air quality, remedial action would be required. This has now been added as commitment AQ14 in Table 3-2 Register of Environmental Actions and Commitments (REAC) in the updated EMP submitted at Deadline 2 of the Examination (s-to-be detailed in the next submission of ES Appendix 2.1</p>	<p>SoCG Update for Deadline 31, 14 December 2021² February 2022</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
			Environmental Management Plan (EMP) (Document Reference 6.4 <u>Rev 1, REP2-006/7</u>); APP-317.	
6. Cultural Heritage (Chapter 6 of the ES)				
6.1.	Assessment methodology	<p>The Joint Councils have raised concern at both the 2019 and 2020 statutory consultations over the DMRB methodology of the Cultural Heritage assessment. The Joint Councils have a concern that this is not sufficient for a landscape-based design approach and requires significant expansion. Concern has been raised that the updated (2020) DMRB heritage guidance has not been applied, nor has there been a reference to Highways Agency 2007 guidance on Assessing the Effect of Road schemes on Historic Landscape Character, Historic England guidance, Cotswold AONB guidance (Policy CE6) or Natural England's National Character Areas.</p> <p>The current position of the As of <u>October February 2022</u>, the Joint Councils is that they remain are still concerned with the methodology as the assessment fails to be driven by a landscape led approach utilising broad brush HLC when a much more holistic understanding of how landscape has developed over time is required. There is no evidence that any of the available guidance old or new has been followed with regard to understanding this landscape. Instead the assessment draws very heavily on Gloucestershire's HLC, which itself is one of the earliest in the country and suffers for that. The division into massive land parcels drawn from this means that the assessment fails to dissect the landscape at a suitably finer grain. Assessment really needs to be able to apply the unit, parcel and element scale of approach. No detailed historic mapping analysis appears to have been undertaken to support the assessment.</p>	<p>The assessment utilises survey data to predict the presence and significance of archaeological remains. The chapter meets the requirements of DMRB.</p> <p>The guidance referenced is useful, however it is now 13 years old and new approaches to HLC assessment have been developed in the intervening period. Highways England's approach has been used on other major infrastructure projects with the support of Historic England, and uses a landscape scale approach. Highways England considers it an appropriate methodology that recognises the key aspects of the historic landscape within which the scheme sits.</p> <p>Highways England considers that a 'fine-grained' approach, actually runs contrary to appreciating the extent to which historic activity is evident at a landscape scale. This large scale view is essential for understanding and assessing the impacts of a major infrastructure scheme on the historic landscape as a whole.</p> <p>Highways England notes that historic landscape character in terms of units/parcels is discussed in Environmental Statement - Chapter 7 - Landscape and visual effects (Document Reference 6.2, APP-038).</p> <p>The detailed position of Highways England on the concerns raised by the Joint Councils and other</p>	<p>SoCG Update for Deadline 3, 2 February 2022 SoCG Update for Deadline 1, 14 December 2024</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
			stakeholders regarding the cultural heritage assessment is provided in the Response to Cultural Heritage Issues Raised submitted at Deadline 2 (Document Reference 8.14, REP2-015).	
6.2.	Trial trenching	<p>Trenching is well designed; however a higher sample density would usually be required for other proposed developments. There is a risk of unexpected discoveries during construction, and potential requirement for archaeological supervision of topsoil strip.</p> <p>The current position of the Joint Councils is As of October February 2022, the Joint Councils views are that trenching and associated geoarchaeological prospection and deposit modelling for Scheme remain inadequate in terms of both coverage and methodology. Although geophysics followed by trial trenching is the standard approach, we would nevertheless expect to see at least twice the current percentage of trenching (1% sample) being undertaken within an archaeological landscape of this sensitivity, and very possibly more. A segued geoarchaeological strategy was also requested, but not delivered as a further informative to allow a more predictive assessment to be made, particularly in the Shab Hill dry valley area. Test pitting and sieving based on predictive modelling to better identify ephemeral concentrations of earlier prehistoric and early medieval activity was also requested, but not delivered.</p>	<p>Discussions have been held with GCC regarding proposed trial trenching. Trenching commenced in Autumn 2020 and ended in spring 2021.</p> <p>Weekly monitoring was undertaken by Highways England, GCC and Historic England so that all parties are fully informed of findings on site, and that this ongoing discussion will feed into the Overarching Written Scheme of Investigation. This will ensure that appropriate mitigation is put in place for the pre-construction and construction phase.</p> <p>It is recognised that the Joint Council's position is that trial trenching density is not sufficient. Highways England's position is that the baseline is sufficient for the environmental assessment and that appropriate data has been included to meet the requirements of NPSNN and DMRB.</p> <p>Highways England considers that sieving and test pitting would not materially alter our appreciation of prehistoric or early medieval activity within the proposed DCO boundary; trial trenching successfully identified areas of activity associated with these periods.</p> <p>The detailed position of Highways England on the concerns raised by the Joint Councils and other stakeholders regarding the cultural heritage assessment is provided in the Response to Cultural Heritage Issues Raised submitted at Deadline 2 (Document Reference 8.14, REP2-015).</p>	SoCG Update for Deadline 3, 2 February 2022 SoCG Update for Deadline 1, 14 December 2021
6.3.	Overarching Written Scheme of Investigation/Detailed	The Joint Councils have raised concern in response to the 2019 and 2020 consultations regarding the amount of survey work and data supporting the cultural heritage	All surveys have been completed for the submission of the DCO. Areas in which surveys were unable to	SoCG Update for Deadline 3, 2 February

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
	<p>Archaeological Mitigation Strategy (OWSI/DAMS)</p>	<p>assessment in the respective PEI Reports. It was considered by the Joint Councils in the pre-application stage, that the archaeological baseline information is incomplete and not all undesignated heritage assets will have been identified in the ES.”</p> <p>As of October 2024 <u>February 2022</u>, the Joint Councils have not seen the finished OWSI/DAMS and are remain unhappy with the level of assessment and detail (including baseline established from desk based assessment, historic landscape characterisation and evaluation) included to inform the draft version we have seen. Comments regarding inadequacy of scale and method of evaluation also remain unresolved leaving the scheme at high risk of programme and cost overrun on archaeological grounds. Considerable additional archaeological evaluation and assessment work will be required to inform subsequent mitigation design. Particular omissions include applying adequate methods to identify paleoenvironmental and ephemeral archaeological sensitivities (particularly earlier prehistoric and early medieval artefact concentrations).</p> <p><u>The Joint Councils do welcome the shift from a watching brief to strip map and sample approach in all areas that lie outside the specific areas identified for full excavation within- the order limits. We note, however, that this still leaves the scheme at considerable risk of unexpectedly complex or significant remains resulting in potentially significant programme and cost overrun.</u></p>	<p>be undertaken will be included for investigation in the OWSI /DAMS.</p> <p>In terms of baseline Highways England considers that appropriate data has been included to meet the requirements of NPSNN.</p> <p>Highways England will continue to engage with the Joint Councils in fine tuning the OWSI/DAMS. Highways England are committed to ensuring that all archaeological mitigation is robust.</p> <p>The trial trenching confirmed a close to 100% concordance between the geophysics and actual presence/absence of archaeological remains. As such Highways England is confident that within the areas that were accessible for survey, the location of the most significant and extensive archaeological remains have been identified.</p> <p>The construction will allow at least 9 months ahead of construction for the detailed excavation of significant archaeological sites. Highways England accepts the reality that the presence of unexpected archaeological remains cannot be excluded. In order to mitigate this all areas of soil strip outside of specific areas of excavation will be subject to strip-map-sample, and all archaeological remains identified by this process will be excavated and recorded.</p> <p>Highways England appreciates the Joint Council's appreciation of the potential for cost and programme overruns. Highways England commits, and will require its delivery partner to also commit, to fully accommodate the requirements of the DAMS/OWSI in the construction programme and budget.</p>	<p>2022 SoCG Update for Deadline 1, 14 December 2024</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
			<p>The detailed position of Highways England on the concerns raised by the Joint Councils and other stakeholders regarding the cultural heritage assessment is provided in the Response to Cultural Heritage Issues Raised submitted at Deadline 2 (Document Reference 8.14, REP2-015).</p>	
6.4.	Assessment methodology – historic landscape character	<p>The Joint Councils have raised concern in response to the 2019 and 2020 consultations that the respective PEI Reports did not sufficiently assess non-designated built and landscape heritage. The current position of the As of October February 20221, the Joint Councils is that they consider that the ES chapter and supporting documentation still fails to adequately address potential changes to historic landscape character. This is compounded by the weakness of the historic landscape characterisation undertaken.</p>	<p>Environmental Statement - Chapter 6 - Cultural Heritage (Document Reference 6.2 APP-037) concludes that there would be no significant effects on non-designated built heritage. Highways England considers that the historic landscape characterisation is an appropriate methodology that recognises the key aspects of the historic landscape within which the scheme sits.</p> <p>The detailed position of Highways England on the concerns raised by the Joint Councils and other stakeholders regarding the cultural heritage assessment is provided in the Response to Cultural Heritage Issues Raised submitted at Deadline 2 (Document Reference 8.14, REP2-015).</p>	<p>SoCG Update for Deadline 3, 2 February 2022 SoCG Update for Deadline 1, 14 December 2021</p>
6.5.	Assessment of effects	<p>The Joint Councils considered that there was not enough information presented in the 2019 PEI Report to ascribe Large Adverse as the overall effect. The current position of the Joint Councils is that they As of October February 20221, the Joint Councils consider that the scale and methodology of the evaluation techniques used remain inadequate to properly identify potential, character and significance of archaeological resource across the scheme.</p>	<p>The ES provides an assessment of the effects of the scheme in ES Chapter 6 - Cultural Heritage (Document Reference 6.2 APP-037), Cultural Heritage. Highways England's position is that the baseline is sufficient for the environmental assessment and that appropriate data has been included to meet the requirements of NPSNN and DMRB.</p> <p>The detailed position of Highways England on the concerns raised by the Joint Councils and other stakeholders regarding the cultural heritage assessment is provided in the Response to Cultural Heritage Issues Raised submitted at Deadline 2 (Document Reference 8.14, REP2-015).</p>	<p>SoCG Update for Deadline 3, 2 February 2022 SoCG Update for Deadline 1, 14 December 2021</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
6.6.	Hedgerow Regulations	<p>The Joint Councils have previously raised concern that the 2019/2020 PEI Reports had no reference to any assessment in relation to the criteria set out in Sections 2 and 3 of Schedule 1, Part II of the Hedgerow Regulations 1997.</p> <p>Having now reviewed the ES, the Joint Councils raise concern that no historic mapping analysis has been done for the scheme which makes identification of potential hedgerows that fall under the regulations problematic. Little or no thought has been given at all to trying to establish a chronology for the development of the local historic landscape at a sufficiently detailed scale.</p>	<p>This reference is included in ES Chapter 6 - Cultural Heritage (Document Reference 6.2 APP-037).</p> <p>Historic maps were analysed for the Archaeological Assessment in Environmental Statement - Appendix 6.2 - Archaeological Assessment (Document Reference 6.4, APP-341). The local historic landscape is considered in Environmental Statement - Appendix 6.3 - Historic Landscape Characterisation (Document Reference 6.4, APP-342 Highways England. Highways England considers that an appropriate methodology has been applied to identify historic hedgerows and recognise the key aspects of the historic landscape within which the scheme sits.</p> <p>The detailed position of Highways England on the concerns raised by the Joint Councils and other stakeholders regarding the cultural heritage assessment is provided in the Response to Cultural Heritage Issues Raised submitted at Deadline 2 (Document Reference 8.14, REP2-015).</p>	<p>SoCG Update for Deadline 3, 2 February 2022 SoCG Update for Deadline 1, 14 December 2021</p>
6.7.	Impact on undesignated archaeology	<p>The scale and methodology of the assessment and evaluative works remain inadequate to properly identify potential archaeological resource, significance and impacts across the scheme. Considerable further assessment and evaluation work will be required to build a bespoke predictive approach to subsequent mitigation design. Particular weaknesses of approach have been identified throughout as to understanding palaeoenvironment, deposit modelling (particularly in Shab Hill dry valley area) and identification of more ephemeral early prehistoric and early medieval activity concentrations at the evaluation stage.</p>	<p>The ES provides an assessment of the effects of the scheme in ES Chapter 6 - Cultural Heritage (Document Reference 6.2 APP-037). Highways England's position is that the baseline is sufficient for the environmental assessment and that appropriate data has been included to meet the requirements of NPSNN and DMRB.</p> <p>Paleoenvironmental investigation will form part of the mitigation for the scheme, and specific geoarchaeological observation and modelling will form part of a watching brief to be maintained on forthcoming geotechnical investigation.</p> <p>The detailed position of Highways England on the concerns raised by the Joint Councils and other</p>	<p>SoCG Update for Deadline 3, 2 February 2022 SoCG Update for Deadline 1, 14 December 2021</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<p>The Joint Councils welcome the implementation of a geoarchaeological programme but will have concerns if this is only being undertaken through a watching brief on planned geotechnical works. A more archaeologically targeted approach with purposive geoarchaeological prospection to achieve adequate sample returns and dating should be implemented as part of the package. The Joint Councils welcome the implementation of palaeoenvironmental investigation, but caution that this should include purposive geoarchaeological prospection and modelling rather than relying on a watching brief on geotechnical works. The output the latter may not be best placed to answer specifically geoarchaeological questions or provide appropriate sample returns for palaeoenvironmental assessment and dating.</p>	<p>stakeholders regarding the cultural heritage assessment is provided in the Response to Cultural Heritage Issues Raised submitted at Deadline 2 (Document Reference 8.14, REP2-015).</p>	
6.8.	EMP	<p>It is clear that the EMP will need to provide certainty that adequate additional assessment and evaluation work is undertaken in order to inform final archaeological mitigation design.</p>	<p>The EMP has been updated to include some new commitments in relation to cultural heritage, submitted at Deadline 2 of the Examination (Document Reference 6.4 Rev 1, REP2-006/7). The EMP has been published as part of the DCO application. It is considered this matter can continue to be discussed during SOCG meetings during Examination.</p>	<p>SoCG Update for Deadline 3, 2 February 2022 SoCG Update for Deadline 1, 14 December 2021</p>
7.	Landscape and Visual (Chapter 7 of the ES)			
7.1.	No matters identified.			
8.	Biodiversity (Chapter 8 of the ES)			
8.1.	Biodiversity Net Gain	<p>Notwithstanding the matters agreed at Table 4-1, Reference 8.5 and 8.6, the Joint Councils express the need for the project as a whole to achieve a neutral or better biodiversity net gain score when applying the Biodiversity Metric calculator.</p> <p>If no opportunities are available for further gain within the DCO boundary, opportunities beyond the boundary</p>	<p>As part of the scheme, it is proposed to plant new native broadleaved woodland, calcareous and neutral species-rich grassland, standard trees and native species-rich hedgerows to help preserve and create additional habitats in the local area. The landscape design focusses on the provision of priority habitats that have been carefully designed to</p>	<p>SoCG Update for Deadline 1, 14 December 2021</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<p>should be considered. Including for example, habitat restoration works (e.g. Barrow Wake), commitments to the Nature Recovery Network or use of Highways England designated funds. GCC will determine at the DCO stage whether the best practical long-term result for biodiversity will be achieved.</p>	<p>improve habitat connectivity and biodiversity, in line with the nature recovery network strategy for the area and stakeholder vision. The provision of these habitats is in excess of that lost during construction. Highways England is working hard to maximise biodiversity delivery on the land that is available within the DCO boundary. Highways England has worked collaboratively with Natural England and other environmental bodies to consider the evolving Biodiversity Metric 2.0 tool and have agreed to focus on providing priority habitats, which are in keeping with the special qualities of the Cotswolds AONB, as part of this scheme.</p> <p>Highways England is continuing to investigate further opportunities to achieve BNG with neighbouring landowners and through looking at other off-site measures.</p>	
8.2.	<p>Emma's Grove, ancient woodland</p>	<p>The ES Chapter 8 (APP-039) baseline gives Emma's Grove a national value (para 8.7.24) because it is semi-natural broad-leaved woodland. The ES uses historic mapping evidence to conclude that the woodland is not ancient but also indicates the presence of several ancient woodland indicator species. There is no further discussion of whether it could be considered ancient. Since the ES does not consider the woodland to be ancient it therefore does not consider it to be irreplaceable. Further information is required to justify that it is not ancient.</p>	<p>Old mapping was researched at the British Library which indicates that Emma's Grove is not ancient as it does not appear on maps over 400 years ago. Numerous cartographic sources dating between 1577 and 1800 were consulted in order to investigate whether the woodland surrounding the barrows would be qualify as Ancient Woodland. The woodland was first present on the 19th century OS 25" first edition map, produced between 1844-1888. Both the Saxton map of 1577 and the Walpoole map of 1794 identify the presence of the barrows with no woodland surrounding them. Ullen Wood, as noted in the OS 25" second edition map of 1894-1903 is located north-east of the site, where woodland there is noted on Taylor's earlier maps of 1777 and 1800. The southern half of Emma's Grove only appears on maps from 1902.</p>	<p>SoCG Update for Deadline 1, 14 December 2024</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
			<p>Despite the woodland not being considered as ancient woodland based on historical mapping, it has been valued as a priority habitat of national importance and efforts to avoid, reduce and mitigate loss of an area of this woodland proposed.</p>	
<p>8.3.8</p>	<p>Creation of rock exposures, calcareous grassland, scrub and woodland mainly by natural colonisation</p>	<p>The Joint Councils have previously raised concern that there wasn't any explicit reference in the 2020 PEI Report of a default position of allowing natural colonisation to happen which the Councils consider is both an economical approach and one that would give better biodiversity outcomes in the medium to long term. It was advised that new exposed substrates should have minimal or no treatment. This means reseeding and planting with trees should be only actioned for well justified reasons (biodiversity/landscape) and the mentioned re-use of turf or top-soil to be kept as far as possible to only re-using that material arising from existing species rich vegetation impacted by works. It was requested that this was more explicitly set out in the ES, such as through a table showing what methods of habitat creation and landscaping are being proposed, i.e. why natural colonisation is or isn't being promoted for a given spot.</p> <p>As of October February 20224, ES Chapter 8 (APP-039) and L&EMP (APP-321) have been reviewed, and the Joint Councils consider that these matters are not completely addressed. There is no management specification for landscape type 1.4 Rock and Scree. Stronger commitments regarding seed mixes would be welcomed. Current text in para 2.5.2 or the L&EMP is open to interpretation.</p>	<p>The new exposed rock face (2.6ha) would be allowed to colonise naturally <u>to form habitat appropriate to the local area</u>.</p> <p>Whilst it is acknowledged that natural colonisation is of value, woodland (and hedgerow) planting is required in most places in order to provide habitat connectivity for several species, in particular bats. It is important that such connectivity establishes relatively quickly in order to reduce the <u>time lag between habitat loss and establishment and therefore the impacts of habitat loss and fragmentation on these species</u> -which natural colonisation is not likely to achieve.</p> <p>With the exception of road verges, there is also limited amount of land available within the DCO Boundary that would be suitable for natural colonisation / regeneration with several parcels returning to grazing <u>use</u>. The area of land between the new A417 and the edge of Ullen Wood was considered for "rewilding" but this was discussed with GWT and discounted due to its relatively small area. As stated in the Landscape and Ecological Management Plan (LEMP) to be submitted as part of the DCO application, locally sourced seed will be used as much as possible so as not to introduce 'seed mix' varieties. Species lists will be detailed in a further iteration of the LEMP at detailed design stage. <u>It is also proposed that only turf or topsoil from species rich grasslands will be used for any further habitat creation rather than species poor or</u></p>	<p>SoCG Update for Deadline 3, 2 February 2022 SoCG Update for Deadline 1, 14 December 2021</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
			<p><u>arable soils. Areas of calcareous grassland creation will be developed on limestone substrate obtained from excavated materials.</u></p>	
<p>9. Geology and Soils (Chapter 9 of the ES)</p>				
9.1.	<p>No matters identified.</p>			
<p>10. Material Assets and Waste (Chapter 10 of the ES)</p>				
10.1.	<p>Surplus material</p>	<p>The Materials and Waste ES chapter does not include an assessment of the material currently known to be surplus to the cut/fill balance in the waste assessment. The Joint Councils expect this should be done for the assessment to evaluate the worst case scenario.</p> <p>The current assessment gives a misleading impression of the quantities of waste arising from the scheme that may require disposal to landfill (information which is required under section 3.12 of DMRB LA 110).</p>	<p>In line with LA104 Environmental assessment and monitoring, the environmental assessment incorporates mitigation measures to lessen the magnitude or significance of effects (para 3.23 of LA104). The proposed mitigation measures recorded in ES Chapter 10 paragraph 10.9.10 (Earthworks) have been taken into account when determining significance and these are identified in ES Appendix 2.1 EMP (Document Reference 6.4, APP-317) by commitment MAW7. The EMP provides the legal mechanism for implementing the measures (which aligns with the requirement in para 3.26 of LA104), as this is secured by Requirement 3 Environmental Management Plan (Construction Stage) of the draft Development Consent Order (Document Reference 3.1, APP-022). Annex E: Outline Materials Management Plan (MMP) also further strengthens this commitment, and is documented as being the responsibility of the “Contractor Site Materials and Waste Manager” in Table 2-1 of ES Appendix 2.1 EMP (Document Reference 6.4, APP-317). This person would ultimately be responsible for updating and implementing the MMP.</p> <p>It should be noted that the earthworks balance presented in the ES is part of the preliminary</p>	<p>SoCG Update for Deadline 1, 14 December 2021</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
			design, which had to be frozen at a point in time to enable the Environmental Impact Assessment to be undertaken. A contractor provided buildability support and endorsed the approach to mitigation taken.	
11. Noise and Vibration (Chapter 11 of the ES)				
11.1.	No matters identified.			
12. Population and Human Health (Chapter 12 of the ES)				
12.1.	No matters identified.			
Public Rights of Way (Chapter 12 of the ES)				
Please see the Statement of Common Ground between Highways England and the WCH groups for further details.				
13. Road Drainage and the Water Environment (Chapter 13 of the ES)				
13.1.	No matters identified.			
14. Climate (Chapter 14 of the ES)				
14.1.	Assessment Methodology (GHG emissions assessment)	<p>The methodology does not describe assessment of energy consumption for infrastructure operation, which is a requirement of DMRB LA 114.</p> <p>The Highways England argument to scope out operational energy consumption would be valid if more evidence could be provided to prove that the operational energy consumption of the new scheme has a negligible difference from the existing scheme; however, this would ultimately amount to an assessment of the operation energy after all. References to 'reduce where possible', and similar, do not offer confidence that the extent of energy usage would be almost equivalent in the Do Something scenario compared with the Do Minimum, and so the argument itself is undermined within the rationale to scope it out. This is an area that the DMRB</p>	<p>B6 Operational energy use is scoped out as the scheme has been designed to reduce the requirement for energy-consuming operational equipment such as street lighting or intelligent transport systems.</p> <p>Evidence is provided to support the statement that the operational energy consumption of the new scheme has a negligible difference from the existing scheme in ES Chapter 2 – The Project (Document Reference 6.2, APP-033). This is supported by paras 2.6.99 and 2.6.100 which are as follows: “In line with the Cotswolds Dark Skies & Artificial Light Position Statement published by CGB, there would be no permanent road lighting associated with the scheme. Existing road lighting affected by the scheme would be removed. This includes</p>	SoCG Update for Deadline 1, 14 December 2021

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<p>LA114 states should be included within the carbon assessment.</p>	<p>lighting at Cowley junction and the Air Balloon roundabout."</p>	
<p>14.2.</p>	<p>Assessment Assumptions and Limitations (GHG emissions assessment)</p>	<p>The Joint Councils raise concern over the scope of the greenhouse gas emissions assessment, and consider that the following items should be included within the scope, or a justification for exclusion provided in accordance with LA114:</p> <ul style="list-style-type: none"> • Several life-cycle modules as stated in Table 17-4 of the 2020 PEI Report, in particular operational energy use; • Construction waste management; • Land Use Change and Land Use and Forestry • Tree planting to offset emissions <p>The ability to mitigate against all of the carbon emissions that will be emitted by the scheme during construction may be challenging and require considerable discussion but this does not mean that no mitigation should be implemented into the scheme.</p> <p>The Joint Councils believe that significant level of carbon mitigation should take place as part of wider action related to the scheme and that Highways England should be more ambitious and innovative in its approach to implementing or funding carbon mitigation measures, even if it does not undertake the mitigation measures itself. For example, GCC has an ambitious 'Million Trees Challenge' as part of its Climate Strategy to plant a million trees by 2030. Additionally, in the emerging GCC Climate Strategy 2nd Annual Report due to be published imminently, renewable energy generation and electric vehicle charging infrastructure will be identified as priority actions for carbon reduction. Highways England itself has a commitment to plant three million trees on or near its land by 2030, as advised in the Net Zero Highways Plan published in July 2021.</p>	<p>Justification is provided for the inclusion or exclusion of each life cycle module. The scheme has been designed to reduce the requirement for energy consuming operational equipment such as street lighting or intelligent transport systems wherever possible. Where lighting may be potentially required, for example at Grove Farm underpass, low lux demand sensitive lighting is proposed. There would be a negligible difference between the operational energy required for the scheme compared with the existing A417, and therefore associated emissions are assumed to be insignificant.</p> <p>Construction waste management - Module A5 (Construction/installation processes) emissions, which include waste management, have been calculated using emissions factors from the Highways England carbon emissions calculation tool, based on information provided by design teams.</p> <p>Land Use Change: GHG emissions associated with ongoing land use change/sequestration have been calculated over the 60-year operational period for 'habitats lost' and 'habitats gained'. This accounts for woodland lost and new woodland planting proposed as part of the scheme. Para 8.10.75 of ES Chapter 8 – Biodiversity (Document Reference 6.2, APP-039) states that "there would be a gain of approximately 9.59ha of broadleaved woodland habitat." The woodland planting is shown on ES Figure 7.11 Environmental Masterplan (Document Reference 6.3, APP-166 to APP-192).</p> <p>Tree planting to offset emissions - It is estimated that an area of between 200-300ha of forest would</p>	<p>SoCG Update for Deadline 1, 14 December 2021</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<p>This scheme provides a good opportunity to both work towards this goal whilst offsetting the embodied carbon emissions from the construction phase and mitigating the carbon impact of the Scheme, and as such, should be considered by Highways England.</p> <p>The Joint Councils believe that the mitigation measures, in whichever form they come, do not need to take place simultaneously during the construction phase of the scheme. The Joint Councils recognise that the sequestered emissions from tree planting, for example, take place over a longer timescale than the construction phase of the scheme.</p> <p>The Joint Councils think that a full quantitative assessment of any proposed carbon mitigation measures is not required by NH but that a qualitative assessment for each proposed measure should be undertaken to evidence that the proposed measures would provide a significant carbon reduction by 2045 (Net Zero target year for GCC).</p>	<p>be required to sequester the embodied carbon impacts of the scheme over its design life. Therefore, an intervention to sequester the carbon impacts of the scheme is not considered feasible and has not formed part of the GHG emissions assessment.</p>	
15. Assessment Cumulative Effects (Chapter 15 of the ES)				
15.1.	No matters identified.			
16. De-trunking, <u>New Assets and Handover</u>				
16.1.	<p><u>Commuted sums Extent and status of future GCC local road network</u></p>	<p><u>GCC has been engaging with Highways England on the matter of commuted sums, which would be agreed and paid to GCC to enable adequate maintenance of assets that would be retained as part of the scheme, as well as new assets that GCC would inherit.</u></p> <p><u>GCC has identified three categories which will apply to their local road network upon completion of the scheme: Existing A417 to be de-trunked and retained as highway, Existing A417 to be re-purposed, re-engineering and become a WCH asset.</u></p>	<p><u>Highways England acknowledges that GCC is reviewing the Commuted Sums for Maintaining Infrastructure Assets (2009) guidance and will continue to engage with GCC on these matters following their review. The latest update on each point raised is provided below:</u></p> <p><u>HE will provide a list of assets to be adopted prior to handover. HE are continuing to engage with GCC to clarify the approach.</u></p>	<p>SoCG Update for Deadline <u>31, 2 February 2022</u>. <u>14 December 2024</u></p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<p>New carriageway connections from the existing local road network to the A417.</p> <p>Highways England have provided a revised De-Trunking Report on 28 August 2020. This report provides a list of assets that are to be removed and a list of assets being retained post completion. However, the following points remain outstanding for further discussion:</p> <p>Details/thorough assessment of the extent of additional assets that GCC will be inheriting, and provision of the list of assets and inspection records in a timely manner to enable a full asset evaluation</p> <p>Commuted sums that would be agreed and paid to GCC to enable adequate maintenance of said assets; no discussion on this have taken place yet. <u>NH Highways England has recently (December 2021)ve provided a copy of the Commuted Sums is based on the Commuted Sums for Maintaining Infrastructure Assets (2009) guidance note, which sets out that Commuted Sums will not be available to GCC. GCC is rare reviewing this document in light of the extent of the assets to be handed over and will respond accordingly, however it is the initial view that GCC should be eligible for commuted sums for 'non-standard' assets, for example the proposed ownership of</u></p> <p>The proposals for existing CCTV equipment at Nettleton Bottom. <u>GCC to confirm whether they wish to retain the existing CCTV equipment</u></p> <p>The ownership of Barrow Wake Bridge. <u>GCC believe that this will be subject to a Commuted Sum payment</u></p> <p>Specification of the repurposed A417</p>	<p>HE will continue to engage with GCC to reach agreement on commuted sums</p> <p>Existing CCTV equipment on the detrunked A417 would be handed over to GCC. GCC can define whether they would want to retain or remove this asset.—</p> <p>Barrow Wake bridge ownership will be passed to GCC</p> <p>Detailed specification of the repurposed A417 will be as per GCC requirements, to be discussed during detailed design. GCC to set out expectation of standard of detrunked road.</p> <p>A technical note on this matter (Detrunking and Asset Handover Approach) was shared by Highways England with GCC on 25 November.</p>	
16.2.	Handover process - detrunking	<p>GCC will require a detrunking handover process to be drawn up and agreed which details various items (not exhaustive list) that need to be in place before detrunking takes place:</p> <ul style="list-style-type: none"> • list of assets to be handed over • handover of all asset records 	<p>Highways England is engaged in discussions with GCC to reach agreement on the process for detrunking handover. A technical note on this matter (Detrunking and Asset Handover Approach) was shared by Highways England with GCC on 25 November.</p>	SoCG Update for Deadline 1, 14 December 2021

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<ul style="list-style-type: none"> • Health and Safety files (where they exist) • inspection records • handover inspections and any subsequent resultant works • agreement of boundaries — agreement of commuted sums <p>Updated Joint Councils position of February 2022 as follows:</p> <ul style="list-style-type: none"> — NH issued an Asset Adoption Plan to which GCC have provided comments. NH have updated and re-issued the drawing but not all issues have been addressed, including clarifying a difference between the drawing and the dDCO Part 13(5) — NH issued the Technical Note: Gloucestershire County Council Detrunking and Asset Handover Approach. GCC have provided comments and a follow up meeting has been held and a revised Technical Note issued — Burgess Salmon have issued a draft side agreement on which The Councils are yet to provide comments 		
16.3.	Handover process – new assets	<p>Need to agree process for handover of highways that will become GCC assets post completion (similar items to be included as 16.2 above). To include a provision for a 12 month maintenance period and a definition of what is "completion".</p> <p><u>See comments for 16.2 above</u></p>	<p>Highways England is engaged in discussions with GCC to reach agreement on process for adoption of new assets. A technical note on this matter (Detrunking and Asset Handover Approach) was shared by Highways England with GCC on 25 November.</p>	SoCG Update for Deadline 1, 14 December 2021
16.4.	New assets – approval of design	<p>Need to agree a Technical Approval process for approval of designs of highways that will become GCC assets post completion.</p>	<p>Highways England is engaged in discussions with GCC to reach agreement on process for technical approval of currently expected GCC assets. A technical note on this matter (Detrunking and Asset</p>	SoCG Update for Deadline 1, 14 December 2021

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		See comments for 16.2 above	Handover Approach) was shared by Highways England with GCC on 25 November.	
17. Traffic and Transport				
17.1.	Impact on local highways Leckhampton Hill Local Roads	<p>The Joint Councils and Highways England acknowledge that there would be an increase in traffic in some locations as a direct result of the scheme as identified in the Combined Modelling and Appraisal Report (ComMA) (Document Reference 7.6, APP-422) and Transport Report (Document Reference 7.10, APP-426) at the following locations:-. This would include increases in traffic at the following locations:</p> <ul style="list-style-type: none"> • Leckhampton Hill • Gloucester Road, Stratton • B4070 south of Birdlip • Road leading to Brimpsfield in 2026 forecasts an increase <p>The Joint Councils have concerns over the impact of the scheme on the four locations above, where increases in traffic are forecast. Whilst supportive of the scheme, the Councils consider that mitigation measures for these impacts (which are directly attributable to the scheme) will be required in these locations, for which there are currently no schemes or funding identified. GCC requests that HE provides more information to demonstrate how these traffic increases can be reduced to current levels:-</p> <p>Leckhampton Hill Gloucester Road, Stratton B4070 south of Birdlip</p>	<p>At Deadline 2 of the Examination, Highways England submitted the Leckhampton Hill Technical Note (Document Reference 8.15, REP2-8.15-) to provide further detail on the increase in traffic forecast on Leckhampton Hill. It sets out that whilst there would be an increase in forecast traffic on Leckhampton Hill, there would be wider traffic and economic related benefits of the scheme. These are important benefits that would overall improve the area for local communities and those travelling to/from the area for other reasons. Highways England is open to discussion on mitigating the effects of the A417 Missing Link project. Information on the traffic modelling and traffic impacts of the scheme will be set out within the DCO application documents, namely the Combined Modelling and Appraisal Report (ComMA) (Document Reference 7.6) and Transport Report (Document Reference 7.10).</p> <p>Highways England understands that discussions are ongoing within the Joint Councils regarding the extent and nature of mitigation measures that they would seek at Leckhampton Hill.</p> <p>Highways England continue to engage with the Joint Councils on these concerns and will provide a further update during the Examination.</p>	<p>SoCG Update for Deadline 3, 2 February 2022.</p> <p>SoCG Update for Deadline 1, 14 December 2021</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<p>Road leading to Brimpsfield in 2026 forecasts an increase</p> <p>The Councils have concerns over the impact of the scheme on the four locations above, where increases in traffic are forecast. Whilst supportive of the scheme, the Councils consider that mitigation measures for these impacts (which are directly attributable to the scheme) will be required in these locations, for which there are currently no schemes or funding identified. GCC requests that HE provides more information to demonstrate how these traffic increases can be reduced to current levels.</p> <p>As of October February 20212, the Joint Councils are still waiting on confirmation from Highways England that there are funds available for mitigation at Leckhampton Hill.</p>		
18. Crossings of the A417				
18.1.	No matters identified.			
19. Engineering design				
<ul style="list-style-type: none"> Lighting 				
Gloucestershire County Council				
19.1.	<p>Lighting on new highway to be maintained by GCC at Ullenwood junction</p>	<p>GCC has raised concerns that the omission of street lighting on the proposed Ullenwood junction would be unsafe. Whilst GCC have suggested that they are willing to undergo As set out in a letter to Highways England on 18 Oct 2021, GCC consider that the omission of street lighting for junctions on the scheme is a departure from standard and that it would be an unsafe proposition in relation to the proposed A436 roundabout (Ullenwood junction). Whilst GCC is willing to undergo a trial of this junction unlit, with the view to implementing a lighting</p>	<p>Highways England notes that the view of GCC differs from that of Cotswold District Council which has stated a preference for no lighting on the scheme due to biodiversity and AONB impacts. Highways England has set out that a speed limit change on Leckhampton Hill, as suggested by GCC, is not necessary given a reduction in speed on that section of road is anticipated. It would remain within the control of GCC as the highway</p>	<p>SoCG Update for Deadline 3, 2 February 2022, SoCG Update for Deadline 1, 14 December 2021</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<p>scheme at a later date should a review of accidents suggest lighting should be implemented. As such, as proposed, GCC consider it a prudent and sensible course of action to <u>install have the all underground infrastructure ready for a lighting scheme</u>, should it be required. GCC also suggested, alongside that implementing a reduction in the speed limit on Leckhampton Hill <u>be implemented.</u></p> <p>GCC therefore wish to see the infrastructure for a proposed and designed street lighting scheme for the roundabout be built as a part of the works, leaving only wiring, columns and lanterns to install, if needed, at a later date. GCC also propose that the proposed 50mph limit on the A436 and proposed roundabout, is extended on Leckhampton Hill to the 40mph limit at the Star Centre college access, approx. 500m.</p> <p>Following receipt of a response to that letter from Highways England on 15 November 2021, GCC welcome the confirmation from Highways England on 15 November 2021 that an environmental assessment on lighting at Ullenwood junction will be undertaken, and GCC accepts Highways England reasoning to not change the speed limit on Leckhampton Hill and consider this matter closed.</p> <p><u>As of February 2022 GCC have been involved in the process of undertaking a preliminary design of a lighting scheme for Ullenwood Roundabout. A lighting design been agreed in principle and is now going through an environmental assessment, the results of which are expected.</u></p>	<p><u>authority to make a change to the speed limit on Leckhampton Hill if this is something that the Council see merit in doing in the future.</u></p> <p><u>In response to the GCC concerns, Highways England is undertaking the environmental assessment of a preliminary design of lighting infrastructure at Ullenwood junction. As stated at the Issue Specific Hearing on 25 January 2022, this assessment should be completed soon. Highways England is seeking to arrange a collaborative planning session with stakeholders, including the Joint Councils, to discuss the findings of the environmental assessment once completed, with an update to the ExA to be provided at Deadline 4.</u></p> <p>In response to the letter from GCC on 18 October 2021, Highways England wrote to GCC on 15 November 2021 to confirm that it will undertake an assessment of the approach proposed by GCC, and subject to the outcome of that assessment would look to agree a future lighting solution with GCC at Ullenwood junction.</p> <p>Highways England also set out that a speed limit change on Leckhampton Hill, as suggested by GCC, is not necessary given a reduction in speed on that section of road is anticipated. It would remain within the control of GCC as the highway authority to make a change to the speed limit on Leckhampton Hill if this is something that the Council see merit in doing in the future.</p>	
	<p><u>Surface treatment on local roads</u></p>	<p><u>GCC's policy is that all county roads, in general, are not resurfaced using a Thin Surface Course System due to the unreliable nature of the material and its tendency to</u></p>		

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		need more frequent costly maintenance interventions. GCC endorses the use of Hot Rolled Asphalt and Chips due to it lower green credentials as it does not need to be replaced as often as a TSCS. GCC acknowledge that a TSCS is compliant with current standards. We will continue discussions with NH during the detailed design stage as what the specification of the surfacing on the local roads would be.		
20. Draft Development Consent Order				
20.1.	Consultation on DCO requirements	<p>The Councils wish to fully understand any commitments for monitoring and/ or enforcement that may be placed on the Council by the DCO Requirements and how that monitoring and enforcement will be funded.</p> <p>The Council's acknowledge their statutory responsibility to monitor and enforce unauthorised development and non-compliance with a DCO within their jurisdiction. However, the Council's would seek to enter into legally binding side agreements with Highways England to secure any arrangements and funding for the management and monitoring of any elements of the scheme which the Council's would consider appropriate and reasonable.</p>	<p>Requirements (akin to conditions) in the DCO will be discharged by the Secretary of State in consultation with the relevant local authorities. Local authorities have a statutory duty to enforce any unauthorised development on land within the Order Limits, including non-compliance with the terms of the DCO. This is set out in sections 160 to 173 of the Planning Act 2008.</p> <p>Any future agreement in relation to this stage of the project is difficult to define until the Order is granted. Highways England are committed to continuing to discuss GCC's role as the project progresses.</p>	SoCG update, March 2021
20.2.	Discussions on draft DCO	Legal representatives of the Joint Councils provided comments on the draft DCO (Document Reference 3.1, APP-022) on 1 November 2021.	Highways England provided a written response to the matters raised by the Joint Councils on the draft DCO on 25 November 2021. The parties have been seeking to discuss those matters, but unforeseen circumstances have unfortunately led to the postponement of that discussion which has not therefore been able to take place prior to Deadline 1. The parties will seek to provide a substantive update on progress to the ExA at Deadline 2.	
20.2.	<u>Preliminary Design and detailed design (Requirement 11)</u>	<u>Requirement 11 as drafted is not acceptable. Requirement 11 would require the detailed design to be compatible with the preliminary design shown only on the</u>	<u>The Highways England position on why there is sufficient detail within the existing application documents, and why Requirement 11 is an</u>	<u>SoCG Update for Deadline 3, 2 February</u>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<p><u>general arrangement plans and works plans. This is not consistent with the approach National Highways has taken on other recent DCOs where Requirement 11 refers to engineering section drawings. There is insufficient preliminary design detail in relation to proposed structures on plans proposed in Requirement 11 and generally a lack within the other application documents.</u></p> <p><u>Section and/or elevation drawings illustrating the preliminary design of structures should be submitted into examination and Requirement 11 should be amended to make specific reference to these plans drawings along with the general arrangement and works plans already named. National Highways should also amend their ES, if necessary, to reflect in relation to the- any new design information submitted.</u></p> <p><u>Alternatively, Requirement 11 should be amended to relate specifically to the A417 carriageway, and a new requirement should be added to Schedule 2 which secures the written approval of the SoS, following consultation with the relevant planning authority and local highway authority, of external appearances of structures. This relates principally to:</u></p> <ul style="list-style-type: none"> <u>• Cotswold Way Crossing</u> <u>• Gloucestershire Way Crossing</u> <u>• Cowley Overbridge</u> <u>• Stockwell Overbridge</u> <u>• Air Balloon Way</u> <u>• Cotswold Way National Trail</u> <u>• Grove Farm Underpass</u> <p><u>Either option would ensure appropriate control over detailed design and would address the Joint Councils concerns regarding a lack of detail within the Scheme.</u></p>	<p><u>acceptable approach, was clearly explained at ISH2.</u></p> <p><u>It's written summary of that hearing (Document Reference 8.19) submitted at Deadline 3 also provides information on the approach to detailed design of NSIPs in other protected environments.</u></p> <p><u>National Highways is considering whether it would be appropriate for a design code to be used to control the design of the structures.</u></p>	<p><u>2022. Inserted at Deadline 3, 2 February 2022 to reflect the Joint Councils position at D1 and D2.</u></p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
20.3.	Consultation prior to discharge of requirements	<p>The Joint Councils agree that the Secretary of State will be the responsible organisation for the discharge of DCO Requirements and the Councils will be a prescribed consultee for certain requirements. A 21 day consultation period should be set out in Requirement 4 or Part 2 of Schedule 2 of the dDCO, or in a side agreement.</p> <p>A set timeframe for receipt of the Councils comments on draft documents that are to be submitted to SoS to discharge requirements would ensure the Joint Councils are given sufficient time to coordinate and provide a meaningful consultation response on documents that NH can present to the SoS (in accordance with Schedule 2 Part 2). Additionally, a consultation period would provide greater certainty to NH's delivery programme.</p>	<p>There is no need for an express consultation period to be written into Requirement 4, or elsewhere.</p> <p>Highways England explained in ISH1 the manner in which these requirements are working in practice on live projects around the country.</p>	<p>SoCG Update for Deadline 3, 2 February 2022. Inserted at Deadline 3, 2 February 2022 to reflect the Joint Councils position at D1 and D2.</p>
20.4.	Requirement 9(6)	<p>Requirement 9(6) is inadequate. Provisions for long term storage of the archaeological archive needs to be agreed in advance and Corinium Museum should be notified before commencement of the archaeological works in accordance with the Gloucestershire Archaeological Archives Standards.</p>	<p>Highways England is considering this point, and expects to be in a position to provide alternative wording for this Requirement to Historic England, the Joint Councils, and CCB, imminently.</p>	<p>SoCG Update for Deadline 3, 2 February 2022. Inserted at Deadline 3, 2 February 2022 to reflect the Joint Councils position at D1 and D2.</p>
20.5.	Article 13(5)	<p>Article 13(5) should be extended to cover maintenance for earthworks related to the structure, maintenance responsibility is properly recorded by NH and that structures with public rights of way are also included.</p>	<p>There is no need for that clarification of Article 13 in this regard.</p> <p>In addition, Highways England and the Joint Councils are discussing measures for a formal asset handover process to take place, which will further reduce any scope for uncertainty to arise.</p>	<p>SoCG Update for Deadline 3, 2 February 2022. Inserted at Deadline 3, 2 February 2022 to reflect the Joint Councils position at D1 and D2.</p>
20.6.	Article 16(2)	<p>Article 16(2) in the dDCO should be updated to cover approval of the newly constructed private means of</p>	<p>Where relevant (i.e. where the street in question is a highway maintainable at the public expense), GCC will be the "street authority" as local highway</p>	<p>SoCG Update for Deadline 3, 2 February</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		access by GCC and it needs to deal with the maintenance period following 'completion'.	authority to whose satisfaction the new street or private means of access is to be constructed. So that is already covered by Article 16(2). Where it is not the street authority, it is not clear why its approval should be required. It is not appropriate for Highways England to maintain such replacement means of access following their completion.	2022.Inserted at Deadline 3, 2 February 2022 to reflect the Joint Councils position at D1 and D2.
20.7.	Article 16(6)	Article 16(6) in the dDCO should be amended to make clear that any compensation is payable by the undertaker.	There is no need for this amendment to be made.	SoCG Update for Deadline 3, 2 February 2022.Inserted at Deadline 3, 2 February 2022 to reflect the Joint Councils position at D1 and D2.
21.	Land	Gloucestershire County Council		
21.1.	Land acquisition	<p>In response to the 2020 consultation, GCC Asset Management and Property Services stated:</p> <p>As confirmed in the previous consultation, it would appear that the only land affected by the revised DCO Boundary that Gloucestershire County Council (GCC) own that is not part of the publicly maintainable highway is the land previously identified as Parcel 2/45. In respect of this parcel, we remain ready to discuss your acquisition of this land at the appropriate time. Please be aware this land is currently leased to Ullenwood Cricket Club and we have advised them separately of the consultation.</p> <p>In terms of the other land parcels owned by GCC, these appear to be part of the current publicly maintainable highway network for which we are responsible. GCC</p>	<p>Position Statements have been drafted for all landowners effected by the scheme including GCC. The most recent issue of the GCC Lands Position Statement is included at Appendix B of this document.</p> <p>The acquisition of land that is not classified as highway is now proceeding by negotiation. This is being advanced with Gloucestershire County Council.</p>	SoCG Update for Deadline 1, 14 December 2021

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		colleagues will respond separately on matters affecting this land.		
22. Environmental Management Plan (EMP)				
22.1.	No matters identified.			
23. Construction Traffic Management Plan (CTMP)				
23.1.	Construction impacts on traffic	The CTMP does not include any details of monitoring of construction traffic and the impact of that traffic on the existing road network. There is no reference to a legal agreement to be entered into with GCC in relation to the damage caused by extraordinary traffic in accordance with section 59 of the Highways Act 1980. We would expect to see a survey of the affected highway undertaken before construction begins and another survey once the work has been completed. Any extraordinary damage caused to the highway would need to be addressed/ rectified at the expense of Highways England and GCC would require Highways England to enter into the s59 Agreement to secure payment to rectify the damage (if any).	<p>Highways England would undertake a video condition survey of all affected roads prior to construction and upon completion of the scheme. Highways England will update the CTMP to reflect this, which will be submitted at a future deadline.</p> <p>In reference to the section 59 agreement, it is the position of Highways England that this is not required, as GCC has powers of recovery under section 59 of the Highways Act 1980 without the need for an agreement. However, Highways England will continue to engage with the Joint Councils on this matter. As the matter was discussed in the Issue Specific Hearing on 27 January 2022, a written summary of the Highways England position will be provided at Deadline 3. Highways England is reviewing the CTMP and engaging with GCC to resolve this matter.</p>	<p>SoCG Update for Deadline 3, 2 February 2022. SoCG Update for Deadline 1, 14 December 2024</p>
23.2.	Construction impacts on traffic	The two diversion routes set out in the CTMP are aimed primarily at dealing with rerouting strategic traffic movements during closures on the A417. GCC expects that more locally based traffic would divert onto nearby 'shorter' alternative rat-run routes. It is also likely that similar local diversions (traffic reassignment) will occur, although to a lesser extent, when temporary mitigation measures are in place at limited times during the 33 month construction works period e.g. those times when there are 40mph speed limits and restricted lane widths, 40mph speed limits and single lane widths, and 40mph speed limits and contraflow running. For confirmation of	<p>The current CTMP is at an early stage and dDuring the detailed design stage of the scheme the CTMP will be further refined and developed. As the CTMP is further refined part of this process, Highways England will look at undertaking traffic modelling to assess the impact that the CTMP proposals will have on the local and wider road network.</p> <p>The CTMP as refined at detailed design will provide details of any mitigation measures to address any identified issues on local roads and temporary signage strategies to deter traffic from using certain routes.</p>	<p>SoCG Update for Deadline 3, 2 February 2022.</p>

Ref.	Matter	Joint Councils' position	Highways England position	Date of the latest position
		<p>the likely impacts, it is therefore recommended that Highways England carry out indicative traffic modelling scenarios for the 2026 year of opening to assess/quantify local network traffic conditions during the scheme construction period when short-term A417 section closures, speed restrictions and lane width reductions are planned to be in operation.</p> <p>The CTMP should set out the details of appropriate mitigation measures to address any identified issues on local roads, for example details of a temporary signage strategy to be installed along the A435 to deter diverted traffic from using High Cross and the lanes through Cowley and Stockwell to access the A417.</p>		
23.3.	CTMP Clarification	<p>Section 2.3.14 states "road closures would not be undertaken during the Cheltenham Gold Cup Weekend and the Paddy Power Race Week." This needs to be corrected to "Road closures would not be undertaken during the Cheltenham Gold Cup and the Paddy Power Race Weeks".</p>	<p>Highways England recognises that the Joint Councils would like this clarification made within the CTMP and agrees to make the amendment in a revised version of the CTMP to be submitted at a future Examination deadline.</p>	<p>SoCG Update for Deadline 3, 2 February 2022.</p>

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	Gloucestershire County Council
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	Cotswold District Council
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	Tewkesbury Borough Council
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	Highways England
Name	
Position	
Date	

Appendix B Landowner Position Statement with GCC

Landowner Position Statement – Gloucestershire County Council (GCC)

1.1 Purpose of this Document

- 1.1.1 Highways England has 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), Highways England Property and Compensation Team and Highways England Project Management Team to inform ongoing discussions with landowners.
- 1.1.2 The purpose of the position statements is to provide a 'live' document which captures the key engagement held with landowners and a formal record of matters raised and the Highways England position to such matters.
- 1.1.3 The detail recorded within this position statement relates only to the communication and engagement pertinent to GCC's land interest impacted by the scheme. Further detail about broader engagement with GCC as part of the 'Joint Councils' (i.e. host authorities as defined in Section 43 of the Planning Act 2008) can be found within the Joint Councils Statement of Common Ground (SoCG) submitted in support of the DCO application (See Statement of Commonality, Document Reference 7.3, APP-419). The SoCG summarises the Joint Councils' matters outstanding and agreed and will be updated throughout the Examination as discussions progress.
- 1.1.4 Further detail relating to any consultation responses submitted by GCC 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.

Table 1 Record of Key Landowner Engagement

Date	Form of correspondence	Key Topics Discussed and key outcomes
27/09/2019	Statutory Consultation Notification	Correspondence issued to GCC notifying them of the beginning of the 2019 statutory consultation.
11/02/2020	Landowner Consultation	GCC submitted a landowner consultation response as part of the 'Targeted Consultation 1 – 13 January 2019 to 11 February 2020'.
24/07/2020	Email and telephone	Landowner meeting invitation to discuss the scheme design changes issued to GCC. Meeting arranged for the 29 July 2020.
29/07/2020	Meeting	<p>It was explained that the purpose of this meeting is to review the design changes for the scheme. The scheme design changes at the following locations were explained to GCC:</p> <ul style="list-style-type: none"> • Bentham Lane and Witcombe; • Dog Lane; • Cold Slad Lane; • Shab Hill; • Barrow Wake; • Ullenwood Cricket Club; • Air Balloon Roundabout; • Stockwell Farm; and • Cowley. <p>The detrunking of the existing A417 was also discussed. GCC to provide further information to help inform the detrunking report to be prepared.</p>
13/10/2020	Statutory Consultation Notification	Correspondence issued to GCC notifying them of the beginning of the 2020 supplementary statutory consultation.
10/11/2020	Meeting (Virtual)	Landowner meeting to discuss the most recent scheme design changes in relation to GCC's land. Detail about the land impact created by the scheme was explained to GCC.

Date	Form of correspondence	Key Topics Discussed and key outcomes
		<p>For the land to be taken permanently along a section of the roman road leading into Birdlip, GCC asked whether disabled parking will be provided and if the roman road will be for walking, cycling and horse-riding (WCH) only. It was explained that disabled parking will be provided, and the roman road will be for WCH only.</p> <p>GCC to review if the unidentified plots U00195, U00210 and U00275 are owned by the Council. GCC stated that it is desirable that additional bus stops are included as part of the scheme. The scheme solutions team will review this request to see if additional bus stops can be provided but it was explained to GCC that improving public transport provision was not a key objective of the scheme.</p> <p>GCC said that a decision has not been made whether a land agent will be instructed.</p>
28/01/2021	Accommodation Work Plans	Draft accommodation work plans provided to GCC for comment.
08/02/2021	Targeted Landowner Consultation	Correspondence issued to GCC notifying them of the beginning of the targeted landowner consultation.
11/05/2021	Email Correspondence	Draft Position Statement issued to GCC for comment and review.
17/06/2021	Meeting (Virtual)	Call to discuss land required by the scheme and to identify areas which could be acquired by negotiation. The areas of road verge and highway will be acquired via General Vesting Declaration and an area of land adjacent to Ullenwood Cricket club will be acquired by negotiation.
26/08/2021	Email Correspondence	Draft licence and plans issued to GCC to undertake the site investigation works.
23/09/2021	Email Correspondence	Signed licence received from GCC.
22/10/2021	Email Correspondence	Land interest plans reissued to GCC
11/11/2021	Email Correspondence	Contact made with GCC property and valuation team and land interest plans provided to advance acquisition discussions.

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Comment	Highways England Response
1	Ullenwood Cricket Club - Land take	GCC asked whether land identified to the east of Ullenwood Cricket Club needs to be taken permanently for the scheme.	GCC's request was reviewed. The land take was revised from permanent to temporary with permanent rights.
2	Ullenwood Cricket Club – Access track	GCC asked if the land take required for access into Ullenwood Cricket Club could be changed from permanent to temporary with permanent rights.	Land take for the purposes of access was reviewed. The land take required for access was revised from permanent to temporary with permanent rights.
3	Golden Heart Inn	GCC asked if the land identified next to the Golden Heart Inn will be taken permanently for the scheme.	The land identified by GCC is essential for the purposes of the scheme.
4	Land acquisition	Its is unclear which land can be acquired by negotiation as majority is highway or road verge.	The areas of road verge and highway will be acquired via General Vesting Declaration and an area of land adjacent to Ullenwood Cricket club will be acquired by negotiation. DVS to progress discussions.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Comment	Highways England Response
1	Accommodation works	Accommodation works plans were issued to GCC in January 2021.	Accommodation works are to be developed and agreed during the detailed design stage of the scheme.
2	Land acquisition	Land acquisition discussions to begin.	Land acquisition discussions will be progressed by the District Valuer Service.

Appendix B Draft Statement of Common Ground with the Environment Agency

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between Highways England and the Environment Agency in relation to the A417 Missing Link scheme.
- 1.1.2 The document identifies the following between the two parties:
- Matters which have been agreed; and
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.3 The matters which are referenced in this document are that which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES), submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 There are also a number of matters identified in the SoCG upon which the position of the Environment Agency is pending, for example where matters may relate to the future detailed design stage. These are set out in Appendix B, and Highways England will continue to review the matters detailed in this Appendix with the Environment Agency. Discussions will be aided by the Environment Agency being able to review the full suite of DCO application documents on the National Infrastructure Planning website (at the point of submission).
- 1.1.5 The SoCG will continue to evolve as the application for development consent progresses through the examination stage.
- 1.1.6 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the examination.
- 1.1.7 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) Guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of the Environment Agency in the application and sets out the consultation undertaken.
 - Section 3 summarises the topics considered within the SoCG.
 - Section 4 lists those matters which have been agreed, including the date that this matter was agreed.
 - Section 5 lists those matters which remain outstanding, incorporating: a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position including any further meetings planned regarding the matter.
- 1.2.2 Appendix A includes the signing sheet.

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

1.2.3 Appendix B includes matters to be determined during the examination of the DCO application.

1.3 Status of this SoCG

1.3.1 This SoCG is a correct reflection of the position of both parties at the Examination Deadline ~~31 (2 February 14 December 2021)~~ 2 February 2022

1.3.2 It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the examination stage.

2 Consultation

2.1 Role of the Environment Agency

- 2.1.1 The Environment Agency (EA) is a non-departmental public body sponsored by DEFRA with responsibilities relating to the protection and enhancement of the environment in England.
- 2.1.2 The EA is a prescribed consultee as defined under section 42(1)(a) of the Planning Act 2008 (the Act).

2.2 Summary of consultation

- 2.2.1 Highways England has been in consultation with the EA during the development of the scheme's design, including the optioneering process. The parties have continued communicating throughout the progression of the scheme.
- 2.2.2 The EA has been a member of a Landscape, Environment and Heritage Technical Working Group; see Chapter 4 of the Consultation Report (Document Reference 5.1, APP-027) for more information.
- 2.2.3 The engagement outlined in Table 2-1 covers formal consultation with the EA since the Preferred Route Announcement in March 2019, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below, but are available on request.
- 2.2.4 The consultation with the EA since the Preferred Route Announcement in March 2019 is set in Table 2-1.

Table 2-1 Consultation with Environment Agency since the Preferred Route Announcement

Date	Method	Parties involved	Matters discussed
8 March 2019	Meeting	Highways England Environment Agency	<ul style="list-style-type: none"> Concern raised over construction of deep road cuttings through shallow aquifers which could intercept shallow spring systems and cut off their flow pathways making them dry out over time. Particular potential issue through the proposed deep cutting at the top of Crickley Hill and the Shab Hill junction
4 June 2019	Meeting	Highways England Environment Agency	<ul style="list-style-type: none"> Widening the highway near the tributary of Norman's Brook may encourage culverting (not favoured) Monitoring minor watercourses for local impacts Note changes in the Flood Risk Assessment (FRA) factors for climate change (UK Climate Projections 'UKCP18' changes the % climate change allowance) will need to be included in the FRA Conceptual groundwater model only possible Ground water monitoring: 2 years of GW monitoring is not a strict requirement. It is guidance which the EA apply to quarry owners, publicly could be challenged for not having this data. However, sufficient data will be held by the end of the DCO determination Construction phase permitting of deep cutting dewatering, effluent treatment, and discharge. This will be focus for pre-construction period 2020, recognise that this will be complex and time / resource heavy
18 June 2019	Joint Landscape Strategy meeting	Highways England Technical Working Group (TWG) member organisations including, the Environment Agency	<p>The joint landscape vision was presented. Concerns were raised regarding the following key points:</p> <ul style="list-style-type: none"> Opportunities to restore grassland areas currently being damaged by visitor pressure e.g. at Crickley Hill Opportunity to improve current low-grade arable land to mosaic of calcareous grassland scrub and hedgerow around Stockwell area Woodland creation opportunities to connect woodland areas at Ullen Wood - Emma's Grove, at east of scheme around Kennels and at south of scheme to connect Birdlip to Beech Woods Tree species for planting - there is conflict between native species planting and selecting for climate resilience. Also, conflict with the Cotswold Conservation Board (CCB) tree specification guidance Recreation impacts are important- we should consider enhancement of the mountain biking track at Fly-Up to divert users from the nearby sensitive Beech Woods area and Crickley Hill, currently being damaged

Date	Method	Parties involved	Matters discussed
			<ul style="list-style-type: none"> • We should consider a landmark of some type to off-set the loss of the Air Balloon pub • Consider innovative drainage solutions (Sustainable drainage systems (SuDS)) at south-east end of scheme, to mitigate groundwater impacts to Bushley Muzzard
2 July 2019	Technical Working Group Meeting	Highways England TWG member organisations including the Environment agency	<ul style="list-style-type: none"> • Update to the scheme • 2019 Preliminary Environmental Information (PEI) report update • Opportunities mapping • TWG terms of reference • Working group technical discussions
4 July 2019	Meeting	Highways England Environment Agency	<p>Meeting to discuss water resources and ecology. Discussion included:</p> <ul style="list-style-type: none"> • DCO Boundary and space for appropriate mitigation • Water Features Survey - Next steps • Baseline data collection (Insufficient baseline data collection >1year may result in objection) • Aquatic invertebrate sampling • Flow monitoring • Groundwater monitoring • Water quality monitoring • River Habitat Survey • Tufa Habitat Survey
30 July 2019	Landscape, Heritage and Environment Technical Working Group meeting	Highways England TWG member organisations including the Environment Agency	<ul style="list-style-type: none"> • Opportunities mapping feedback • 2019 PEI report update • Landscape update – approach and sketch designs • Working group technical discussions • Overview of Statements of Common Ground • General freshwater ecology • Follow up call arranged to specifically discuss freshwater ecology sampling methodology
15 August 2019	Email	Highways England to Landscape officers/representatives at statutory body	Highways England landscape specialist emailed the landscape representatives to share figures of the Zone of Theoretical Visibility (ZTV) and indicative viewpoint locations. The landscape specialist asked for feedback on the viewpoints.

Date	Method	Parties involved	Matters discussed
		organisations, including Environment Agency	
18 August 2019	Email	Highways England to the Environment Agency	Provided draft ZTV for landscape and visual chapter of PEI report.
20 August 2019	Landscape, Heritage and Environment Technical Working Group Meeting	Highways England TWG member organisations including the Environment Agency	The following matters were discussed <ul style="list-style-type: none"> • Feedback from last TWG • Ecology update on surveys • Update on design approach and Landscape and Visual Impact Assessment (LVIA) • Geology update on investigations/surveys • DCO process overview • Working group technical discussions
30 August 2019	Meeting	Highways England TWG member organisations including the Environment Agency	<ul style="list-style-type: none"> • Macroinvertebrate sampling and use of standard methodology (EA Operational Instruction 018_08) • Freshwater ecology survey and assessment
27 September 2019	Letter and email	Highways England to Environment Agency	Highways England sent a formal notification of the statutory consultation to the EA via letter and email. This included a copy of the section 48 notice and an electronic copy of the consultation materials including the PEI report. A deadline of 23:59 on 8 November 2019 was provided to the EA to submit their formal response to the consultation.
30 September 2019	Meeting (freshwater ecology survey and assessment)	Highways England TWG member organisations including the Environment Agency	Specific macroinvertebrate sampling techniques.
1 November 2019	Email	Highways England to Environment Agency	Issue of the drainage strategy report for EA review and comment.
8 November 2019	Formal response to statutory consultation	Environment Agency	Comments on 2019 Preliminary Environmental Information Report focusing on ground and surface water and the associated ecology, habitats and receptors that rely on them.
22 November 2019	Email	Highways England to Environment Agency	Highways England to the Environment Agency – issue of catchment plans and schedules associated with the drainage strategy report.

Date	Method	Parties involved	Matters discussed
6 December 2019	Email	Environment Agency to Highways England	Raised concerns over lack of water quality monitoring data.
11 December 2019	Email	Highways England to Environment Agency	Highways England acknowledged Environment Agency's concerns and passed on information to the project team.
3 April 2020	Email	Environment Agency to Highways England	<p>Environment Agency provided comments on drainage strategy in relation to:</p> <ul style="list-style-type: none"> • Tufa • Spring flows and flow pathways • Surface water and groundwater monitoring • Embankment structures • Deculverting • Water quantity across hydrograph
28 May 2020	Phone call	Highways England Environment Agency	Follow up phone call to check in with stakeholder and advise of DCO delay, and forthcoming emailed letter advising of this.
28 May 2020	Email	Highways England to Environment Agency	Letter emailed to advise of delay to DCO submission and further design and development work.
16 July 2020	Email	Environment Agency to Highways England	Environment Agency apologised for not reviewing the latest drainage information sent on 27 April and link has expired. Queried whether there is a need to review it given upcoming TWG.
16 July 2020	Email	Highways England to Environment Agency	Highways England advise that further design and drainage information would be issued in the near future which would supersede information sent on 27th April. Advised no need to provide comment on pack of information on 27th April but sent re-activated link so the Environment Agency could review anyway. Noted that previous comments from Environment Agency not addressed in that version but that they will be provided in the next update.
22 July 2020	Combined Technical Working Group	Highways England Landscape, Heritage and Environment TWG members and Walking Cycling and Horse Riding TWG members	<ul style="list-style-type: none"> • Project update following delay to programme, setting out the key changes to the design and the amended timescales • Invited questions from stakeholders during the session

Date	Method	Parties involved	Matters discussed
22 July 2020	Email	Environment Agency to Highways England	Environment Agency forwarded an email thread to another team member in Highways England detailing the Environment Agency's concerns on the lack of water quality monitoring.
22 July 2020	Email	Highways England to Environment Agency	Highways England advised that as part of the SoCG meeting, a list of information previously requested will be shared. The information that Highways England also hope to share in advance of the planned supplementary statutory consultation.
6 August 2020	Statement of Common Ground Meeting	Highways England Environment Agency	<ul style="list-style-type: none"> • Update to scheme design • Assessment progress to date and outline of future programme • Discussion on progress of outstanding issues to be agreed in SoCG
28 August 2020	Email	Highways England to Environment Agency	Email containing a link to the first tranche of information sharing for consultees. It was explained that the information was Work in Progress, Draft and Confidential and should only be shared within their organisation where there is legitimate reason to do so.
30 September 2020	Email	Highways England to Environment Agency	Email containing a link to second tranche of technical information for review and comment including updated drainage strategy and drawings, water monitoring information, as well as and Work in Progress 2020 PEI report chapters.
13 Oct 2020	Formal notification of supplementary consultation	Highways England to Environment Agency	Highways England sent formal notification of the supplementary consultation via post and email, in accordance with section 42(a) of the Planning Act 2008. This set out a deadline to submit comments of the 12 November 2020.
27 October 2020	Email	Highways England to Environment Agency	<p>Email sending a package of updated flood risk and hydraulic modelling information, including:</p> <ul style="list-style-type: none"> • A draft version of the Flood Risk Assessment which will form an appendix of the ES • An updated Technical Note on the Crickley Hill stream hydraulic modelling • A copy of the Tracer Test note produced by Mott Macdonald/Sweco in 2019
28 October 2020	Meeting	Highways England Environmental collaborative planning organisations including the Environment Agency	<p>A meeting to discuss Biodiversity Net Gain (BNG) and the DEFRA Metric in relation to the A417 Missing Link scheme. Covered:</p> <ul style="list-style-type: none"> • the change by habitat area within the DCO Boundary • the BNG calculation (using the current DEFRA metric, due to be updated in Dec 2020) • some commentary on the BNG metric and discussion on why the scheme scores lower than expected given biodiversity delivered • feedback from stakeholders on ideas to improve on biodiversity gain

Date	Method	Parties involved	Matters discussed
13 November 2020	Email	Environment Agency to Highways England	Environment Agency's response to the supplementary statutory consultation.
15 December 2020	Email	Highways England to Environment Agency	Reissue of information by email: <ul style="list-style-type: none"> • Water monitoring information • Drainage strategy drawings and schedules • Updated flood risk assessment note, Technical Note D02 on Hydraulic Modelling and Tracer Test note
1 February 2021	Emails	Environment Agency to Highways England	Emailed comments on the flood risk and drainage information, and comments on the 6 August Statement of Common Ground Meeting Notes, along with a letter setting out additional comments on the draft SoCG.
1 March 2021	Technical meeting and emails	Highways England Environment Agency	Emailed technical queries from the Environment Agency in advance of meeting, share of PowerPoint Presentation from Highways England, and technical meeting held to discuss: <ul style="list-style-type: none"> • Presentation on groundwater levels monitoring results and interpretation, with an initial overview of outcomes of the hydrogeological impact assessments; and surface water and springs monitoring scope and overview of initial results • Discussion on the rationale for selecting surface water monitoring points • Agree process for future sharing and discussion of ongoing groundwater data and model refinement
10 March 2021	Email	Environment Agency to Highways England	Email to confirm that the technical meeting on 1 March was successful and that comments on the draft SoCG would follow before 19 March 2021.
21 March 2021	Statement of Common Ground meeting	Highways England Environment Agency	Meeting to discuss the latest draft SoCG and matters outstanding, agreeing approach and draft contents ready for an update and reissue for comments in April 2021.
30 April 2021	Email	Environment Agency to Highways England	Environment Agency's response to the draft SoCG.
11 May 2021	Email	Environment Agency to Highways England	Environment Agency's response to the draft SoCG.
7 July 2021	Email	Highways England	An update on Other Consents and Licenses
10 September 2021	Statement of Common	Highways England Environment Agency	Meeting to discuss the latest draft SoCG and matters outstanding, agreeing approach and draft contents ready for an update and reissue for comments in October 2021.

Date	Method	Parties involved	Matters discussed
	Ground Meeting		
11 November 2021	Email	Highways England	Sharing of Technical Note - Water Environment Monitoring Data
12 November 2021	Statement of Common Ground Meeting	Highways England Environment Agency	Meeting to discuss and agree the updated draft Statement of Common Ground in advance of Examination Deadline 1.
12 November 2021	Email	Environment Agency	An update on Other Consents and Licenses
23 November 2021	Meeting	Natural England Environment Agency Highways England	A meeting to present the latest proposals around tufa mitigation and compensation and agree positions with all parties in relation to the proposals.
23 November 2021	Email	Highways England	An update on Other Consents and Licenses
3 December 2021	Emails	Highways England and Environment Agency	An update on tufa compensation measures
14 December 2021	Deadline 1 submission	Environment Agency	The Environment Agency submitted their responses to ExQ1 (REP1-058) at Examination Deadline 1.
28 January 2022	Email	Highways England	Updated draft Statement of Common Ground in advance of Examination Deadline 3, and an update to the water environmental monitoring technical note
1 February 2022	Statement of Common Ground Meeting	Highways England Environment Agency	Meeting to discuss and agree the updated draft Statement of Common Ground in advance of Examination Deadline 3.
2 February 2022	Email	Highways England	Updated water environmental monitoring technical note, associated appendices and a Groundwater Level Monitoring Report

3 Topics covered in this SoCG

3.1.1 The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 Summary of the Topics considered within this SoCG

Overarching topic	Topic number	Topic
Background	1.	Principle of Development
	2.	Project Description (Chapter 2 of the ES)
	3.	Consultation
Relevant ES Chapter	4.	Biodiversity (Chapter 8 of the ES)
	5.	Geology and Soils (Chapter 9 of the ES)
	6.	Material Assets and Waste (Chapter 10 of the ES)
	7.	Road Drainage and the Water Environment (Chapter 13 of the ES)
	8.	Climate Change (Chapter 14 of the ES)

4 Matters agreed

4.1.1 Table 4-1 shows those matters which have been agreed by the parties, including that matters reference number, and the date and method by which it was agreed.

Table 4-1 Matters agreed between Environment Agency and Highways England

Matter reference number	Matter which has been agreed	Date and method of agreement
1. Principle of Development		
1.1	The Environment Agency agrees with the need for development in helping to address the current situation of poor road safety and daily congestion and that the solution should reflect the special qualities of the Area of Outstanding Natural Beauty (AONB).	Email, 30 April 2021
1.2	The Environment Agency agrees with the objectives of the A417 Missing Link as a landscape-led scheme that will deliver a safe and resilient free-flowing road whilst conserving and enhancing the special character of the nationally important protected landscape of the AONB that the new route passes through.	Email, 30 April 2021
1.3	The Environment Agency agrees that the scheme supports the delivery of Paragraph 2.2 of the National Policy Statement for National Networks (NPSNN) addressing a critical need to improve national networks to address road congestion and provide safe, expeditious and resilient networks that better support social and economic activity.	Email, 30 April 2021
2. Project Description		
2.1	The Environment Agency generally agrees with the form of the scheme to address the objectives of the A417 Missing Link as a landscape-led scheme.	Email, 30 April 2021
2.2	The Environment Agency agrees that the existing A417 should be de-trunked and repurposed for its entire length and supports that some lengths will be converted to a route for walkers, cyclists, and horse-riders.	Email, 30 April 2021
3. Consultation		
3.1	Highways England and the Environment Agency agree that the detail of design will be discussed and agreed between Highways England, its contractor and Gloucestershire County Council should the scheme progress to construction. Both parties are committed in principle to ongoing engagement throughout the detailed design stage to help discuss and agree detailed matters pertinent to the natural environment.	Email, 30 April 2021
4. Biodiversity (Chapter 8 of ES)		
4.1	The Environment Agency agree that Highways England is seeking to maximise biodiversity improvements on the land that is available. Highways England has worked collaboratively with Natural England and other environmental bodies to consider the evolving DEFRA Biodiversity Metric 2.0 tool and have agreed to focus on	Email, 30 April 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	<p>providing priority habitats, which are in keeping with the special qualities of the Cotswolds AONB, as part of this scheme.</p> <p>Highways England is continuing to investigate further opportunities to achieve Biodiversity Net Gain with neighbouring landowners and through looking at other off-site measures.</p>	
4.2	<p>The Environment Agency and Highways England understand that Tufa habitats on site will be lost due to scheme construction but that compensation measures will be implemented across the site.</p> <p>The Environment Agency and Highways England understand Tufa habitat surveys were completed in 2020 and the results, impact assessment and details of mitigation / compensation being considered at this preliminary design stage as presented in the ES (Document Reference 6.2, APP-031-049). The mitigation commitments set out in an Environmental Management Plan (Document Reference 6.4, APP-315-413) will be secured through a requirement in the draft DCO submitted with the DCO application. Engagement will continue throughout the detailed design stage to help ensure appropriate mitigation / compensation.</p> <p>The Environment Agency generally agree to the approach subject to appropriate mitigation being secured and undertaken through the DCO process.</p>	Email, 30 April 2021
4.3	<p>The Environment Agency and Highways England agree impacts on Tufa forming springs are appropriately included and assessed within the ES.</p> <p>The Environment Agency and Highways England agree that it is not possible to mitigate the loss of the tufa habitat impacted by the scheme but that compensation measures at other tufa springs should be undertaken, subject to further discussion and agreements with Natural England at the detailed design stage. As is set out in ES Chapter 8 Biodiversity, to compensate for the loss, off-site restoration of existing tufaceous formations in degraded condition will be undertaken. The methodology and results for the assessment of compensation options are provided within ES Appendix 8.25 Tufa-forming springs: selection of potential compensation sites (Document Reference 6.4, APP-317-325) and full compensatory measures are included in ES Appendix 2.1 EMP (Document Reference 6.4, APP-317-325).</p> <p>Highways England implemented Natural England's request and contacted tufa expert Gareth Farr to inform proposed compensatory measures. Three sites are proposed for restoration as compensation, and Mr Farr provided recommendations in terms of monitoring both pre- and post-construction (including specific recording methods such as light sampling and fixed-point photography), as well as additional in-stream interventions at the three sites. All three sites were deemed suitable to proceed with the restoration proposals (pending adequate monitoring, to include).</p> <p>Highways England recognise that tufaceous formation development is a complex process requiring a combination of optimal conditions with respect to levels of saturation of groundwater, water flow, biological conditions, and</p>	Email, 30 April 2021 Meeting, 23 November 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	<p>therefore, are also working towards on-site mitigation as part of the detailed design of the realigned Norman's Brook, by way of designing spring diversions into the realigned Norman's Brook channel to support tufa forming conditions, as well as looking to slow down processes by creating localised pooling using local stone. It is important to reiterate that this forms an integral part of the overall tufa mitigation package. This approach is agreed with Natural England and the Environment Agency subject to detailed design work.</p> <p>Mr Farr emphasised the need to publish the outcome of the work carried out (both in terms of engineering solutions along Norman's Brook and the restoration sites). This was deemed very important in order to share successes but also learn from any shortcomings, especially as tufa restoration / enhancement is not something that has been explored much to date in the UK, so it is vital to test the practical applications.</p> <p>Further to meeting on 23 November 2021, Natural England and the Environment Agency agree to the proposed approach to compensation given the scale of the restoration will exceed the scale of loss, and in light of the conditions and suggested future management proposals at those sites. The parties agree to continue to engage at the detailed design stage to help ensure the proposed compensation is as successful as possible.</p> <p>The parties understand that the on-site mitigation is secured through the DCO and Environmental Management Plan, whereas the land required for compensatory measures would require agreements outside of the DCO with landowners to secure the principle of this compensation. Detailed design work would then confirm the proposals.</p>	
4.4	The Environment Agency and Highways England agree that wherever possible opportunities are provided for ecological enhancement, including SuDS, fish barrier removal, opening of culverts (especially the tributary of Norman's Brook), re-connection of habitats and natural flood management (NFM). Where appropriate these are included and assessed within the ES.	Email, 30 April 2021
4.5	The Environment Agency and Highways England agree the Severn Estuary Special Area of Conservation (SAC) and migratory fish assemblages will be included within the Habitat Regulations Assessment (HRA) Screening. The HRA screening is provided with the ES (Document Reference 6.5, APP-314-315). Highways England will include consideration of relevant fish species such as European Eel <i>Anguilla anguilla</i> in the assessment.	Email, 30 April 2021
4.6	The Environment Agency and Highways England generally agree the consideration of the impacts and appropriate mitigation for otters takes into account the location of the scheme and the boundary of the Severn and Thames watersheds and the need for otters to be able to move through the landscape away from watercourses, as well as alongside and in proximity of watercourses.	Email, 30 April 2021
4.7	The Environment Agency and Highways England agree that consideration of the impacts on water voles has been considered in ES Chapter 8 Biodiversity.	Email, 30 April 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
4.8	The Environment Agency and Highways England agree macroinvertebrate surveys are generally appropriate and that sampling will use standard methodology (EA Operational Instruction 018_08), as discussed in a meeting on freshwater ecology survey and assessment 30/08/19.	Email, 30 April 2021
4.9	The Environment Agency and Highways England understand a hydrogeological impact assessment has been undertaken to understand the potential impacts on springs, associated surface watercourses and groundwater resources and receptors. This is presented as part of ES Chapter 13 and found at Appendix 13.7 (Document Reference 6.4, APP-403). The Environment Agency agrees with the Hydrogeological Impact Assessment in principle, and agrees that on-going site monitoring will be used to validate this assessment and measure any possible impacts which could occur from the road scheme.	Email, 30 April 2021; Relevant Representation, September 2021
4.10	The Environment Agency and Highways England generally agree the spatial extent of the baseline study area is sufficient. The initial surface water and ground water survey study area was 1km and an extension of the study area beyond the 1km buffer was considered necessary to capture potential impacts to receptors beyond the standard study area. This was considered particularly important where dewatering is likely to impact receptors upstream and downstream of the study area where underlying geology may result in groundwater connectivity across a wider area. Consequently, a risk-based approach has been taken to the extension of the study area based on assessment of impact pathways and has been kept under review as the understanding of complex interactions has evolved. Following review, tributaries to the River Churn and the headwaters to the River Churn, up to 1.1miles (1.8km) north of the scheme, were included in the study area due to their local significance. Where there are considered to be potential gaps in the baseline surface water and ground water monitoring (to be determined), these are addressed in Appendix B under A1.	Email, 30 April 2021
4.11	The Environment Agency and Highways England generally agree that the ES Chapter 8 Biodiversity has considered impacts on the groundwater dependent features identified within the zone of influence of the scheme.	Email, May 2021
5. Geology and Soils (Chapter 9 of the ES)		
5.1	The Environment Agency generally accepts the baseline study area, methodology and assessment.	Email, 30 April 2021
5.2	The Environment Agency and Highways England agree that areas of fill/made ground have been targeted with ground investigation and soil sampling to identify potential hazards. The results are presented within the ES.	Email, 30 April 2021
5.3	The Environment Agency and Highways England agree that there should be a clear commitment to maintain high levels of pollution prevention and spill response/containment and decontamination throughout the project, including measures to manage sediment, through settlement ponds or other measures. High levels of pollution	Email, 30 April 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	prevention will be implemented, and measures will manage sediment, and a spill response plan will be put in place and tested.	
5.4	The Environment Agency and Highways England agree the risks posed by piling on pathway creation will be considered within the ES and will also be evaluated in a Foundation Works Risk Assessment.	Email, 30 April 2021
5.5	The Environment Agency and Highways England agree the location of springs originating within landslide deposits have been identified through the water feature survey undertaken. The origin of these springs has been identified through geological and desk study review and ground investigations to create a conceptual model. The hydrological characteristics of springs originating from landslide deposits will be identified through surveys (flow and rainfall) that continue to be undertaken, with results to be shared on a regular basis in discussion and agreement between both parties.	Email, 30 April 2021
5.6	The Environment Agency and Highways England agree care will be taken to not reactivate landslip deposits causing instability of deposits leading to slope failure. This issue is considered in the design and mitigation measures being developed as presented in the ES.	Email, 30 April 2021
5.7	The Environment Agency and Highways England agree a ground and surface water management plan as a part of the Environmental Management Plan will consider surface water catchments and aquifers in water management as part of dewatering design.	Email, 30 April 2021
5.8	The Environment Agency and Highways England agree preliminary interpretations of draft Phase 2A ground investigation data (including boreholes and geophysical surveys) have been used to infer revised fault locations. Information from further ground investigation obtained at Phase 3 ground investigations at the detailed design will be used to further constrain the locations of faulting.	Email, 30 April 2021
5.9	Highways England agree the Environment Agency will be consulted on the detailed arrangements for the reuse, recycling, or disposal of bulk construction material. Also, discussions on appropriate permit requirements and use of clean material in construction or land spreading off site. This will be undertaken in accordance with an agreed Material Management Plan (MMP) for the scheme (ES Appendix 2.1 EMP Annex E Materials Management Plan, Document Reference 6.4, APP-322).	Email, 30 April 2021
5.10	The Environment Agency and Highways England understand that the spillage assessment undertaken for surface water outfalls has concluded that the risk would be acceptable with no mitigation measures. However, the design assumption used is that Highways England trunk roads have pollution control devices and Gloucestershire	Email, 30 April 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	County Council outfalls do not have pollution control devices except for high risk roads. Treatment measures for routine run off is part of the ongoing assessment/detailed design update.	
5.11	The Environment Agency and Highways England understand that data is being collected to allow setting out control and trigger levels for monitoring during and post construction to validate introduced mitigation measures. The Environment Agency also understands that some areas of the scheme are still not represented by groundwater monitoring locations so the setting of control and trigger levels will not be possible for these areas until monitoring is in place / data has been collected for an appropriate length of time.	Email, 30 April 2021
6. Material Assets and Waste (Chapter 10 of the ES)		
6.1	The Environment Agency generally accepts the baseline study area, methodology and assessment.	Email, 30 April 2021
6.2	The Environment Agency and Highways England agree once a Contractor has been appointed, engagement will be undertaken to ensure Environmental Permitting requirements are undertaken and solutions developed to ensure conformity with the Environmental Permitting Regulations and minimise delays.	Email, 30 April 2021
6.3	The Environment Agency and Highways England agree only material suitable for use will be used in the scheme. Verification testing will be undertaken and requirements for this will be set out in the earthwork's specification.	Email, 30 April 2021
6.4	The Environment Agency and Highways England agree consideration of commercial waste streams will be included within the ES, although the amount of domestic and commercial waste produced is likely to be minimal.	Email, 30 April 2021
6.5	The Environment Agency and Highways England agree materials to be used for temporary vehicle parking areas will be verified as suitable for use in line with the Environmental Management Plan.	Email, 30 April 2021
6.6	The Environment Agency and Highways England agree that a Register of Environmental Actions and Commitments (REAC) will form part of the Environmental Management Plan. The REAC forms the record of the scheme's specific environmental actions and commitments to be implemented and managed through all stages of the Proposed Development. This is secured through a legal requirement of the DCO. The REAC will contain commitments including those on permits for waste operations and audits/inspections on waste management.	Email, 30 April 2021
7 Road Drainage and the Water Environment (Chapter 13 of the ES)		
7.1	The Environment Agency generally accepts the baseline study area, methodology and assessment.	Email, 30 April 2021
7.2	The Environment Agency and Highways England agree a Flood Risk Assessment (FRA) is required and watercourses modelled will be within close proximity to the proposed layout and include climate change	Confirmed by EA in PEI report response 12/11/20

Matter reference number	Matter which has been agreed	Date and method of agreement
	allowances. The Environment Agency agrees in principle with the outcomes of the FRA (ES Appendix 13.3, Document Reference 6.4, APP-399).	
7.3	The Environment Agency and Highways England agree that numerical modelling of the groundwater regime will not be undertaken given the complexity of the study area and its interaction with the proposed scheme. The Environment Agency and Highways England agreed that the groundwater regime would be understood using conceptual modelling backed up by robust data monitoring in surface water and groundwater (including surveillance monitoring of major springs).	Email, 30 April 2021
7.4	The Environment Agency agrees with the preliminary construction assessment that there will be an adverse effect on groundwater flows, as stated in the Statutory Consultation Response 08/11/19.	Email, 30 April 2021
7.5	The Environment Agency agrees that scheme elements regarding sustainable drainage will primarily be dealt with by the Lead Local Flood Authority, as indicated in the Statutory Consultation Response 08/11/19.	Email, 30 April 2021
7.6	The Environment Agency and Highways England agree baseline water environment data will comprise water quality, groundwater levels, water flows in watercourses and spring outflows.	Email, 30 April 2021
7.7	The Environment Agency and Highways England agree that cutting off/creating barriers to groundwater flow must be avoided, where possible. The proposed mitigation will include a requirement for preparation of a protocol, which will set out principles associated with voids treatment, where large fissure zones and more open void features within the limestone bedrock are encountered during construction. Minimum requirements are outlined in the ES.	Email, 30 April 2021
7.8	The Environment Agency and Highways England understand drainage design will include the Highways England Water Risk Assessment Tool (HEWRAT) assessment outputs.	Email, 30 April 2021
7.9	The Environment Agency and Highways England agree the Hydrogeological Impact Assessment should include local and site-specific quantitative assessments and considers features within the footprint and zone of influence of the scheme and also considers impacts on catchments of individual springs. The Environment Agency agrees with the Hydrogeological Impact Assessment in principle, and agrees that on-going site monitoring will be used to validate this assessment and measure any possible impacts which could occur from the road scheme.	Email, 30 April 2021 Relevant Representation, September 2021
7.10	The Environment Agency and Highways England understand the Environmental Management Plan presents standard pollution prevention measures. At this stage it is not possible to derive site specific mitigation methods, this will be undertaken at detailed design.	Email, 30 April 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
7.11	The Environment Agency and Highways England agree the ES considers the requirement to complete a local Foundation Works Risk Assessment for each structure or area of ground improvement works. This will be undertaken as part of the detailed design and will be secured through the Environmental Management Plan so as to ensure the water environment is not unacceptably impacted.	Email, 30 April 2021
7.12	The Environment Agency and Highways England agree the Environmental Management Plan indicates main work activities, construction risks and mitigation proposals. Impacts are addressed within the assessment section of the ES chapter.	Email, 30 April 2021
7.13	The Environment Agency and Highways England agree an abstraction licence application will incorporate a site-specific Hydrogeological Impact Assessment. This will be completed at the detailed design stage. The ES considers the potential risk associated with dewatering activities based on available information.	Email, 30 April 2021
7.14	The Environment Agency and Highways England understand it is not expected that interceptors will be used but pollution control measures will be determined through assessment and in accordance with Design Manual for Roads and Bridges (DMRB) LA 113 and CG 501.	Email, 30 April 2021
7.15	The Environment Agency and Highways England understand there are no plans to re-use existing soakaways as the principal outfall for the scheme's mainline and junctions. There may be opportunity to re-use existing soakaways on low use local roads being reconfigured and adopted by Gloucestershire County Council, or the detrunked and decommissioned sections of the A417 being repurposed as a walking, cycling and horse-riding route.	Email, 30 April 2021
7.16	The Environment Agency and Highways England agree the ES considers a study area beyond 1km buffer to capture potential impacts on receptors where underlying geology may result in groundwater connectivity across wider area.	Email, 30 April 2021
7.17	The Environment Agency and Highways England agree the scheme will adopt good practice and endeavour to implement best practice where possible. Treatment and control measures will generally be determined in accordance with the assessment process in DMRB LA 113. The water quality and flow control proposals shall adopt SuDS principles and, where appropriate, the preferred hierarchy of discharge first to ground then to surface water bodies. Wherever possible, enhancements to the water environment will be delivered through proposed drainage solutions.	Email, 30 April 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
7.18	The Environment Agency and Highways England agree surface water and ground water monitoring will be extended to the construction and post construction phases. Ongoing discussions will help to agree an appropriate scope for future monitoring and sharing of information.	Email, 30 April 2021
7.19	The Environment Agency and Highways England agree that the scheme will deliver a realigned watercourse that has a comparable habitat value to the existing watercourse. This will be quantified using appropriate measures (such as total stream length, cross-sections, etc) and qualitatively described using characterisation of the physical habitat created (e.g., flow types, channel morphology, sediment type).	Email, 30 April 2021
7.20	The Environment Agency and Highways England agree that by and large best efforts have been made to collect sufficient hydrogeological data across the proposed scheme alignment. The assessments have been undertaken with a conservative approach based on reasonable worst-case scenario.	Email, 30 April 2021
7.21	The Environment Agency and Highways England agree that Highways England have shared the monitoring scope and locations with the Environment Agency.	Email, 30 April 2021
7.22	The Environment Agency and Highways England agree that the Hydrogeological Impact Assessment has characterised the springs based on their origin and where possible linking the springs to a particular geology contact and groundwater level. It has included local and site-specific quantitative assessments of impacts on groundwater levels and flows from the scheme cuttings and these are presented in the ES. The Hydrogeological Impact Assessment further considered groundwater dependent features identified within the zone of influence of the scheme and also considered impacts on catchments of individual springs. Baseline data collection and surveillance monitoring of major springs is currently being undertaken. Where spring specific significant effects have been identified through the Hydrogeological Impact Assessment, further monitoring or surveillance is outlined in the ES.	Email, 30 April 2021
7.23	The Environment Agency and Highways England agree that trigger values will be developed prior to the construction of the scheme using baseline data and Environmental Quality Standards (EQS). Exceedances of these values will result in an investigation which could include additional mitigation being proposed and corrective action and further monitoring being undertaken, as appropriate.	Email, 30 April 2021
7.24	The Environment Agency and Highways England agree that surface water and groundwater monitoring during pre-construction and construction stages of the scheme will be undertaken. Post-construction (operational) monitoring and maintenance requirements will be developed at detailed design, after examination, where considered to be required. The approach will be confirmed with the Environment Agency.	Email, 30 April 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
7.25	The Environment Agency and Highways England understand that a walkover assessment of fish habitat suitability and connectivity with the wider catchment has been undertaken. Fish population surveys have not been undertaken as significant effects to the fish population are not expected by Highways England. Pre-Construction fish surveys of the tributary of Norman's Brook are proposed to confirm presence/absence of notable fish species which the assessment currently assumes to be present. Mitigation will include the translocation of all fish species (if present) prior to dewatering activities and in-stream works and the sections of new channel will be designed to cater for the needs of all species considered likely to be present. Wherever possible, enhancements to the water environment and associated species will be delivered through proposed drainage solutions and the realigned watercourse. All works will ensure conformity with the Water Framework Directive.	Email, 30 April 2021
7.26	The Environment Agency and Highways England agree that drainage will be incorporated beneath embankments which will intercept and collect springs discharging within the footprint of the scheme. and the drainage will direct flows into the surface watercourse within the same catchment for example, realigned tributary to Norman's Brook or headwater of the Churn. The detail of the drainage proposal will be developed at the detailed design stage.	Email, 30 April 2021
7.27	The Environment Agency and Highways England understand that Phase 3 borehole investigations will be undertaken in the construction preparation stage. Information obtained from these investigations, together with monitoring results obtained from ongoing groundwater monitoring of Phase 2A (data obtained on completion of the Hydrogeological Impact Assessment), will be applied into the detailed design and any detailed hydrogeological impact assessments that may be required to obtain abstraction licences.	Email, 30 April 2021
7.28	The Environment Agency and Highways England generally agree with the approach to the ground investigations of Crickley Hill and Shab Hill junction.	Email, 30 April 2021
7.29	The Environment Agency and Highways England understand that the water feature surveys have been completed with low flows generally observed across locations Further surface water, surveillance monitoring of major springs and groundwater monitoring is being undertaken and available results are reported in the ES. In areas of known or suspected springs, the scheme design will accommodate springs and groundwater discharges and will ensure that any intercepted groundwater or springs will be kept within their respective catchments to maintain the existing water balance.	Email, 30 April 2021
7.30	The Environment Agency and Highways England understand that access to land parcels between Air Balloon roundabout and the proposed Shab Hill Junction was delayed due to land access constraints. All parcels have now had boreholes installed and groundwater monitoring is continuing, to achieve a minimum of 12 months data (post-installation) at each hole.	Email, 30 April 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	For further information on scope of monitoring, please see section 7.38.	
7.31	The Environment Agency and Highways England agree that the Hydrogeological Impact Assessment has considered groundwater dependent features identified within the zone of influence of the scheme and also considered impacts on catchments of individual springs. Any potential impacts on groundwater flows would be further mitigated by implementing the voids protocol, as set out in the Environmental Management Plan. The Environmental Management Plan sets out procedures and measures for treatment of voids that would reduce impact on groundwater flows.	Email, 30 April 2021
7.32	The Environment Agency and Highways England agree the hydrogeological conceptual models, as presented in the ES, will be refined at detailed design. This will include any new data obtained from additional investigations including site specific ground investigations, groundwater monitoring and surveillance monitoring of major springs. The Hydrogeological Impact Assessment presents the latest iteration of the hydrogeological conceptual models used to inform the impact assessment.	Email, 30 April 2021
7.33	The Environment Agency and Highways England agree that the scheme design aims to maintain the groundwater regime, which is critical to ensure slope stability within the Crickley Hill area, and to maintain the surface water flow regime to as close to the current water regime as possible. The realigned Norman's Brook tributary will be recharged by the existing tributaries.	Email, 30 April 2021
7.34	The Environment Agency and Highways England generally agree with the approach to some flow monitoring using telemetric systems. Telemetric systems are being used at three locations across the scheme within three separate catchments, additional manual measurements are being undertaken at all flow monitoring locations.	Email, 30 April 2021
7.35	The Environment Agency and Highways England agree that the scheme passes through the edge of a groundwater Source Protection Zone for the Thames Water Baunton public water supply. The impacts of the road scheme on this designated groundwater protection zone are assessed in the Hydrogeological Impact Assessment with appropriate mitigation identified in the ES, as appropriate.	Email, 30 April 2021
7.36	The Environment Agency and Highways England understand that the Hydrogeological Impact Assessment completed as part of the ES has been based on 12 months of baseline groundwater monitoring data across the majority of holes, obtained up to October 2020. Baseline groundwater monitoring is set to continue until June 2021 and this data will be shared with the EA for discussion. Highways England consider that the data used for the assessment is sufficient.	Email, 11 May 2021
7.37	The Environment Agency and Highways England understand that baseline monitoring of surface water and spring water quality and quantity is being undertaken from August 2020 onwards, for an initial 12 months. The scope of	Email, 11 May 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	ongoing monitoring (to collect pre-construction baseline data) is currently being defined and, subject to contractual arrangements, will continue on immediately from baseline monitoring at these locations, or as soon as possible afterwards.	
7.38	<p>The Environment Agency and Highways England understand that after June 2021, monitoring will continue in selected locations to obtain pre-construction baseline. The scope of boreholes subject to ongoing monitoring (to collect pre-construction baseline data) is currently being defined and, subject to contractual arrangements, will continue immediately from baseline monitoring at these holes, or as soon as possible afterwards. Ongoing discussions will help to agree the appropriate scope for pre-construction monitoring and sharing of information.</p> <p>Subject to contractual arrangement with ground investigation contractor, the data collection will immediately continue on from baseline monitoring. Information obtained from any monitoring post October 2020 will be applied into the detailed design and any detailed hydrogeological impact assessments that may be required to obtain abstraction licences. The data will also inform pre-construction baseline.</p>	Email, 11 May 2021
7.39	The Environment Agency and Highways England agree that further opening of the Crickley Hill Stream culvert is not essential mitigation as part of the scheme.	Relevant Representation, 1 September 2021
8. Climate Change (Chapter 14 of the ES)		
8.1	The Environment Agency and Highways England agree a 40% allowance for climate change is the correct figure for surface water, as requested in the EIA Scoping Response 12/06/19, in accordance with the current climate change allowances for planning published on the Gov.uk website. It is understood that this figure may change in future when/if the climate change allowances are updated.	Confirmed by EA in PEI report response 12/11/20

5 Matters outstanding

5.1 Principal matters outstanding

5.1.1 There are no principal matters outstanding between Highways England and the Environment Agency, subject to the determination of the matters identified in Appendix B where the position of the Environment Agency is pending following it making its Relevant Representation and upon review of the full suite of DCO application documents, in particular those relating to the Environmental Statement (ES).

5.2 Matters outstanding

5.2.1 There are currently no matters outstanding between Highways England and the Environment Agency.

5.2.2 Table 5-1 is presented below to accommodate any matters that may become outstanding during the course of the examination of the DCO application.

5.2.3 In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table will be colour coded (if required) to indicate the likelihood of the matter to remain in disagreement by the end of the Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 5-1 Matter outstanding between the Environment Agency and Highways England

Ref.	Matter	Environment Agency position	Highways England position	Date of the position
1. Principle of Development				
1.1.	No matters identified			
2. Project Description				
2.1.	No matters identified			
3. Consultation				
3.1	No matters identified			
4. Biodiversity (Chapter 8 of the ES)				
4.1	No matters identified			
5. Geology and Soils (Chapter 9 of the ES)				

Ref.	Matter	Environment Agency position	Highways England position	Date of the position
5.1	No matters identified			
6. Material Assets and Waste (Chapter 10 of the ES)				
6.1	No matters identified			
7. Road Drainage and the Water Environment (Chapter 13 of the ES)				
7.1	No matters identified			
8. Climate Change (Chapter 14 of the ES)				
8.1	No matters identified			

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	Environment Agency
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	Highways England
Name	
Position	
Date	

Appendix B Matters to be determined

- B.1.1.1 There are some matters which the position of the Environment Agency is pending and these are set out in Table B-1.
- B.1.1.2 Highways England will continue to review the matters with the Environment Agency during the examination of the DCO application with a view to move matters into parts agreed or outstanding as appropriate. In some cases this may not be possible, for example where matters may relate to the future detailed design stage.
- B.1.1.3 In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of the Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table B-1 Matter to be determined between the Environment Agency and Highways England

Ref	Matter	Environment Agency Position	Highways England position	Date of the latest position
9. Biodiversity (Chapter 8 of the ES)				
A.1 (This issue is listed under the biodiversity section, but it also relates to road drainage and the water environment)	Surface water and groundwater monitoring	The Environment Agency welcome the progress made on the gathering of baseline data, but concerns remain about gaps in the field data evidence. Therefore, the Environment Agency require on-going liaison with Highways England and their consultant [Arup] on the most up-to-date data gathering, results and interpretation, which it is anticipated will confirm the predictions made in the Hydrogeological Impact Assessment.	A conservative, worst-case scenario approach has been taken to the development of appropriate mitigation measures reported in the ES and is considered adequate for the baseline data collected. Ongoing monitoring is expected to validate the findings of the baseline data and mitigation is not expected to require amendment. Groundwater monitoring and sampling results will continue to be updated and data will be shared with the Environment Agency.	Relevant Representation, September 2021

Ref	Matter	Environment Agency Position	Highways England position	Date of the latest position
A.2	Resolved (see matter agreed 4.3)			
14.Road Drainage and the Water Environment (Chapter 13 of the ES)				
A.3	Resolved (removed)			
A.4	Resolved (removed)			
A.5	Resolved (removed)			
A.6	Resolved (removed)			

Appendix C Draft Statement of Common Ground with Natural England

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between Highways England and Natural England in relation to the A417 Missing Link scheme.
- 1.1.2 The document identifies the following between the two parties:
- Matters that have been agreed; and
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.3 The matters which are referenced in this document are that which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES), submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 There are also a number of matters identified in the SoCG upon which the position of Natural England is pending, for example where matters may relate to the future detailed design stage. These are set out in Appendix B, and Highways England will continue to review the matters detailed in this Appendix with Natural England. Discussions will be aided by Natural England being able to review the full suite of DCO application documents on the National Infrastructure Planning website (at the point of submission).
- 1.1.5 The SoCG will continue to evolve as the application for development consent progresses through the examination stage.
- 1.1.6 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the examination.
- 1.1.7 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) Guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of Natural England in the application and sets out the consultation undertaken
 - Section 3 presents the topics covered in this SoCG
 - Section 4 lists those matters which have been agreed, including the date that this matter was agreed
 - Section 5 lists those matters which remain outstanding, incorporating: a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position including any further meetings planned regarding the matter
- 1.2.2 Appendix A includes the signing sheet.

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

1.2.3 Appendix B includes matters to be determined during the examination of the DCO application.

1.3 Status of this SoCG

~~1.4.1.3.1~~ This updated SoCG reflects the position of both parties ~~in advance of Natural England's Written Representation submission for~~at Examination Deadline ~~1.3 (14 2 December 2021~~February 2022).

~~1.4.1.3.2~~ It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the examination stage.

2 Consultation

2.1 Role of Natural England

- 2.1.1 Natural England is an executive non-departmental public body sponsored by the Department for Environment, Food and Rural Affairs (Defra). Natural England is the government's advisor to protect England's nature and landscape for people to enjoy and for the services they provide.
- 2.1.2 Natural England's role in relation to the DCO process derives from the Planning Act 2008 and secondary legislation made under the Planning Act 2008. The roles and responsibilities of Natural England under the Planning Act 2008 fall into the following categories:
- As one of the prescribed consultees under section 42 of the PA 2008 that applicants are required to consult before submitting a Nationally Significant Infrastructure Projects (NSIP) application.
 - As one of the consultation bodies that the Planning Inspectorate must consult before a scoping opinion is adopted in relation to any Environmental Impact Assessment (EIA) and as a prescribed consultee for the environmental information submitted pursuant to the Infrastructure Planning (EIA) Regulations 2009.
 - As a statutory party in the examination of DCO applications.
 - As a statutory nature conservation body under the Conservation of Habitats and Species and Planning (Various amendments) (England & Wales) Regulations 2018 (Habitats Regulations) in respect of the Habitats Regulations Assessment (HRA).
 - As a consenting and licensing body/authority in respect of protected species and operations likely to damage the protected features of Sites of Special Scientific Interest (SSSIs) pursuant to the Wildlife and Countryside Act 1981 (as amended) (WCA 1981) and in relation to European protected species under the Habitats Regulations.

2.2 Summary of consultation

- 2.2.1 Highways England has been in consultation with Natural England during the development of the scheme's design, including the optioneering process. The parties have continued communicating throughout the progression of the scheme.
- 2.2.2 Natural England has been a member of a Landscape, Environment and Heritage Technical Working Group, the Walking, Cycling and Horse riding Technical Working Group, and has been party to collaborative planning sessions; see Chapter 4 of the Consultation Report (Document Reference 5.1, APP-027) for more information.
- 2.2.3 The engagement outlined in Table 2-1 covers formal consultation with Natural England, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below, but are available on request.
- 2.2.4 The consultation with Natural England since the Preferred Route Announcement in March 2019 is set out in Table 2-1.

Table 2-1 Consultation with Natural England since Preferred Route Announcement

Date	Method	Parties involved	Matters Discussed
18 June 2019	Joint Landscape Strategy meeting	Highways England Technical Working Group (TWG) member organisations including Natural England	Technical meeting matters discussed including: <ul style="list-style-type: none"> • Opportunities to restore grassland areas • Opportunity to improve current low-grade arable land to mosaic of calcareous grassland scrub and hedgerow • Woodland creation opportunities • Tree species for planting • Recreation impacts • The potential for landmarks • Drainage solutions (Sustainable drainage systems (SuDS))
26 June to 2 July 2019	Meeting	Highways England Natural England	Natural England suggested that broad bridges with steep banks should be used.
26 June to 2 July 2019	Meeting	Highways England Natural England	Natural England expressed concern over groundwater feeding in to the SSSI and stated that they need to be involved in this.
2 July 2019	Landscape, Heritage and Environment Technical Working Group Meeting	Highways England TWG member organisations including Natural England	The following matters were discussed: <ul style="list-style-type: none"> • TWG terms of reference • Opportunities mapping • Working group technical discussions
23 July 2019	Meeting	Highways England Natural England	The following matters were discussed: <ul style="list-style-type: none"> • Cotswold Beechwoods Special Area of Conservation (SAC) • Cumulative Impacts of further development in Gloucestershire and impacts on designated areas • De-trunked A417 • Surfacing materials • The then proposed Green Bridge

Date	Method	Parties involved	Matters Discussed
30 July 2019	Landscape, Heritage and Environment Technical Working Group Meeting	Highways England TWG member organisation including Natural England	The following matters were discussed: <ul style="list-style-type: none"> • Opportunities mapping feedback • 2019 PEI report update • Landscape update – approach and sketch designs • Working group technical discussions • Overview of Statements of Common Ground
15 August 2019	Email	Highways England to Landscape officers/representatives at statutory body organisations, including Natural England	Highways England landscape specialist emailed the landscape representatives to share figures of the Zone of Theoretical Visibility (ZTV) and indicative viewpoint locations.
20 August 2019	Landscape, Heritage and Environment Technical Working Group Meeting	Highways England TWG member organisations including TWG Member Organisations including Natural England	The following matters were discussed <ul style="list-style-type: none"> • Feedback from last TWG • Ecology update on surveys • Update on design approach and Landscape and Visual Impact Assessment (LVIA) • Geology update on investigations/surveys • DCO process overview • Working group technical discussions
27 September 2019	Email and letter	Highways England to Natural England	Highways England sent formal notification of the supplementary consultation via post and email to Natural England, in accordance with section 42(a) of the Planning Act 2008. This set out a deadline to submit comments of the 8 November 2019.

Date	Method	Parties involved	Matters Discussed
8 October 2019	Walking Cycling Horse rising Technical Working Group meeting	Highways England TWG member organisations including Natural England	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • The severance of Public Rights of Way (PRoW) and the sensitivity given to PRoW • The consideration of disabled ramblers • The usage and attractiveness of current bridleways • The impact re-routing the national trail will have on national trail funding • Re-routing the PRoW and the creation of new routes • The education of users to ensure bridleways remain segregated • The design specifics of the then proposed green bridge • The opportunity to have an underpass included within the Gloucestershire Way • The opportunity for the provision of a car park which includes electrical charging points • The opportunity to have a circular route which incorporates the re-purposed A417 • The opportunity to have resting points between the then proposed green bridge and the Golden Heart Inn
8 November 2019	Emailed letter	Natural England to Highways England	Natural England provided formal comments in response to the statutory consultation, including comments on the 2019 Preliminary Environmental Information (PEI) report.
28 January 2020	Site visit	Highways England Natural England	<p>Site visit to explore viewpoint locations within the LVIA study area. Key viewpoint locations were visited to gain a better understanding of the subtleties of the available visibility across the study area, particularly at Crickley Hill, Barrow Wake and the Peak.</p> <p>This resulted in some viewpoints being micro sited to afford a clearer view of the scheme, with agreement on new/additional viewpoint locations.</p>
5 February 2020	Statement of Common Ground	Highways England Natural England	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • Update on the scheme and programme; • Agree the principle of the development, and Highways England's approach to the biodiversity assessment • Headline conclusions of the HRA screening, and the evidence that will be calling upon for the Statement to Inform an Appropriate Assessment (SIAA)

Date	Method	Parties involved	Matters Discussed
3 March 2020	Walking Cycling Horse riding Technical Working Group meeting	Highways England TWG member organisations including Natural England	Highways England provided an update on the scheme and sought feedback from the TWG members on the draft Public Rights of Way Management Plan. The group also discussed the WCH Statement of Common Ground.
1 April 2020	Statement of Common Ground	Highways England Natural England	The following main matters were discussed: <ul style="list-style-type: none"> • Update on the scheme and programme • Headline conclusions of the Stage 2 HRA (SIAA) • Biodiversity Net Gain (BNG) • Protected species licensing and Letter of No Impediment
5 August 2020	Statement of Common Ground Technical Working Group meeting	Highways England Natural England	The following matters were discussed: <ul style="list-style-type: none"> • Project update and design changes (revised scheme for consultation) • Restart of the SoCG process following the announcement of the scheme design and revised timetable • Scene-setting of key issues to be resolved over coming weeks • Agreement of issue-specific meetings to be set up
12 August 2020	Walking Cycling Horse riding Technical Working Group meeting	Highways England TWG member organisations including Natural England,	Walking/Cycling/Horse-riding (WCH) TWG/SOCCG meeting which provided an update on how the design changes in the scheme have resulted in changes to the PRoW network. Feedback was sought from the group and Q&A on the proposals. The next steps were outlined including the issue of the draft updated PRoW management plan, the upcoming statutory consultation and the SoCG process.
4 September 2020	Statement of Common Ground meeting	Highways England Natural England	The following matters we discussed: <ul style="list-style-type: none"> • The project team provided information on the design changes in relation to the increased gradient of Crickley Hill, the Cotswold Way crossing, Gloucestershire Way crossing, B4070 to Birdlip/Barrow Wake improvements, Cowley junction and replacement common land • Natural England to follow up to provide feedback prior to statutory public consultation on 14 October 2020 • The slides were shared with Natural England by email after the meeting

Date	Method	Parties involved	Matters Discussed
23 September 2020	Statement of Common Ground meeting	Highways England Natural England	Minutes were circulated to all invitees 9 October 2020. The following matters were discussed: <ul style="list-style-type: none"> Geological enhancements at Crickley Hill
29 September 2020	Email	Highways England to Natural England	Email to Natural England to provide the slides from the four collaborative planning sessions held with CCB, Gloucestershire Wildlife Trust and National Trust over the past six weeks to discuss some specific elements of the A417 Missing Link scheme and invite Natural England to a meeting to discuss the scheme design in more detail on 21 October 2020.
13 October 2020	Formal notification of supplementary consultation	Highways England to Natural England	Highways England sent formal notification of the supplementary consultation via post and email to Natural England, in accordance with Section 42(a) of the Planning Act 2008. This set out a deadline to submit comments of the 12 November 2020.
15 October 2020	Email	Natural England to Highways England	Email containing some reflections on the A417 update provided in the meeting on 23 September and information on the approach that Natural England would like to see adopted in relation to geological exposures associated with roads.
21 October 2020	Meeting	Highways England Natural England	The following matters were discussed: <ul style="list-style-type: none"> Detail of the A417 Missing Link scheme and the outcome of the four sessions recently held with the CCB, Gloucestershire Wildlife Trust and the National Trust Explanation of reasons behind scheme decisions taken to date Landscape-led elements, bridge crossing proposals and proposals at Barrow Wake car park Opportunities to improve mitigation for habitat connectivity around the Gloucestershire Way crossing Concerns regarding the scheme delivering its objective to be landscape-led. The suitability of steel as the primary material used for the Cotswold Way crossing New proposals at Barrow Wake car park Concerns about the roundabout adjacent to the SSSI Natural England requested to be consulted with early and throughout the design process to improve outcomes.

Date	Method	Parties involved	Matters Discussed
28 October 2020	Meeting	Highways England Environmental collaborative planning organisations including Natural England	A meeting to discuss Biodiversity Net Gain and the DEFRA Metric in relation to the A417 Missing Link scheme. The following matters were discussed: <ul style="list-style-type: none"> • The change by habitat area within the DCO Boundary • The BNG calculation (using the current DEFRA metric, due to be updated in Dec 2020) • The BNG metric and why the scheme scores lower than expected given biodiversity delivered • Stakeholder ideas to improve biodiversity gain
11 November 2020	Geology and soils meeting	Highways England Natural England	The following matters were discussed: <ul style="list-style-type: none"> • Proposals for geological mitigations and enhancements at Crickley Hill and Shab Hill Meeting minutes were circulated to those present.
11 November 2020	Email	Highways England to Natural England	Email containing details of the discussion on 11 November 2020, with a summary of proposed enhancement and mitigation measures. Requested feedback on the proposed measures.
11 November 2020	Formal response to supplementary statutory consultation	Natural England to Highways England	Letter provides Natural England's overarching comments on the revised A417 missing link scheme, responses to the consultation questions, and detailed comments on the 2020 PEI report and survey information provided to date.
13 November 2020	Email	Natural England to Highways England	Email containing confirmation that Natural England reviewed notes from their discussion, and at present has nothing to add.
24 November 2020	Meeting	Highways England Natural England	Meeting with biodiversity specialists to agree approach to Roman snail mitigation and licence at draft stage. Further correspondence to agree times for future meetings on other species in the New Year.
1 December 2020	Meeting	Highways England Natural England	Meeting to discuss Natural England's comments on the consultation information and PEI report LVIA. Minutes were circulated to attendees 22 December 2020.
27 January 2021	Statement of Common Ground meeting	Highways England Natural England	The following matters were discussed: <ul style="list-style-type: none"> • Design changes • Priority outstanding matters • Agreeing broad content of SoCG following design changes

Date	Method	Parties involved	Matters Discussed
22 February 2021	Email	Highways England to Natural England	Shared draft SoCG document for comments.
23 March 2021	Statement of Common Ground meeting	Highways England Natural England	The following matters were discussed: <ul style="list-style-type: none"> Review of matters agreed Priority outstanding matters Agreeing updated content of SoCG following latest draft shared 22 February
31 March 2021	Meeting	Highways England Natural England	Tufa compensation at Bushley Muzzard SSSI.
22 April	Email	Natural England to Highways England	Comments on draft SoCG document.
11 May 2021	Statement of Common Ground meeting	Highways England Natural England	Page turn of final draft document.
3 August 2021	Meeting	Highways England Natural England	A meeting to discuss survey results, proposed mitigation and licensing approach for Roman snails with the species specialist (David Heaver).
4 August 2021	Meeting	Highways England Natural England	A meeting to discuss survey results, proposed mitigation and licensing approach for bats and badgers with the species specialist (Dagmar Lewis).
19 August 2021	Meeting	Highways England Natural England	A meeting to discuss survey results and proposed non-licenced approach for great crested newts with the species specialist (Edgar Childs).
17 September 2021	Statement of Common Ground meeting	Highways England Natural England	The following matters were discussed: <ul style="list-style-type: none"> Update on DCO matters including relevant representations, examination and possible programme / approach to hearings Priority outstanding matters in relation to relevant representations Update on BNG and discussion on Highways England's designated funds for the A417 (separate to the DCO application) Position on Tufa and opportunity to resolve early in the examination
11 October 2021	Meeting	Highways England Natural England	A meeting to update Natural England on the progress of discussions with Tufa specialist Gareth Farr (as recommended by Natural England).

Date	Method	Parties involved	Matters Discussed
21 October 2021	Email	Natural England Highways England	Receipt of Letter of No Impediment (LONI) regarding mitigation proposed for Roman Snail from Natural England specialist David Heaver, sent in email by Hayley Fleming.
28 October 2021	Email	Natural England Highways England	Receipt of Letters of No Impediment (LONI) regarding mitigation proposed for bats and badgers from Natural England senior adviser Dagmar Lewis.
8 November 2021	Statement of Common Ground meeting	Natural England Highways England	Meeting to discuss and agree the updated draft Statement of Common Ground in advance of Examination Deadline 1.
23 November 2021	Meeting	Natural England Environment Agency Highways England	A meeting to present the latest proposals around tufa mitigation and compensation and agree positions with all parties in relation to the proposals.
3 December 2021	Email	Natural England	Comments to agree the updated draft Statement of Common Ground in advance of Examination Deadline 1.
7 December 2021	Email	Natural England	Bespoke compensation for lowland meadow and possible error in baseline where a field (grid ref used was SO93951566) is more likely to be semi-improved grassland (other neutral grassland' in 'good' condition) following specialist review by Natural England.

<p><u>14 December 2021</u></p>	<p><u>Deadline 1 submission</u></p>	<p><u>Natural England</u></p>	<p><u>Natural England submitted the following documents to inform Examination Deadline 1:</u></p> <ul style="list-style-type: none"> • <u>Written Representation (REP1-099)</u> • <u>Written Representation - Annex A - Responses to ExQ1 (REP1-100)</u> • <u>Written Representation - Annex B - Bushley Muzzard, Brimpsfield SSSI Citation (REP1-101)</u> • <u>Written Representation - Annex B - Bushley Muzzard, Brimpsfield SSSI Map (REP1-102)</u> • <u>Written Representation - Annex B - Clattinger Farm SSSI Citation (REP1-103)</u> • <u>Written Representation - Annex B - Clattinger Farm SSSI Map (REP1-104)</u> • <u>Written Representation - Annex B - Cotswold Beechwoods SAC - JNCC Standard Data Form (REP1-105)</u> • <u>Written Representation - Annex B - Cotswold Beechwoods SAC Map (REP1-106)</u> • <u>Written Representation - Annex B - Cotswold Commons and Beechwoods SSSI Citation (REP1-107)</u> • <u>Written Representation - Annex B - Cotswold Commons and Beechwoods SSSI Map (REP1-108)</u> • <u>Written Representation - Annex B - Crickley Hill and Barrow Wake SSSI Citation (REP1-109)</u> • <u>Written Representation - Annex B - Crickley Hill and Barrow Wake SSSI Map (REP1-110)</u> • <u>Written Representation - Annex B - Leckhampton Hill and Charlton Kings Common SSSI Citation (REP1-111)</u> • <u>Written Representation - Annex B - Leckhampton Hill and Charlton Kings Common SSSI Map (REP1-112)</u> • <u>Written Representation - Annex B - North Meadow & Clattinger Farm SAC - JNCC Standard Data Form (REP1-113)</u> • <u>Written Representation - Annex B - North Meadow & Clattinger Farm SAC Map (REP1-114)</u> • <u>Written Representation - Annex B - North Meadow, Cricklade SSSI Citation (REP1-115)</u> • <u>Written Representation - Annex B - North Meadow, Cricklade SSSI Map (REP1-116)</u>
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Date	Method	Parties involved	Matters Discussed
			<ul style="list-style-type: none"> • Written Representation - Annex B - Severn Estuary Ramsar Site - Information Sheet on Ramsar Wetlands (REP1-117) • Written Representation - Annex B - Severn Estuary SAC - JNCC Standard Data Form (REP1-118) • Written Representation - Annex B - Severn Estuary SAC SPA Ramsar Site Map (REP1-119) • Written Representation - Annex B - Severn Estuary SPA - JNCC Standard Data Form (REP1-120) • Written Representation - Annex B - Wye Valley and Forest of Dean Bat Sites SAC - JNCC Standard Data Form (REP1-121) • Written Representation - Annex B - Wye Valley and Forest of Dean Bat Sites SAC Map (REP1-122) • Written Representation - Annex C - Response to the draft Habitat Regulations Assessment (HRA) Screening Report and the Statement to Inform Appropriate Assessment (REP1-123)
17 December 2021	Email	Highways England	Response to email dated 7 December 2021 providing statistical analysis and species recorded information.
17 December 2021	Email	Natural England	Response to email dated 17 December 2021 regarding national grasslands specialist and confirming intention to progress the action regarding environmental stewardship agreements from the Rural Payments Agency.
06 January 2022	Email	Natural England	Email providing details of environmental stewardship agreement indicating that area identified as lowland meadow is in fact arable reversion to grassland.
10 January 2022	Email	Highways England	Email confirming agreement that evidence supplied on area identified as lowland meadow confirms that this classification is incorrect and will be revised.
21 January 2022	Email	Natural England	Comments to inform an updated draft Statement of Common Ground in advance of Examination Deadline 3.
24 January 2022	Statement of Common Ground meeting	Natural England Highways England	Meeting to discuss and agree the updated draft Statement of Common Ground in advance of Examination Deadline 3.

Date	Method	Parties involved	Matters Discussed
<u>28 January 2022</u>	<u>Email</u>	<u>Highways England</u>	<u>Updated draft Statement of Common Ground in advance of Examination Deadline 3; and</u> <u>Advice note: 'SSSI consent – ss.28E and 28H Wildlife and Countryside Act 1981'</u>
<u>1 February 2022</u>	<u>Email</u>	<u>Highways England to Natural England</u>	<u>Highways England provided an update with regards to the Cotswold Way National Trail Diversion Report following the ExA's Rule 17 request.</u>

3 Topics covered in this SoCG

3.1.1 The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 Summary of the Topics considered within this SoCG

Overarching topic	Topic number	Topic
Background	1.	Principle of Development
	2.	Project Description (Chapter 2 of the ES)
Relevant ES Chapter	3.	Assessment of Alternatives (Chapter 3 of the ES)
	4.	Air Quality (Chapter 5 of the ES)
	5.	Landscape and Visual Effects (Chapter 7 of the ES)
	6.	Biodiversity (Chapter 8 of the ES)
	7.	Geology and Soils (Chapter 9 of the ES)
	8.	Material Assets and Waste (Chapter 10 of the ES)
	9.	Noise and Vibration (Chapter 11 of the ES)
	10.	Population and Human Health (Chapter 12 of the ES)
Other topics	11.	Crossings of the A417
	12.	Gradient change
	13.	The realignment of the B4070 to Birdlip via Barrow Wake
	14.	Common Land
	15.	Improvements for walking, cycling and horse riding, including disabled users

4 Matters agreed

4.1.1 Table 4-1 shows those matters which have been agreed by the parties, including that matters reference number, and the date and method by which it was agreed.

Table 4-1 Matters agreed between Natural England and Highways England

Matter reference number	Matter which has been agreed	Date and method of agreement
1. Principle of Development		
1.1	Natural England acknowledges the need for development in helping to address the current situation of poor road safety and daily congestion and that the solution should reflect the special qualities of the Area of Outstanding Natural Beauty (AONB).	Email, 22 April 2021
1.2	Natural England agrees with the objectives of the A417 Missing Link as a landscape-led scheme that will deliver a safe and resilient free-flowing road whilst conserving and enhancing the special character of the nationally important protected landscape of the AONB that the new route passes through.	Email, 22 April 2021
1.3	Natural England agrees with Highways England's stated vision of a landscape-led scheme. As stated in their previous response to the scheme in November 2019, they support the vision of delivering a road scheme while conserving and enhancing the special character of the AONB; reconnecting landscape and ecology; bringing about landscape, wildlife and heritage benefits, including enhanced residents' and visitors' enjoyment of the area; improving quality of life for local communities; and contributing to the health of the economy and local businesses.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
1.4	Natural England considers that the scheme would not be detrimental to the conservation of the wildlife and natural beauty of the Cotswolds AONB. Natural England is satisfied that the design of the scheme has fulfilled the requirement for high environmental standards (as set out in the National Policy Statement for National Networks at 5.153) and that the design includes measures which enhance aspects of the environment of the Cotswolds AONB. Section 7.5 of document 7.1 'Case for Scheme' provides the evidence for this.	Relevant Representation, 2 September 2021
2. Project Description (Chapter 2 of the ES)		
2.1	Natural England is pleased to see that a number of aspects of the scheme are seeking to support the statutory purpose of the Cotswolds AONB by seeking to enhance or restore key landscape features and other environmental assets.	Response to Statutory Consultation on the 2019 PEI report (08 November 2019)

Matter reference number	Matter which has been agreed	Date and method of agreement
3. Assessment of Alternatives (Chapter 3 of the ES)		
3.1	Natural England agrees with the selection of Alternative 2 (the “parallel option”) (relating to the A416 side road). This option performed the best in terms of environmental opportunities and therefore went the furthest towards delivering the vision of a landscape-led scheme.	Response to Statutory Consultation on the 2019 PEI report (08 November 2019)
4. Air Quality (Chapter 5 of the ES)		
4.1	Natural England’s remit with regards to air quality relates to the environmental effects on designated sites. Highways England have conducted the detailed assessment that was recommended by Natural England, in line with their own guidance which was updated in 2019.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
4.2	<p>Natural England generally agree with the assessment conclusion. The majority of SSSIs (and local sites) will receive a decrease in nitrogen as a result of the scheme.</p> <p>Natural England agree that there will be a significant adverse effect on the ancient woodland at Ullen Wood and that is unavoidable with the proposed route. The following compensation approach has been discussed and is reported within Chapter 8 of the ES:</p> <p>A total of 2.1ha of ancient woodland at Ullen Wood is predicted to be degraded as a result of nitrogen deposition, because it will receive more than 0.4kg N/ha/yr increase as a result of the scheme.</p> <p>To compensate, the ES and environmental masterplan includes 2.1ha of woodland planting adjacent to Ullen Wood in areas that will receive less than 0.4kg N/ha/yr increase as a result of the scheme.</p>	<p>Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)</p> <p>Meeting 27 January 2021</p>
4.3	<p>Natural England acknowledge there will be adverse impacts on areas near Ullen Wood, Leckhampton Hill and Charlton Kings Common. This SSSI is already above its critical load and the scheme will generate a small further increase. Highways England recommend the inclusion of sufficient measures to reduce or offset these impacts.</p> <p>The substantial changes being made to the layout of the roads in the area will alter patterns of nitrogen deposition. Broadly speaking the impact is positive with all designated sites receiving either a decrease, no change or a negligible increase in nitrogen deposition. One ancient woodland (Ullen Wood) will receive an increase which Highways England propose to compensate for through woodland planting.</p>	Relevant Representation, 2 September 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
5. Landscape and Visual Effects (Chapter 7 of the ES)		
5.1	Natural England agree with the methodology used to undertake the LVIA based upon the requirements of the Design Manual for Roads and Bridges (DMRB) LA107 Landscape and Visual Effects, Rev 0 and further guided by the Landscape Institute's Guidelines for Landscape and Visual Impact Assessment 3rd Edition (GLVIA3). It accepts the approach used and is satisfied that it will deliver a robust assessment of the likely landscape and visual effects arising from the scheme's construction and operation.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.2	Natural England welcome the inclusion in the LVIA chapter of an assessment of the likely effects of the scheme on the special qualities of the Cotswolds Area of Outstanding Natural Beauty (CAONB). NE welcomes this additional assessment for the evidence and clarity it provides and believes it will greatly assist in the determination of the scheme. In addition, Highways England has amended how the assessment has presented so as to not amalgamate the judgements on individual special qualities.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.3	Natural England agrees that the landscape baseline used to inform the LVIA is appropriate. Natural England advises that Landscape Character Types (LCT) of the CAONB Character Assessment (2002), as listed in Table 7-13 (p.30) and illustrated in Figure 7.4 (sheets 1 and 2), are the most suitable for assessing the scheme's likely effect and is pleased therefore to see that these form the basis of the assessment.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.4	Natural England agrees that the method used to assess the likely effects of the scheme on the special qualities of the Cotswolds AONB is suitable; essentially a narrative description followed by a concluding judgement.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.5	Natural England agree with the conclusion that the following special qualities can be scoped out of the assessment - distinctive settlements, developed in the Cotswolds vernacular, high architectural quality and integrity.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.6	Natural England agree with the location and classification of the viewpoints used in the assessment and considers them to be appropriate to the scale of the scheme, the complexity of the landscape and the high quality of the visual amenity afforded by the landscape within which the scheme is located.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)

Matter reference number	Matter which has been agreed	Date and method of agreement
5.7	Natural England agrees with the method used to define the Zone of Theoretical Visibility (ZTV).	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.8	Natural England agrees the landscape assessment methodology used to assess the significance of landscape effects likely to be brought about by the scheme is appropriate. They are content with the methods used to define the sensitivity of landscape receptors and magnitude of likely landscape effect.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.9	Natural England agrees the visual assessment methodology used to assess the significance of visual effects likely to be brought about by the scheme is appropriate. They are content with the method used to define the sensitivity of visual receptors and magnitude of likely visual effect.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.10	Natural England note that there are no references to sequential visual effects on users of the Cotswold Way National Trail and Gloucestershire Way long distance path in the PEI report. Additional commentary on sequential views has been added to the ES Chapter 7 LVIA and they are satisfied that this is now covered.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.11	Natural England agrees to how the judgments on the significance of effects will be made and described.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.12	Natural England agrees the extent of the LVIA Study Area is appropriate for the scale and nature of the scheme.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)

Matter reference number	Matter which has been agreed	Date and method of agreement
5.13	Commentary on the significance of effects on visual receptors - Natural England agrees with the preliminary judgements.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
5.14	Natural England welcomes the extensive lengths of new hedgerows and dry-stone walls which have been included in the design of the scheme.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
6. Biodiversity (Chapter 8 of the ES and HRA Screening and SIAA)		
6.1	<p>Natural England understands that there is currently no statutory obligation for Highways England to achieve Biodiversity Net Gain (BNG) given the scheme is a Nationally Significant Infrastructure Project.</p> <p>Natural England agree that Highways England has worked hard to maximise biodiversity improvements on the land that is available. Highways England has worked collaboratively with Natural England and other environmental bodies to consider the evolving Biodiversity Metric 2.0 tool and have agreed to focus on providing Priority Habitats (Natural Environment and Rural Communities Act 2006), which are in keeping with the special qualities of the Cotswolds AONB, as part of this scheme. Highways England is continuing to investigate further opportunities to achieve BNG with neighbouring landowners and through looking at other off-site measures.</p> <p><u>There is ongoing eConsultation has taken place</u> between Highways England and Natural England regarding an area of species-rich grassland in a field to the north of Shab Hill, which is unavoidably impacted by the scheme. The Environmental Statement takes a precautionary approach and classifies this habitat as lowland meadow priority habitat. Further detailed correspondence between the parties has been undertaken to facilitate production of a BNG calculation using the Defra 2.0 Metric. This is because under Natural England guidance, the loss of lowland meadow habitat cannot be accounted for under the Metric, and 'bespoke compensation' must be agreed separately to the BNG calculation if lowland meadow is present.</p> <p>Natural England have further considered the classification of the field north of Shab Hill as lowland meadow and raised doubts that it meets the relevant criteria. This is based upon analysis of the survey data by a Natural England grasslands specialist, discovery of an aerial image that appears to show crop in this field (image undated but from 1999 or afterwards) and evidence of the land being under an environmental stewardship scheme from 1994 – 2012. On this basis, Natural England advise that the field is likely to represent relatively recently created semi-improved grassland, created through arable reversion under the stewardship scheme, rather than lowland meadow <u>priority</u> habitat. Following these further discussions and additional evidence, Highways England agrees with the Natural England view that this habitat is unlikely to qualify as lowland meadow <u>priority habitat</u>.</p>	<p>SoCG meeting on 27 January 2021</p> <p>Emails, 7 and 17 December 2021</p> <p>Emails, 6 and 10 January 2022</p>

Matter reference number	Matter which has been agreed	Date and method of agreement
	<p>In their email dated 07 December 2021, Natural England requested that Highways England undertake a further survey visit to confirm the absence of key indicator species of lowland meadow that were not recorded in the original botanical survey. The results were provided on 17 December 2021. Also, Natural England will have obtained further details on the previous stewardship scheme and further relevant information on the history of this field via approach the Rural Payments Agency to obtain further details on the previous stewardship scheme and Highways England will further engage with the landowner to seek any further relevant information on the history of this field. It is expected that these steps will confirm that the habitat in question does not qualify as lowland meadow, although this item is marked as an outstanding matter until these steps are complete (see matter outstanding 6.1 in Table 5-1). and TThe BNG calculation to be submitted to the Examining Authority at Deadline 1 will reflect the this latest thinking on the appropriate approach to the BNG calculation for this area as agreed between the two parties, i.e., that the field north of Shab Hill comprises 'other neutral grassland' in 'good' condition, rather than lowland meadow priority habitat.</p>	
6.2	Natural England are pleased with the scope of surveys and that their initial recommendations regarding surveys were followed including use of the Altringham module for infrastructure sites.	Response to Statutory Consultation on the 2019 PEI report (08 November 2019)
6.3	Natural England generally welcome the extensive survey effort undertaken and the measures proposed to mitigate for impacts on bats.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
6.4	Natural England agrees that the ecological impact assessment methodology is appropriate for assessing the ecological effects of the scheme.	Email, 22 April 2021
6.5	Natural England generally agrees with the draft assessment conclusions including proposed mitigation and enhancement measures.	Email, 22 April 2021
6.6	Natural England generally agrees that the scheme should not be lit.	Response to Statutory Consultation on the 2019 PEI report (08 November 2019)
6.7	Natural England welcome the fact that land managers will be able to move cattle across the Cotswold Way crossing, as this will make grazing both sides of Crickley Hill and Barrow Wake SSSI easier.	Response to Supplementary Consultation on the

Matter reference number	Matter which has been agreed	Date and method of agreement
		2020 PEI report (11 November 2020)
6.8	Natural England welcome the proposed woodland planting and wood pasture near to Ullen Wood, and across the rest of the scheme the priority should be on grassland restoration with any woodland planting forming part of a mosaic.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
6.9	Natural England welcomes the creation the areas of calcareous grassland which are incorporated into the design of the scheme. This will provide significant landscape enhancement through the recreation of a grassland habitat which was once common in this area.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
6.10	Natural England is satisfied that protected species such as bats, badgers and barn owls have been given thorough consideration.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
6.11	Natural England and Highways England agree that licenses are required for bats, badgers and Roman snails. The licence methods are referred to in Annex D Landscape Ecological Management Plan (LEMP) of ES Appendix 2.1 EMP. Natural England and Highways England agree further surveys will be undertaken prior to construction to inform any specific Natural England licensing requirements and survey effort will be discussed with a species advisor as appropriate.	Email, 22 April 2021
6.12	Natural England agree in principle to the badger licence method statement and that licences will be sought following DCO. Natural England welcome the proposals set out in the ES Chapter 8 paragraphs 8.10.132-134. Updated surveys will be needed to inform licence applications. On the basis of the information shared to date Natural England is not aware of any issues which could not be overcome. A further meeting to discuss survey results and proposed mitigation was held with the species specialist with regards to obtaining a Letter of No Impediment to be issued before examination. On the basis of information shared Natural England issued a Letter of No Impediment on 28 th October 2021.	Email, 22 April 2021 Email, 11 August 2021 Email, 28 October 2021 Relevant Representation, 2 September 2021
6.13	Natural England and Highways England agree with the mitigation measures proposed for bats, and licences will be sought following DCO. Natural England welcomes the proposed mitigation for the losses of roosts and measures to minimise disturbance, as summarised in the ES Chapter 8 paragraphs 8.10.114 onwards and further detailed in in Annex D LEMP of ES Appendix 2.1 EMP (document reference 6.4, APP-321). Embedded mitigation includes a bat	Email, 22 April 2021 Email, 04 August 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	<p>underpass at Crickley Hill and three greened overbridges (the Gloucestershire Way, crossing and Stockwell and Cowley overbridges). The scheme replaces priority habitats with a greater amount than lost and has been amended to provide improved habitat connectivity.</p> <p>A further meeting to discuss survey results and proposed mitigation was held with the species specialist with regards to obtaining a Letter of No Impediment to be issued before examination. On the basis of information shared Natural England issued a letter of no impediment on 28th October 2021.</p>	<p>Email, 26 October 2021</p> <p>Email, 28 October 2021</p> <p>Relevant Representation, 2 September 2021</p>
6.14	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>A further meeting to discuss survey results and proposed mitigation was held with the species specialist with regards to obtaining a Letter of No Impediment to be issued before examination. On the basis of information shared Natural England issued a Letter of No Impediment on 21st October 2021.</p>	<p>Email, 22 April 2021</p> <p>Email, 21 October 2021</p> <p>Relevant Representation, 2 September 2021</p>
6.15	<p>Natural England has no objections to the scheme in relation to impacts on great crested newts. Natural England and Highways England agree a non-licensed approach can be taken to great crested newts. eDNA surveys (where water samples are analysed) carried out in Spring 2021 for ponds that have not yet been fully surveyed due to slight changes in the DCO Boundary bringing them into the 500m buffer zone. The ponds at National Star exhibit poor habitat suitability for great crested newt and it is considered unlikely that they support a breeding population of this species. No physical works to the ponds are proposed and works to terrestrial habitats within 250m are very minor. A pond at Bentham within the DCO boundary had a known population of GCN and eDNA was carried out to confirm ongoing presence. There is no reasonable likelihood that further surveys would identify impacts to great crested newt that would result in additional significant residual effects. (these surveys have now been carried out and results discussed with specialist Edgar Childs on 19th August 2021)</p>	<p>Email, 22 April 2021</p> <p>Relevant Representation, 2 September 2021</p>
6.16	<p>Natural England has been consulted on the Habitat Regulations Assessment Screening and the Appropriate Assessment. Natural England is satisfied that it can be excluded beyond reasonable scientific doubt that the project would not have an adverse effect on the integrity of the Cotswold Beechwoods SAC, the Forest of Dean Bat Sites SAC and North Meadow and Clattinger Farm SAC.</p>	<p>Relevant Representation, 2 September 2021</p>
6.17	<p>Highways England and Natural England agree that it is not possible to mitigate the loss of the tufa habitat impacted by the scheme but that compensation measures at other tufa springs should be undertaken, subject to further discussion and agreements with Natural England at the detailed design stage. As is set out in ES Chapter 8 Biodiversity, to compensate for the loss, off-site restoration of existing tufaceous formations in degraded condition will be undertaken. The methodology and results for the assessment of compensation options are provided within</p>	<p>Meeting, 23 November 2021</p>

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	<p>ES Appendix 8.25 Tufa-forming springs: selection of potential compensation sites (Document Reference 6.4, APP-317-325) and full compensatory measures are included in ES Appendix 2.1 EMP (Document Reference 6.4, APP-317-325).</p> <p>Highways England implemented Natural England's request and contacted tufa expert Gareth Farr to inform proposed compensatory measures. Three sites are proposed for restoration as compensation, and Mr Farr provided recommendations in terms of monitoring both pre- and post-construction (including specific recording methods such as light sampling and fixed-point photography), as well as additional in-stream interventions at the three sites. All three sites were deemed suitable to proceed with the restoration proposals (pending adequate monitoring, to include).</p> <p>Highways England recognise that tufaceous formation development is a complex process requiring a combination of optimal conditions with respect to levels of saturation of groundwater, water flow, biological conditions, and therefore, are also working towards on-site mitigation as part of the detailed design of the realigned Norman's Brook, by way of designing spring diversions into the realigned Norman's Brook channel to support tufa forming conditions, as well as looking to slow down processes by creating localised pooling using local stone. It is important to reiterate that this forms an integral part of the overall tufa mitigation package. This approach is agreed with Natural England and the Environment Agency subject to detailed design work.</p> <p>Mr Farr emphasised the need to publish the outcome of the work carried out (both in terms of engineering solutions along Norman's Brook and the restoration sites). This was deemed very important in order to share successes but also learn from any shortcomings, especially as tufa restoration / enhancement is not something that has been explored much to date in the UK, so it is vital to test the practical applications.</p> <p>Further to meeting on 23 November 2021, Natural England and the Environment Agency agree to the proposed approach to compensation given the scale of the restoration will exceed the scale of loss, and in light of the conditions and suggested future management proposals at those sites. The parties agree to continue to engage at the detailed design stage to help ensure the proposed compensation is as successful as possible.</p> <p>The parties understand that the on-site mitigation is secured through the DCO and Environmental Management Plan, whereas the land required land for compensatory measures would require agreements outside of the DCO with landowners to secure the principle of this compensation. Detailed design work would then confirm the proposals.</p>	
6.18	<p>Natural England is satisfied that the scheme is not likely to damage or destroy the Cotswold Commons and Beechwoods SSSI or the Leckhampton Hill and Charlton Kings Common SSSI. Natural England is satisfied that the scheme itself would not impact on Bushley Muzzard, Brimpsfield SSSI.</p>	<p>Relevant Representation, 2 September 2021</p>

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6.19	No evidence of otter was recorded within the DCO Boundary (ES Chapter 8 paragraph 8.9.79). Overnight working hours will be restricted and temporary lighting managed, as set out in ES Chapter 8 paragraph 8.9.83 and detailed in ES Appendix 2.1 EMP (Document Reference 6.4, APP-317-325). Mitigation proposals state that preconstruction surveys will be carried out in order to inform any required licences from Natural England. On this basis, Natural England has no objections to the scheme in relation to impacts on otter. As a licence is not required, there is no need for a Letter of No Impediment.	Relevant Representation, 2 September 2021
6.20	On the basis of the information shared to date, Natural England is satisfied with this proposed mitigation and has no objections to the scheme in relation to impacts on reptiles. As a licence is not required, there is no need for a Letter of No Impediment.	Relevant Representation, 2 September 2021
6.21	Natural England is satisfied with this proposed mitigation and has no objections to the scheme in relation to impacts on barn owl. As a licence is not required, there is no need for a Letter of No Impediment.	Relevant Representation, 2 September 2021
6.22	Natural England is satisfied with this proposed mitigation and has no objections to the scheme in relation to impacts on birds. As a licence is not required, there is no need for a Letter of No Impediment.	Relevant Representation, 2 September 2021
6.23	<p>Sensitive timing and methodologies for works involving the tributary of Norman's Brook realignment would be implemented to avoid killing or injury of fish (including eggs laid in spawning habitats) and pre-construction fish translocation (ES Chapter 8 paragraph 8.9.102). This will be agreed primarily with the Environment Agency specialists and informed by preconstruction fish surveys. On the basis of the information supplied, Natural England is satisfied with the proposals. If fish species found in surveys are listed in the Severn Estuary SAC designation then Natural England would advise adding a section into the Habitat Regulations Assessment to cover this. If fish species found in surveys are listed in the Severn Estuary SAC designation then Natural England would advise adding a section into the Habitat Regulations Assessment to cover this.</p> <p><u>Natural England (and Natural Resources Wales) had previously agreed with National Highways' conclusion of a negligible risk of impacts from the scheme upon the European eel population associated with the Severn Estuary Ramsar site, even without taking mitigation into account. As such, a conclusion of no likely significant effects upon Severn Estuary Ramsar site is documented within the Habitats Regulations Assessment: Screening Report (Document Reference 6.5, APP-414).</u></p> <p><u>Natural England's revised view is that there is the possibility of eels being impacted by works in the absence of mitigation, and therefore the matter should be considered as part of the appropriate assessment stage of the HRA process. This would allow the competent authority to take into account the relevant mitigation measures for fish (including European eel) that are included within the Environmental Statement, summarised as follows:</u></p> <ul style="list-style-type: none"> <u>sensitive timings of works during the construction phase would minimise direct impacts to fish as secured through commitment BD28 within the ES Appendix 2.1 EMP (Document Reference 6.4, APP-317).</u> 	Relevant Representation, 2 September 2021

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	<ul style="list-style-type: none"> <u>Detailed design of the new river habitat within the diverted channel of the tributary of Norman's Brook would return the watercourse to a more natural form, improving conditions for fish passage compared to the existing channel that is modified by numerous weirs. This would include improving the potential of the watercourse to support European eel. This mitigation is described in 8.10.199 of Environmental Statement (ES) Chapter 8 Biodiversity (Document reference 6.2, APP-039) and section 5.16 of Annex D Landscape and Ecological Management Plan (LEMP) of ES Appendix 2.1 EMP (Document Reference 6.4, APP-321).</u> <p><u>In light of Natural England's revised advice, National Highways agrees that, on a precautionary basis, the competent authority should undertake an appropriate assessment of the scheme in relation to potential impacts to European eel as a qualifying interest of Severn Estuary Ramsar site.</u></p> <p><u>Natural England and National Highways agree that the mitigation described within the ES would ensure that the scheme would not adversely affect the integrity of Severn Estuary Ramsar site, either alone or in combination with other plans or projects.</u></p> <p><u>Natural England have suggested that the SIAA is amended to include the Severn Estuary Ramsar site. National Highways considers that this step is not necessary, because the existing submitted application documents provide the information that the competent authority requires to carry out the appropriate assessment of Severn Estuary Ramsar site.</u></p>	
6.24	<p>Further concerns expressed by Natural England about the proposed Barrow Wake roundabout and associated light spill (because headlights from vehicles using this roundabout after sundown could cause a lighthouse effect), Highways England has explained how a Cotswold stone wall would be provided on the western side of the roundabout and Barrow Wake carpark to minimise the lighthouse effect of cars travelling round the roundabout. It is acknowledged that this may not completely screen vehicles but there is currently scrub and trees in this location which also provides a buffer to break up the light spill. Both parties agree to engage at the detailed design stage to help ensure measures are appropriate and then monitor the performance of the proposed mitigation to help ensure light spill is minimised or avoided as far as practicable in this area.</p>	<p>Relevant Representation, 2 September 2021 Email, 3 December 2021</p>
6.25	<p>Natural England is satisfied with the principle of the scheme providing precautionary mitigation measures in the form of signage/ interpretation boards to contribute to control of recreational use of Cotswold Beechwoods SAC. The SIAA concludes that the scheme would not result in an increase in recreational pressure that would damage the qualifying features of the SAC, because integral measures within the scheme will divert visitors from the SAC. The SIAA acknowledges that there is a degree of uncertainty in this conclusion because it is (unavoidably) based upon predictions of future visitor behaviour that cannot be empirically tested. The precautionary principle has therefore been applied and it has been assumed that the integral measures within the scheme may not prevent a</p>	<p>SoCG meeting, May 2021</p>

Matter reference number	Matter which has been agreed	Date and method of agreement
	<p>small increase in visitor numbers to the SAC arising from the scheme. As such, the provision of signage/ interpretation boards as precautionary mitigation is identified within the SIAA to address this risk.</p> <p>The principle of the scheme providing such measures to help guide visitor behaviour is agreed with Natural England. The specific number and location of such measures has not been agreed at this stage because a recreation mitigation strategy for the SAC is in preparation by the local planning authorities in the vicinity of the SAC (Tewkesbury Borough Council, Cotswold District Council, Stroud District Council, Cheltenham Borough Council and Gloucester City Council), in collaboration with Natural England. Natural England has confirmed that the recreation mitigation strategy will include reference to signage and interpretation boards but not their specific locations or number, because this will fall within the remit of the strategy's proposed Project Officer. Natural England agrees that the specific details of the signage/ interpretation boards to be provided by the scheme should be agreed with the Project Officer once they are in post. This is to ensure that the mitigation aligns with the wider management strategy for the SAC.</p>	
7. Geology and Soils (Chapter 9 of the ES)		
7.1	<p>Natural England agree with the detailed soils analysis, in particular to identify any Best and Most Versatile agricultural land that would be lost to the scheme (grade 3a).</p> <p>Natural England have no objection to the scheme in relation to its impact on soil.</p>	<p>Response to Statutory Consultation on the 2019 PEI report (08 November 2019)</p> <p>Relevant Representation, 2 September 2021</p>
7.2	<p>Natural England agree the scheme would enhance the existing sensitive geological exposures of the Leckhampton Member at the affected locations within Crickley Hill and Barrow Wake SSSI. Enhancement measures would include lowered slope angles and vegetation clearance where exposures have previously been concealed on the north side of the A417.</p>	<p>Emailed confirmation f on 13 November 2020 following meeting on 11 November 2020</p>
7.3	<p>Natural England agree that with appropriate mitigation (such as improving existing designated rock exposures and allowing access for Natural England during construction), construction of the scheme is not considered to result in a significant effect on the designated geological features at Crickley Hill and Barrow Wake SSSI or tufa deposits (see ES Chapter 9 Geology and Soils, Document Reference 6.2, APP-040), and Figure 9.5 Designated Geological Sites (Document Reference 6.3, APP-242)). A temporary physical barrier would be constructed to protect the identified exposures of the Leckhampton Member within the Crickley Hill SSSI (as shown on ES Figure 9.5 Designated geological sites (Document Reference 6.3, APP-242)). This would be considered by the contractor in their temporary works design. The scheme could result in beneficial impacts through the generation of new exposures within the faces of the rock cuttings proposed in the vicinity of the Crickley Hill and Barrow Wake SSSI. This would provide an opportunity to obtain new information on geological formations present within the designated geological</p>	<p>Email, 3 December 2021</p>

Matter reference number	Matter which has been agreed	Date and method of agreement
	site. Other proposed cuttings along the scheme (for example in the area of Shab Hill junction), could also open new rock exposures as new geological features or attributes. The impact of the wider scheme on the Crickley Hill and Barrow Wake SSSI geology has been detailed in ES Appendix 9.6 Geodiversity at Crickley Hill and Barrow Wake SSSI (Document Reference 6.4, APP-389). Due to implications of health and safety, long-term access to new exposures shall not be provided by Highways England.	
8. Material Assets and Waste (Chapter 10 of the ES)		
8.1	Natural England generally agree with the assessment methodology and draft conclusions of assessment.	Email, 22 April 2021
9. Noise and Vibration (Chapter 11 of the ES)		
9.1	Natural England generally agree with the assessment methodology and draft conclusions of assessment.	Email, 22 April 2021
10. Population and Human Health (Chapter 12 of the ES)		
10.1	Natural England generally agree with the assessment methodology and draft conclusions of assessment.	Email, 22 April 2021
10.2	Natural England agree with the proposed diversion of the Cotswold Way National Trail. It welcomes the inclusion of a bridge across the new A417 carriageway for users of the Cotswold Way National Trail, the location of which minimises the need for a major realignment of the trail. The Cotswold Way National Trail was deliberately routed to afford the walker some of the best landscape and wildlife experiences available, and they consider this provide enhancement to its users (and the potential to provide a better (safer) experience for walkers). They welcome the fact that land managers will be able to move cattle across the bridge, as this will make grazing both sides of Crickley Hill and Barrow Wake SSSI easier.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020) Email, April 2021 Relevant Representation, 2 September 2021
10.3	Natural England and Highways England agree that during the construction phase a number of PRoW will require either the establishment of temporary diversionary routes or in some cases temporary closure. The Public Rights of Way Management Plan (Annex F of ES Appendix 2.1 Environmental Management Plan, Document Reference 6.4, APP-323) clearly sets out how routes would be managed during construction and where new routes or diversions would be implemented before or during construction to minimise or avoid adverse impacts on users accessing existing and new routes. For the new Cotswold Way and Gloucestershire Way crossings, it is intended they are put in place prior to mainline construction to help maintain access during construction. Natural England and Highways England agree that for the Cotswold Way National Trail and the Gloucestershire Way long distance footpath temporary	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)

Matter reference number	Matter which has been agreed	Date and method of agreement
	<p>closure(s) would not be an appropriate measure to allow the construction works to proceed safely and that diversionary routes need to be identified and agreed with the Cotswolds Way Trail Manager and Gloucestershire County Council at the detailed design stage, when those diversions will be agreed alongside clear way-marking, and will be clearly communicated via the National Trail website and other platforms to be agreed.</p> <p>Due regard will be had to the advice of the Cotswold Way Trail Manager and representatives of local access groups to help ensure that suitable diversionary routes are identified.</p>	
10.4	<p>Natural England agrees that as part of the scheme, Highways England is proposing to divert the existing National Trail over the A417 by way of a new Cotswold Way crossing near Emma's Grove.</p> <p>Natural England agrees that the statutory mechanism for the creation and management of a National Trail is set out in sections 50A to 55 of the National Parks and Access to the Countryside Act 1949 ("the 1949 Act") and that a National Trail can only be varied in accordance with section 55 of the 1949 Act.</p> <p>Highways England in consultation with, and approved by, Natural England and the Cotswold Conservation Board will make statutory proposals for the diversion of the Cotswold Way National Trail, and will seek approval for them by the Secretary of State for Transport under section 52(2) of the 1949 Act.</p> <p>A Cotswold Way National Trail Diversion Report, prepared by Highways England in consultation with Natural England, will demonstrate that the proposals are appropriate and necessary in order to facilitate a nationally significant infrastructure project and improve connectivity for users of the Cotswold Way National Trail. It will set out that pursuant to section 55(2) of the 1949 Act, should the Secretary of State be minded to grant the DCO for the scheme, it is expedient for the Secretary of State to direct by way of their decision on the DCO application that the Cotswold Way National Trail shall be varied in accordance with the report.</p>	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
10.5	<p>Natural England agreed making use of the Golden Heart Inn as a feature of public routes would be beneficial to the scheme and support the provision of additional car parking areas near the Golden Heart Inn and Stockwell Lane to help redistribute public access in the area away from the SSSIs.</p>	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
10.6	<p>Natural England agrees with the proposed stopping up, diversions and new sections of public rights of way as set out within the draft Public Rights of Way Management Plan to improve access for all users. A separate Walking, Cycling and Horse Riding (WCH) Technical Working Group (TWG) Statement of Common Ground helps detail any further points (matters agreed and outstanding). They are generally supportive that there would be a benefit to the PRoW network.</p>	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
10.7	<p>Natural England agrees with the proposals for the Gloucestershire Way diversion and Gloucestershire Way crossing.</p>	Response to Supplementary

Matter reference number	Matter which has been agreed	Date and method of agreement
		Consultation on the 2020 PEI report (11 November 2020)
10.8	Natural England agree it will engage with Highways England about surfacing, signage and enclosures associated with PRow at the detailed design stage, when appropriate.	SoCG meeting 27 January 2021
10.9	Natural England agree with how the design of the scheme has sought to mask Shab Hill Junction from the wider landscape of the High Wolds and High Wold Valleys LCTs, for instance through the use of landscape bunds and tree planting. Natural England welcomes these aspects of the scheme and considers them to be of an appropriate size and extent to hide the junction. We note that until the mitigation planting matures there will be a detrimental effect on the Coldwell Bottom Valley and agree that this will lower the perceived tranquillity of this part of the LCT until these trees have matured. Confirmation that the junction will not be lit is welcomed as this will help maintain the dark skies currently associated with the High Wold landscape.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
10.10	Natural England welcome the area of wood pasture which will be created in the land between the existing A436 in the direction of Seven Springs) and Leckhampton Hill road. The woodland planting intended for the land between the junction and the new carriageway of the A417 is also welcomed.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
11. Crossings of the A417		
11.1	Natural England agrees there are proposed sufficient crossings of the A417 as part of the scheme. In particular, including the Gloucestershire Way crossing to help carry the long distance path, and the Cotswold Way crossing across the new A417 carriageway for users of the Cotswold Way National Trail.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
11.2	Natural England agrees with the proposals for the Gloucestershire Way crossing, to incorporate a 25m width of calcareous grassland habitat to help address fragmentation of the SSSI, in addition to its required functions for species connectivity, landscape integration and diversion of the Gloucestershire Way. They welcome and fully support this design which, in addition to the 25m of calcareous grassland habitat, also includes two 3m width hedgerows, a 3.5m bridleway and a 1.5m maintenance strip.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
11.3	Natural England agree with the proposed greening of the Cowley Lane and Stockwell overbridges, including the use of native species-rich planting. The design is considered to be of high quality and in keeping with the character of the AONB.	Response to Supplementary Consultation on the

Matter reference number	Matter which has been agreed	Date and method of agreement
		2020 PEI report (11 November 2020)
11.4	Natural England welcomes the creation of the Air Balloon Way for the increased access and recreational opportunities this will provide for.	Correspondence between Highways England and Natural England on 18 December 2020
12. Gradient Change		
12.1	Natural England welcomes the change in the proposed gradient. Reducing the gradient means that less soil and rock needs to be removed, therefore reducing impacts on Crickley Hill and Barrow Wake SSSI, geology, woodland at Ullen Wood and Emma's Grove, reduced cutting depth and less soil needing to be disposed of.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
13. The realignment of the B4070 to Birdlip via Barrow Wake		
13.1	Natural England have requested that Barrow Wake car park is removed or relocated entirely. Natural England accept that the reduction, removal or relocation of the Barrow Wake car park is outside the scope of the consenting of the scheme and it is not owned as part of the strategic road network by Highways England. Gloucestershire County Council who control and maintain the car park intend to undertake an options assessment that would likely involve consultation with interested parties and the public in due course, and could result in changes in the future subject to the outcome of that assessment. Highways England has offered Gloucestershire County Council and other relevant stakeholders including Natural England help to inform or facilitate any discussions about any changes that might be proposed at the car park. Highways England will also ensure the detailed design of the scheme is able to accommodate the existing car park arrangement, or a future scenario if appropriate.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)
14. Common Land		
14.1	Natural England is in favour of the principle of replacing the Common Land lost to the scheme and has no issues with the proposals, welcoming the fact that more Common Land will be re-provided than lost.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)

Matter reference number	Matter which has been agreed	Date and method of agreement
15. Improvement for walking, cycling and horse riding, including disabled users		
15.1	Natural England agree the proposals will benefit walkers, cyclists and horse riders overall, and in particular welcome the proposed creation of "The Air Balloon Way" new multi-purpose trail, particularly with the provision of new parking areas for its users.	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020)

5 Matters outstanding

5.1 Principal matters outstanding

5.1.1 The principal matters outstanding between Natural England and Highways England are summarised below:

- The scheme would adversely impact the Barrow Wake part of Crickley Hill and Barrow Wake Site of Special Scientific Interest (SSSI), as a result of land take and increased recreational activity. Natural England wishes to see the complete closure of the Barrow Wake car park, ground levels rationalised and the land restored to calcareous grassland, with an understanding that this would contribute towards offsetting the net loss of biodiversity resulting from this scheme. Natural England would also like to see the roundabout at Barrow Wake removed from the scheme.
- ~~The proposals regarding Crickley Hill and Barrow Wake Site of Special Scientific Interest (SSSI). Natural England recommend the closure of the car park within Barrow Wake Site of Special Scientific Interest (SSSI) and its restoration to calcareous grassland to reduce increased footfall on Barrow Wake SSSI. Natural England wish to see the complete closure of the car park, ground levels rationalised and the land restored to calcareous grassland, with an understanding that this would contribute towards offsetting the net loss of biodiversity resulting from this scheme. Crickley Hill and Barrow Wake SSSI is a core reservoir for biodiversity and Natural England state that the scheme should do everything possible to protect the site, enhance the site and use it as a pool from which species can expand across the landscape, aiding the recovery of nature.~~
- Natural England continue to advocate for further progress to be made towards biodiversity net gain.

5.1.2 This is subject to the determination of the matters identified in Appendix B where the position of Natural England is following it making its Relevant Representation and upon review of the full suite of DCO application documents, in particular those relating to the Environmental Statement (ES).

5.2 Matters Outstanding

5.2.1 Table 5-1 shows those matters which remain under discussion by the parties. It sets out the latest position of each party in relation to each matter outstanding, and the latest date of that position.

~~5.2.2~~ In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table will be colour coded (if required) to indicate the likelihood of the matter to remain in disagreement by the end of the Examination. The colour coding is set out as follows:

5.2.35.2.2

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 5-1 Matter outstanding between Natural England and Highways England

Ref.	Matter	Natural England position	Highways England position	Date of the position
1. Principle of Development				
1.1	Paragraph 3(1)h disapplication of legislative powers that Highways England wishes to disapply, section 28E (duties in relation to sites of special scientific interest) of the Wildlife and Countryside Act 1981	<p>Since Highways England is a body to which s.28G of the Wildlife and Countryside Act 1981 (WCA 1981) applies (a s.28G authority), this situation would not be governed by s.28E WCA 1981. Even if s.28E WCA 1981 did apply, it is not legally possible to disapply a requirement to obtain consent under s.28E in a DCO in England.</p> <p>As such and if applicable (which it is not in this case), the usual s.28E notice/consent process would need to be followed. Instead, it is for the Secretary of State (SOS) (as the decision-maker in relation to the DCO and also as a s.28G authority) to give notice to Natural England under s.28I WCA 1981 if the operations to be permitted by the DCO are likely to damage any of the flora, fauna or geological or physiographical features by reason of which the SSSIs are of special interest.</p> <p>Natural England then has 28 days (beginning with the date of the notice) to provide its advice, following which the SOS may decide whether to grant the DCO. The SOS must take Natural England's advice into account in deciding whether to grant the DCO and what (if any) protective provisions should be included in the DCO.</p> <p>If the DCO is granted, Highways England can then carry out the operations permitted by it in reliance on the reasonable excuse defence in S.28P(4)(a) WCA 1981, which says that if the operations in question were permitted by a s.28G authority which has acted in accordance</p>	<p>The Consents and Agreements Position Statement (Document Reference 7.2, APP-418) sets out how consent is being sought to carry out works within a SSSI under the DCO. Consent for works within the Crickley Hill and Barrow Wake SSSI would ordinarily be required under the Wildlife and Countryside Act 1981. Highways England remains in dialogue with Natural England in relation to 'Other Consents and Licenses', and in particular the intention to disapply Section 28E of the Wildlife and Countryside Act 1981.</p> <p>These discussions have been taking place at a national level, with Natural England wishing to ensure that a consistent approach is taken across all DCO projects on which they are a statutory consultee.</p> <p>An update will be provided subject to further discussions planned An advice note 'SSSI consent – ss.28E and 28H Wildlife and Countryside Act 1981' was shared in advance of Deadline 23, seeking to assist any agreement on this matter.-</p>	Relevant Representation, 2 September 2021

Ref.	Matter	Natural England position	Highways England position	Date of the position
		with section s.28I (i.e. followed the correct process for obtaining Natural England's advice, as outlined above), then this will be a reasonable excuse for any failure by a s.28G authority to obtain Natural England's assent (under s.28H WCA 1981) before carrying out any damaging operations.		
1.2	DCO requirement at Schedule 2, Part 1, Paragraph 3 should be revised to ensure Natural England is consulted prior to approval of the final versions of the Environmental Management Plans	<p>Natural England recognise the requirement for the DCO process to provide the certainty needed for the assessment of the project, and have been providing advice on the impacts to SSSIs as part of ongoing engagement with Highways England on the A417.</p> <p>Its concern particularly relates to areas of detail which may be deferred to the post consent stage. This is because it is essential that the SoS fully understands the environmental impacts of the project prior to making a determination on whether or not to grant consent.</p> <p>The DCO requirement at Schedule 2, Part 1, Paragraph 3 should be revised to ensure Natural England is consulted prior to approval of the final versions of both of the Environmental Management Plans (i.e., Environmental Management Plan (construction phase) and Environmental Management Plan (end of construction phase)).</p> <p>This will allow Natural England to assess the implications (for protected species and the SSSIs affected by the project) of any changes that may have been made to these plans following the granting of the DCO.</p>	<p>Highways England remains in dialogue with Natural England in relation to 'Other Consents and Licenses', and in particular the intention to disapply Section 28E of the Wildlife and Countryside Act 1981.</p> <p>These discussions have been taking place at a national level, with Natural England wishing to ensure that a consistent approach is taken across all DCO projects on which they are a statutory consultee.</p> <p><u>An advice note 'SSSI consent – ss.28E and 28H Wildlife and Countryside Act 1981' was shared in advance of Deadline 3, seeking to assist any agreement on this matter. An update will be provided subject to further discussions planned in advance of Deadline 2.</u></p>	Relevant Representation, 2 September 2021

Ref.	Matter	Natural England position	Highways England position	Date of the position
2. Project Description				
2.1	No matters identified			
3. Assessment of Alternatives (Chapter 3 of the ES)				
3.1	No matters identified			
4. Air Quality (Chapter 5 of the ES)				
4.1	No matters identified			
5. Landscape and Visual Effects (Chapter 7 of the ES)				
5.1	No matters identified			
6. Biodiversity (Chapter 8 of the ES)				
6.1	Biodiversity Net Gain	<p>Notwithstanding the matters agreed at Table 4-1, Reference 9.1, according to Biodiversity Metric 2.0, the calculated score for the scheme will show shows a net loss of biodiversity in the region of 20-25% of -29.66% (in area-based habitat units). The Biodiversity Metric 3.0 has now been published, but is not expected to materially alter that result. This is extremely disappointing and does not, in Natural England's opinion, fit with the vision for the scheme.</p> <p>In general, Natural England support the decisions taken to minimise impacts on habitats and species and provide mitigation and compensation, with a focus on providing priority habitats and functional habitat mosaics. They particularly welcome the inclusion of the 37m wide Gloucestershire Way crossing, the addition of habitat steppingstones to enable species to reach the bridge, the 'greening' of over bridges</p>	<p>As part of the scheme, it is proposed to plant new native broadleaved woodland, calcareous and neutral species-rich grassland, standard trees and native species-rich hedgerows to help preserve and create additional habitats in the local area. The landscape design focusses on the provision of priority habitats that have been carefully designed to improve habitat connectivity and biodiversity, in line with the nature recovery network strategy for the area and stakeholder vision. The provision of these habitats is in excess of that lost during construction.</p> <p>Highways England is working hard to maximise biodiversity delivery on the land that is available within the DCO boundary. Highways England has worked collaboratively with Natural England and other environmental bodies to consider the evolving Biodiversity Metric 2.0 tool and have agreed to focus on providing priority habitats,</p>	<p>Response to Supplementary Consultation on the 2020 PEI report (11 November 2020) Relevant Representation, 2 September 2021</p>

Ref.	Matter	Natural England position	Highways England position	Date of the position
		<p>at Cowley and Stockwell, mitigation for specific species such as the inclusion of the main bat underpass, and the proposed repurposing of the Air Balloon Way. However, # Natural England does not believe the scheme goes far enough, if it results in a net loss score of 20-25-29.66%.</p> <p>A net loss of 29.66% is substantial. In addition, it will take many years for habitats created as compensation to become biodiverse, potentially leaving a time gap between. There are also questions around the likely success rate of habitat creation.</p> <p>There are clear policy drivers for requiring the A417 missing link NSIP to deliver biodiversity net gain. The Government is committed to nature recovery, as set out in the 25 Year Environment Plan. Amendments to the Environment Bill will make it a requirement for an NSIPs to deliver a minimum of 10% biodiversity net gain from 2023. National landscapes such as AONB's are seen as vitally important to achieving nature recovery, as described in the Glover Review. Highways England itself has a strategic aim to achieve no net loss of biodiversity across the strategic road network by 2025 and biodiversity net gain by 2040.</p> <p>National landscapes such as AONB's are seen as vitally important to achieving nature recovery, as described in the Glover Review. Given the sensitive location and the scheme's long-held vision of being landscape-led, Natural England would welcome further progress towards net gain.</p>	<p>which are in keeping with the special qualities of the Cotswolds AONB, as part of this scheme. Highways England is continuing to investigate further opportunities to achieve BNG with neighbouring landowners and through looking at other off-site measures.</p> <p>As part of the calculation, Natural England have further considered the classification of the field north of Shab Hill as lowland meadow and raised doubts that it meets the relevant criteria. This is based upon analysis of the survey data by a Natural England grasslands specialist, discovery of an aerial image that appears to show crop in this field (image undated but from 1999 or afterwards) and evidence of the land being under an environmental stewardship scheme from 1994—2012. On this the basis set out in matter agreed 6.1 of Table 4-1, Natural England advise that the field is likely to represent relatively recently created semi-improved grassland, created through arable reversion under the stewardship scheme, rather than lowland meadow habitat. Following these further discussions and additional evidence, Highways England agrees with the Natural England view that this habitat is unlikely to qualify as lowland meadow <u>and this has been taken into account in the calculation.</u></p> <p>In their email dated 07 December 2021, Natural England request that Highways England undertake a further survey visit to confirm the absence of key indicator species of lowland meadow that were not recorded in the original botanical survey. Also, Natural England will approach the Rural Payments Agency to obtain further details on the previous stewardship scheme and Highways England will further</p>	

Ref.	Matter	Natural England position	Highways England position	Date of the position
			<p>engage with the landowner to seek any further relevant information on the history of this field. It is expected that these steps will confirm that the habitat in question does not qualify as lowland meadow, although this item is marked as an outstanding matter until these steps are complete (see matter agreed 6.1 in Table 4-4). Further information in relation to BNG is provided in Responses to the Examining Authority's Written Questions (Document Reference 8.4, REP1-009) and section 2.16 of National Highways' Response to Written Representations (Document Reference 8.11, REP2-012).</p>	
6.2	Barrow Wake roundabout – habitat loss	<p>Natural England disagree with the design in this area because the proposed access roundabout will require land take within the Crickley Hill and Barrow Wake SSSI. Although they understand that this would not significantly impact features for which the site is notified, this loss of land would still need to be compensated for. Natural England considers that this is a step in the wrong direction for the conservation of this site. It means we would lose the ability to return some secondary woodland to limestone grassland, which might otherwise have been a possibility.</p>	<p>The creation of a roundabout on the B4070 Barrow Wake Road would not result in the loss of any calcareous grassland, the main qualifying feature of the Barrow Wake SSSI unit. There would however be a loss of approximately 500m² (0.05ha) of road verge habitat either side of the current underpass structure. Existing vegetation in these locations comprises young to semi-mature trees, such as ash, hazel, willow and hawthorn, with ruderal species. This habitat is not considered to be high value habitat within the designated area. Impact to mature trees has been avoided where possible, although where ash trees are present the management of ash die back will need to be considered with regard to retention of these trees. Similarly, a limited area of up to 1m wide on the western edge of the B4070 Barrow Wake Road adjacent to the proposed roundabout would be impacted to enable the rerouting of utilities and to provide a working area for the building of a stone wall required to mitigate for light spill from traffic. Vegetation in these locations is scrub and</p>	<p>Response to Supplementary Consultation on the 2020 PEI report (11 November 2020) Relevant Representation, 2 September 2021</p>

Ref.	Matter	Natural England position	Highways England position	Date of the position
			<p>broadleaved trees. The impact of these works on mature trees will be minimised wherever possible.</p> <p>A total loss of approximately 1,400m² (0.14ha) of calcareous grassland and wooded habitat within the SSSI would be compensated for by the creation of calcareous grassland in a greater quantity than that lost. This would be part of a larger area of replacement Common Land as shown on ES Figure 12.4 Special category land (Document reference 6.3, APP-257-259), totalling approximately 10,534m² (1.053ha) and comprising of the existing A417 carriageway and areas of existing verge habitat, both trees and grassland, to be retained. The existing carriageway would be used for the Air Balloon Way route and habitat creation. The Common Land replacement therefore includes the conversion of approximately 3,600m² (0.36ha) of hardstanding to calcareous grassland, of which approximately 1,000 m² (0.1ha) is currently hardstanding within the SSSI boundary.</p> <p>The conversion of approximately 0.36ha of hardstanding to calcareous grassland as part of Common Land replacement, including 0.1ha within the SSSI boundary, would result in a permanent addition to the area of calcareous grassland within and adjacent to the Barrow Wake unit of the SSSI. This would positively affect the integrity of this resource once established.</p> <p>The habitat compensation for the loss of the habitat within the SSSI together with the additional calcareous grassland created for Common Land would represent a minor beneficial impact upon the SSSI.</p>	

Ref.	Matter	Natural England position	Highways England position	Date of the position
			Details are provided in ES Chapter 8 Biodiversity.	
6.3	Recreational Pressure on SSSI	<p>Natural England disagree with Highways England that the scheme would not adversely impact on the Crickley Hill and Barrow Wake SSSI as a result of increased recreational activity. The location of the existing car park within Crickley Hill and Barrow Wake SSSI has the potential to lead to conflicts with the management of this sensitive site, particularly if its use is increased as a result of the proposed scheme or others. Based on the current proposals, visitors will use the Barrow Wake car park as an access point for the Air Balloon Way. Footfall on Barrow Wake SSSI is likely to increase as a result, particularly as people move to the ridgeline to enjoy the views. This is likely to cause increased trampling and erosion, damaging the calcareous grassland. Closure of the car park would remove this issue.</p> <p>Natural England is concerned that the proposals will increase recreational pressure on the <u>Crickley Hill and Barrow Wake Crickley Hill part of the SSSI.</u></p> <p><u>The improved access to the car park and the appeal of the Air Balloon Way would lead to increased footfall in the SSSI, as visitors utilise the car park to access the Air Balloon Way trail and Crickley Hill Country Park via the new Cotswold Way crossing. This is likely to lead to increased trampling and erosion within the SSSI, damaging the calcareous grassland, particularly as people move to the ridgeline to enjoy the views. In addition, more people could impact on the ability to graze the site safely, which is essential for its management.</u></p>	<p>Recreational pressure is assessed within the ES Chapter 8 and with the implementation of the major alternative recreational routes provided by the scheme and the provision of segregated routes, signage and other measures to deter public access from sensitive features, any damage to habitats from impacts such as increased trampling and degradation of vegetation would not affect the integrity or key characteristics of the SSSI. Habitat degradation from increased recreational pressure would represent a minor adverse impact upon Crickley Hill and Barrow Wake SSSI.</p> <p>ES Chapter 8 Biodiversity has taken into account the proposals for walking, cycling and horse riding set out in ES Chapter 12 Population and Human Health and Annex F of the Environmental Management Plan (Public Rights of Way Management Plan).</p> <p>In response to the concerns expressed, a previously proposed footpath from the Air Balloon Way and Barrow Wake Car car park has been removed to reduce impact on SSSI habitat where musk orchids are known to be.</p> <p>The proposed Air Balloon Way has been revised to help reduce recreational activity through people navigating through the car park and SSSI. A further footpath (89) has been removed from the SSSI to reduce recreational activity within the SSSI.</p> <p>Signage, enclosures and interpretation boards to promote routes away from areas of SSSI would be provided to educate people of the sensitivity</p>	Response to Supplementary Consultation on the 2020 PEI report (11 November 2020) Relevant Representation, 2 September 2021

Ref.	Matter	Natural England position	Highways England position	Date of the position
		<p>Paragraph 8.10.228 of Environmental Statement Chapter 8 – Biodiversity acknowledges that the viewpoint close to the car park will be a particular draw for visitors walking the Air Balloon Way, and that the grassland habitat in closer proximity to this location is more likely to be impacted by increased visitor numbers. It states that:</p> <p>“segregated routes, signage and other measures to deter public access from sensitive features would be discussed and agreed at detailed design stage, to help reduce and avoid adverse impacts on SSSI habitats that could arise from additional visitors attracted to the viewpoint and immediate surrounds”.</p> <p>Natural England would not consider additional infrastructure in the SSSI to be suitable or effective mitigation.</p>	<p>of habitat, and help reduce or avoid potential adverse impacts.</p> <p>Further information in relation to recreational pressure on the SSSI is provided in section 2.15 of its Response to Written Representations (Document Reference 8.11, REP2-012).</p>	
7. Geology and Soils (Chapter 9 of the ES)				
7.1	No matters identified			
8. Materials (Chapter 10 of the ES)				
8.1	No matters identified			
9. Noise and Vibration (Chapter 11 of the ES)				
9.1	No matters identified			
10. Population and Human Health (Chapter 12 of the ES)				
10.1	Barrow Wake car park	Notwithstanding the matter agreed at 21.1, Natural England recommend the closure of the car park within Barrow Wake Site of Special Scientific Interest (SSSI) and its restoration to	The reduction, removal or relocation of the Barrow Wake car park is outside the scope of the consenting of the scheme and it is not owned as part of the strategic road network by	Email, 22 April 2021

Ref.	Matter	Natural England position	Highways England position	Date of the position
		calcareous grassland to reduce increased footfall on Barrow Wake SSSI. Natural England wish to see the complete closure of the car park, ground levels rationalised and the land restored to calcareous grassland, with an understanding that this would contribute towards offsetting the net loss of biodiversity resulting from this scheme. Crickley Hill and Barrow Wake SSSI is a core reservoir for biodiversity and Natural England state that the scheme should do everything possible to protect the site, enhance the site and use it as a pool from which species can expand across the landscape, aiding the recovery of nature. Natural England understands that any changes to the car park are outside of Highways England's control. However, the proposals are locking in the existing situation with the inclusion of an access roundabout. Further, the scheme as proposed would have an adverse impact on the SSSI and therefore changes should be made to avoid or mitigate for this impact.	Highways England. Gloucestershire County Council who control and maintain the car park intend to undertake an options assessment that would likely involve consultation with interested parties and the public in due course, and could result in changes in the future subject to the outcome of that assessment. Highways England has offered Gloucestershire County Council and other relevant stakeholders help to inform or facilitate any discussions about any changes that might be proposed at the car park. Highways England will also ensure the detailed design of the scheme is able to accommodate the existing car park arrangement, or a future scenario if appropriate. The proposed roundabout is required for the safe movement of traffic along the proposed B4070.	
11. Crossings of the A417				
11.1	No matters identified			
12. Gradient change				
12.1	No matters identified			
13. The realignment of the B4070 to Birdlip via Barrow Wake				
13.1	No matters identified			
14. Common Land				

Ref.	Matter	Natural England position	Highways England position	Date of the position
14.1	No matters identified			
15. Improvements for walking, cycling, horse riding and disabled users				
15.1	No matters identified			

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	Natural England
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	Highways England
Name	
Position	
Date	

Appendix B Matters to be determined

- B.1.1.1 There are some matters which the position of Natural England is pending and these are set out in Table B-1.
- B.1.1.2 Highways England will continue to review the matters with Natural England during the examination of the DCO application with a view to move matters into parts agreed or outstanding as appropriate. In some cases this may not be possible, for example where matters may relate to the future detailed design stage.
- B.1.1.3 It is also important to recognise that Natural England would continue to be engaged by Highways England throughout the detailed design process, given their interest in the detailed design and appearance of key features of the proposed scheme to be determined following the appointment of a contractor. This will include but not be limited to the detailed design and appearance of the Cotswold Way crossing and the Air Balloon Way.
- B.1.1.4 In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of the Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table B-1 Matters to be determined between Natural England and Highways England

Ref	Matter	Natural England Position	Highways England position	Date of the latest position
1. Principle of development				
A.1	Resolved (moved to matter agreed 1.4)			
4. Air Quality (Chapter 5 of the ES)				
A.2	Resolved (moved to matter agreed 4.3)			
5. Landscape and Visual effects (Chapter 7 of the ES)				
A.3	Resolved (removed)			
7. Geology and Soils (Chapter 9 of the ES)				
A.4	Resolved (moved to matter agreed 7.3)			

Appendix D Draft Statement of Common Ground with Historic England

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between [Highways England National Highways](#) and Historic Buildings and Monuments Commission for England (HE), more commonly known as Historic England, in relation to the A417 Missing Link scheme.
- 1.1.2 The document identifies the following between the two parties:
- Matters that have been agreed; and
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.3 The matters which are referenced in this document are that which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES), submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 There are also a number of matters identified in the SoCG upon which the position of HE is pending, for example where matters may relate to the future detailed design stage. These are set out in Appendix B, and [Highways England National Highways](#) will continue to review the matters detailed in this Appendix with HE. Discussions will be aided by HE being able to review the full suite of DCO application documents on the National Infrastructure Planning website (at the point of submission).
- 1.1.5 The SoCG will continue to evolve as the application for development consent progresses through the pre-application and examination stages.
- 1.1.6 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the examination.
- 1.1.7 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of HE in the application and sets out the consultation undertaken.
 - Section 3 summarises the topics considered within the SoCG.
 - Section 4 lists those matters which have been agreed, including the date that this matter was agreed.
 - Section 5 lists those matters which remain outstanding, incorporating: a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position including any further meetings planned regarding the matter.

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

1.2.2 Appendix A includes the signing sheet.

1.2.3 Appendix B includes matters to be determined during the examination of the DCO application.

1.3 Status of this SoCG

1.3.1 This SoCG is a correct reflection of the position of both parties at the Examination Deadline ~~31 (2 February 14 December 2021)~~2.

1.3.2 It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the examination stage.

2 Consultation

2.1 Role of HE

2.1.1 HE was established with effect from 1 April 1984 under Section 32 of the National Heritage Act 1983. The general duties of HE under Section 33 are as follows:

1. “...so far as is practicable:

a. to secure the preservation of ancient monuments and historic buildings situated in England;

b. to promote the preservation and enhancement of the character and appearance of conservation areas situated in England; and

c. to promote the public’s enjoyment of, and advance their knowledge of, ancient monuments and historic buildings situated in England and their preservation”.

2.1.2 HE is a statutory consultee providing advice to local planning authorities on certain categories of applications for planning permission and listed building consent, and is also a statutory consultee on all Nationally Significant Infrastructure Projects, where likely to affect land in England. Similarly, HE advises the Secretary of State on those applications, subsequent appeals and on other matters generally affecting the historic environment. It is the lead body for the heritage sector and is the Government’s principal adviser on the historic environment.

2.1.3 Status in relation to the application –

- Statutory consultee under section 42(a) of the Planning Act 2008 (‘the Act’).
- Statutory consultee under section 56(2) of The Act.

2.2 Summary of consultation

2.2.1 ~~Highways England~~[National Highways](#) has been in consultation with HE during the development of the scheme’s design, including the optioneering process. The parties have continued communicating throughout the progression of the scheme.

2.2.2 HE has been a member of a Landscape, Environment and Heritage Technical Working Group (TWG); see Chapter 4 of the Consultation Report (Document Reference 5.1, APP-027) for more information.

2.2.3 The engagement outlined in Table 2-1 covers formal consultation with HE, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below but are available on request.

2.2.4 The consultation with HE since the Preferred Route Announcement in March 2019 is set out in Table 2-1.

Table 2-1 Consultation with HE since Preferred Route Announcement

Date	Method	Parties involved	Matters Discussed
7 June 2019	Stakeholder meeting	Highways England <u>National Highways</u> HE	An introductory meeting for the next stages of the A417 scheme. The following matters were discussed: <ul style="list-style-type: none"> • HE's scoping response • Compounds and spoil storage areas not included in archaeological desk study and subsequent surveys • Suggestion that new drystone walls should be created as landscape enhancement • HE's particular concerns including Crickley Hill, Emma's Grove barrows and unknown archaeology
18 June 2019	Joint Landscape Strategy meeting	Highways England <u>National Highways</u> TWG member organisations including HE	The following matters were discussed: <ul style="list-style-type: none"> • Joint landscape vision • Improving setting of Emma's Grove (thinning existing woods around these monuments) and improving connectivity in terms of views and access between Emma's Grove, Crickley Hill and the Peak Camp
2 July 2019	Landscape, Heritage and Environment Technical Working Group Meeting	Highways England <u>National Highways</u> TWG member organisations including Cotswold District Council (Archaeology Officer) and HE	The following matters were discussed: <ul style="list-style-type: none"> • Update to the scheme • 2019 Preliminary Environmental Impact Report (PEI report) update • Opportunities mapping • TWG terms of reference • Working group technical discussions
30 July 2019	Landscape, Heritage and Environment Technical Working Group Meeting	Highways England <u>National Highways</u> TWG member organisation including Gloucestershire County Council (Heritage Officer) and HE	The following matters were discussed: <ul style="list-style-type: none"> • Opportunities mapping feedback • 2019 PEI report update • Landscape update – approach and sketch designs • Working group technical discussions • Overview of Statements of Common Ground
15 August 2019	Email	Highways England <u>National Highways</u> to landscape officers/representatives at statutory body organisations, including HE	Highways England <u>National Highways</u> landscape specialist emailed the landscape representatives to share figures of the Zone of Theoretical Visibility (ZTV) and indicative viewpoint locations. The landscape specialist asked for feedback on the viewpoints.

Date	Method	Parties involved	Matters Discussed
20 August 2019	Landscape, Heritage and Environment Technical Working Group (TWG) Meeting	<p>Highways EnglandNational Highways</p> <p>Landscape, Heritage and Environment TWG Member Organisations including HE and Gloucestershire County Council Archaeology Officer</p>	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • Feedback from last TWG • Ecology update on surveys • Landscape update on design approach and Landscape and Visual Impact Assessment (LVIA) • Geology update on investigations/surveys • DCO process overview • Working group technical discussions
17 September 2019	Site walkover and scheme orientation visit	<p>Highways EnglandNational Highways</p> <p>TWG member organisations including HE and Gloucestershire County Council</p>	<p>General discussion regarding scheme design. Discussed assets beyond 1km which could potentially experience setting impacts- agreed to consider Leckhampton Camp in the ES.</p>
27 September 2019	Letter	<p>Highways EnglandNational Highways</p> <p>HE</p>	<p>Highways EnglandNational Highways formally notified HE of the statutory consultation taking place between 27 September 2019 and 8 November 2019, in accordance with S42(a) of the Planning Act 2008. The deadline for receipt of responses (11.59pm on the 8 November 2019) was set out in the letter, which was also sent by email.</p>
8 November 2019	Email	<p>HE to Highways EnglandNational Highways</p>	<p>HE submitted a formal response to statutory consultation.</p>
24 January 2020	Statement of Common Ground Meeting	<p>Highways EnglandNational Highways</p> <p>HE and Gloucestershire County Council</p>	<p>The current position regarding archaeological surveys was presented. The following matters were discussed:</p> <ul style="list-style-type: none"> • Number and location of trenches • Datasets used to establish baseline • ES to be based on existing baseline data (desk based and partial geophysics) • Overarching Written Scheme of Investigation to be submitted as part of Environmental Management Plan (EMP) (Construction) • Risk to construction programme if archaeological potential is not sufficiently understood

Date	Method	Parties involved	Matters Discussed
			<ul style="list-style-type: none"> Proposed GI and the scope of the archaeological watching brief and geoaerchaeological interpretation
14 February 2020	Email	HE to Highways England National Highways	Response to Highways England National Highways email proposing that trenching could be re-arranged to move trenches from proposed landscape areas and relocated within the footprint of the scheme in order to increase sample percentage.
28 May 2020	Email/phone call	Highways England National Highways HE	Highways England National Highways wrote to HE via email to explain that the A417 DCO submission would be postponed to 2021 to enable Highways England National Highways to undertaken further design and development work of some elements of the scheme. The letter reiterated the commitment to the scheme, and funding for the scheme as announced in RIS2, as well as a commitment to continued stakeholder engagement. Highways England National Highways also phoned HE to convey this message.
22 July 2020	Combined Technical Working Group	Highways England National Highways Landscape, Heritage and Environment TWG members and Walking Cycling and Horse Riding TWG members	The following matters were discussed: <ul style="list-style-type: none"> Project update following delay to programme Key changes to the design and the amended timescales
22 July 2020	Email	Highways England National Highways to TWG member organisations including HE and GCC	Request that the SOCG meeting with HE on 30 July include GCC Heritage Team and HE's Science Advisor. Was agreed at meeting in January that these meetings would be undertaken jointly with GCC and HE. Highways England National Highways replied to confirm invitation could be extended.
30 July 2020	Statement of Common Ground Meeting	Highways England National Highways HE and Gloucestershire County Council officers	The following matters were discussed: <ul style="list-style-type: none"> Historic environment Scheme update Key design changes Meeting minutes and slides were provided on 18 August.
24 August 2020	Email	Highways England National Highways HE	Email seeking a meeting regarding communications on the upcoming A417 consultation, key messages, and support of campaigns.
28 August 2020	Email	Highways England National Highways to HE	Email containing a link to a first tranche of information sharing for consultees. It was explained that the information was Work in Progress, Draft and

Date	Method	Parties involved	Matters Discussed
			Confidential and should only be shared within their organisation where there is a legitimate reason to do so.
4 September 2020	Email	Highways England National Highways to HE and GCC archaeologist	Email containing: <ul style="list-style-type: none"> • Confirmation that specific paleoenvironmental sampling was not planned to be undertaken • Information regarding lidar interpretation • Draft interpretation shapefiles for information shared
10 September 2020	Email	Highways England National Highways to HE and GCC archaeologist	Email containing <ul style="list-style-type: none"> • Latest versions of shapefiles • Confirmation that trenches had to be moved • Confirmation that Highways England National Highways is committed to undertaking a full programme of mitigation in advance of construction, and all parties will be fully involved in defining that work
18 September 2020	Email	Highways England National Highways to HE and GCC archaeologist	Email to share Written Scheme of Investigation for an Archaeological Evaluation.
30 September 2020	Emails	Highways England National Highways to HE and GCC archaeologist	Emails to share latest survey results and drawings with trench numbers attached.
9 Oct 2020	Statement of Common Ground meeting	Highways England National Highways HE Gloucestershire County Council archaeologist	HE SoCG meeting with attendance from GCC officers.
13 Oct 2020	Formal notification of supplementary consultation	Highways England National Highways HE	Highways England National Highways sent formal notification of the supplementary consultation via post and email to HE, in accordance with Section 42(a) of the Planning Act 2008. This set out a deadline to submit comments of the 12 November 2020.
12 Nov 2020	Formal response to statutory consultation	HE	HE submitted a formal response to the statutory consultation to Highways England National Highways via letter.

Date	Method	Parties involved	Matters Discussed
28 January 2021	Email	Highways England <u>National Highways</u> to HE and GCC archaeologist	Emailed latest version of the Statement of Common Ground for comments.
29 8 January 2021	Email	HE to Highways England <u>National Highways</u>	Email from HE containing <u>c:-</u> <ul style="list-style-type: none"> • Comments on Detailed Archaeological Mitigation Strategy (DAMS) and Overarching Written Scheme of Investigation (OWSI). • Information regarding the results of the evaluation and geearchaeological works, mitigation areas and levels of mitigation
1 February 2021	Statement of Common Ground Meeting	Highways England <u>National Highways</u> HE	Update on progress of evaluation and feedback on the DAMS/OWSI.
15 February 2021	Emails	Highways England <u>National Highways</u> Highways England <u>National Highways</u> to HE and GCC archaeologist	Emailed geophysics update from Highways England <u>National Highways</u> , and emailed comments on draft SoCG from HE.
29 March 2021	Email	Highways England <u>National Highways</u> to HE and GCC archaeologist	Emailed draft SoCG for comments.
28 April 2021	Statement of Common Ground Meeting	Highways England <u>National Highways</u> HE	<ul style="list-style-type: none"> • Update on project progress including likely programme for delivery of archaeological reports • Discussion and agreement on the position of the SoCG that will be submitted for DCO
17 September 2021	Statement of Common Ground Meeting	Highways England <u>National Highways</u> HE	<ul style="list-style-type: none"> • Update on DCO progress, including relevant representations, likely programme and approach to examination • Update on Highways England <u>National Highways</u>'s designated funds for the A417 (separate to the DCO application) • Discussion on updates to the SoCG in light of relevant representation and review of DCO application documents • Agreement to arrange separate meeting to discuss landscape matters as raised in the relevant representation, and land plans

Date	Method	Parties involved	Matters Discussed
5 October 2021	Meeting	Highways England <u>National Highways</u> HE	Meeting to discuss the proposed enhancement of Emma's Grove Barrows, as well as the wider landscape mitigation and the archaeological impacts of that mitigation.
7 December 2021	Statement of Common Ground Meeting	Highways England <u>National Highways</u> HE	Meeting to discuss and agree the updated draft Statement of Common Ground in advance of Examination Deadline 1.
<u>14 December 2021</u>	<u>Deadline 1 submissions</u>	<u>HE</u>	<u>HE submitted the following documents to inform Examination Deadline 1:</u> <ul style="list-style-type: none"> • <u>Responses to ExQ1 (REP1-139)</u> • <u>Submission of suggested locations for the Examining Authority to include in any site inspection, Notification of a wish to be considered as an Interested Party by the Examining Authority, and Update on preparation of Statement of Common Ground (REP1-140)</u> • <u>Summary of Written Representation (REP1-141)</u> • <u>Written Representation (REP1-142)</u>
<u>1 February 2022</u>	<u>Statement of Common Ground Meeting</u>	<u>National Highways</u> <u>HE</u>	<u>Meeting to discuss and agree an updated draft Statement of Common Ground for Examination Deadline 3.</u>

3 Topics covered in this SoCG

3.1.1 The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 Summary of the topics considered within this SoCG

Overarching topic	Topic number	Topic
Background	1.	Principle of Development
	2.	Consultation
Relevant ES Chapter	3.	Cultural Heritage (Chapter 6 of the ES)
	4.	Population and Human Health (Chapter 12 of the ES)
Other topics	5.	Draft Development Consent Order

4 Matters agreed

4.1.1 Table 4.1 below shows those matters which have been agreed by the parties, including that matters reference number, and the date and method by which it was agreed.

Table 4-1 Matters agreed between HE and ~~Highways England~~National Highways

Matter reference number	Matter which has been agreed	Date and method of agreement
1. Principle of Development		
1.1.	HE generally agrees with the need for development in helping to address the current situation of poor road safety and daily congestion and that the solution should reflect the special qualities of the Area of Outstanding Natural Beauty (AONB).	SoCG meeting, 7 December 2021
1.2.	HE generally agrees with the objectives of the A417 Missing Link as a landscape-led scheme that will deliver a safe and resilient free-flowing road whilst conserving and enhancing the special character of the nationally important protected landscape of the Cotswolds Area of Outstanding Natural Beauty (AONB) that the new route passes through.	SoCG meeting, 7 December 2021
1.3.	HE generally agrees with the form of the scheme to address the objectives of the A417 Missing Link as a landscape-led scheme.	SoCG meeting, 7 December 2021
2. Consultation		
2.1.	Highways England <u>National Highways</u> and HE agree that the detail of design will be discussed and agreed between Highways England <u>National Highways</u> , its contractor and GCC should the scheme progress to construction. Both parties are committed to ongoing engagement throughout the detailed design stage to help discuss and agree detailed matters pertinent to the historic environment.	SoCG meeting, 7 December 2021
2.2.	Highways England <u>National Highways</u> and HE agree that a multidisciplinary approach should continue to be adopted to enable areas of archaeological potential to be identified. As part of this process an archaeological watching brief has been maintained on geotechnical investigations and will be subject to specialist paleoenvironmental review to inform the mitigation strategy.	Response to statutory consultation 12 November 2020
3. Cultural Heritage (Chapter 6 of the ES)		
3.1.	Highways England <u>National Highways</u> and HE agree that the Desk-Based Assessment should be undertaken using best practice advice (CIFA 2014, Standard and Guidance for the Historic Environment: Desk-Based Assessment).	Response to statutory consultation 8 November 2019

Matter reference number	Matter which has been agreed	Date and method of agreement
3.2.	Highways England National Highways and HE agree that due to the (limited) nature of trial trenching, some archaeological sites will not be identified at this stage. There is also the possibility that some early prehistoric sites will not be identified and assessed as they may be buried under colluvium (hill wash).	Response to statutory consultation 12 November 2020
3.3.	Highways England National Highways and HE agree that a sufficient distance should be provided between the cutting of the scheme and Emma's Grove to protect the Designated Barrows. The edge of cutting lies at a distance of 52m from the edge of the scheduled area at its nearest point and will not encroach further towards the barrows.	Response to Statutory Consultation 8 November 2019
3.4.	Highways England National Highways and HE agree that noise assessment in relation to the heritage assets should be provided. Changes in noise levels compared to the current situation have been reviewed for the 2020 PEI report and have informed the assessment of impacts for heritage assets in the ES. <i>NB</i> : it should be noted that the detail of this won't be agreed until review of the ES, as outlined in Appendix B, reference A.3.	SoCG meeting, 7 December 2021
4. Population and Human Health (Chapter 12 of the ES)		
4.1.	HE agree with the inclusion of the Gloucestershire Way and Cotswold Way crossings to maintain connectivity, including to features of the historic environment.	Response to statutory consultation 12 November 2020
5. Draft Development Consent Order		
5.1.	No matters identified.	

5 Matters outstanding

5.1 Principal matters outstanding

5.1.1 The principal matters outstanding between HE and ~~Highways England~~National Highways are:

- HE considers that there is an insufficient evidence base within ES Chapter 6, Cultural Heritage (Document Reference 6.2, APP-037)
- HE considers that the scheme has not provided any enhancement for the harm caused to Crickley Hill
- HE and ~~Highways England~~National Highways are continuing to engage to resolve the following two matters:
 - The enhancement and management of Emma’s Grove Barrows, including improved connectivity of calcareous grassland
 - Pre-construction and construction buried archaeology mitigation through the DAMS/OWSI

5.2 Matters outstanding

5.2.1 Table 5-1 shows those matters which remain under discussion by the parties. It sets out the latest position of each party in relation to each matter outstanding, and the latest date of that position.

5.2.2 In response to a request by the ExA in the Rule 6 letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 5-1 Matters outstanding between HE and ~~Highways England~~National Highways

Ref.	Matter	HE position	Highways England <u>National Highways</u> position	Date of the position
1. Principle of Development				
1.1	No matters identified.			
2. Consultation				
2.1	No matters identified			
3. Cultural Heritage (Chapter 6 of the ES)				
3.1	Baseline information including surveys.	<p>HE disagree that the baseline is sufficient and consider that the archaeological assessment is missing information. They also consider that the geophysics and trial trenching don't provide sufficient detail on the archaeological potential along the route corridor as it was not at 100% coverage.</p> <p>Appropriate values should be placed on some of the sites and this is difficult to assess as they have not been dated and their full significance is not known. This may change at a later date once further archaeological work has been undertaken. [L.M.] [BM2]</p> <p><u>HE recognises that further baseline information will not be undertaken and Chapter 6 will not be rewritten. The results of the issues identified within the Chapter are being worked through as HE agree the mitigation through the Detailed Archaeological Mitigation Strategy and Overarching Written Scheme of Investigation (6.4 ES Appendix 2.1 EMP Annex C) (DAMS/OWSI) which HE will require</u></p>	<p>Highways England<u>National Highways</u> considers that the baseline information is sufficiently robust and follows the methodology in DMRB LA106 Cultural heritage assessment.</p> <p>The baseline information consists of a detailed archaeological baseline that includes consideration of designated assets, non-designated data obtained from Gloucestershire HER, and historic maps for the purposes of identifying historic hedgerows. An assessment was also made of extant ridge and furrow. Following this, field surveys were undertaken in the form of a geophysical survey and trial trenching.</p> <p>Highways England<u>National Highways</u> wishes to highlight that this baseline archaeological assessment is not an Historic Environment Desk Based Assessment according to ClfA standards and guidance, and was not intended to be. It formed the initial desk-based baseline which was then supplemented by settings assessments, historic landscape characterization and assessment, assessment and mapping of LiDAR features, and a programme of archaeological field investigation, as described below.</p>	<p>Response to statutory consultation 12 November 2020</p> <p>SoCG meeting, 7 December 2021</p>

Ref.	Matter	HE position	Highways England <u>National Highways</u> position	Date of the position
		<p><u>to be agreed to be secured by the Development Consent Order ("DCO").</u></p> <p><u>HE recognise that the Archaeological Assessment is not a Desk-Based Assessment and was not intended to be. -Within the 8.14 Response to Cultural Heritage Issues Raised at 2.1.4 there is a list of sources that were used. This includes the OS mapping and Gloucestershire Archives. -HE have seen no evidence that these sources had been referred to and used to write the ES Chapter 6. -There is no map regression discussion within the Chapter. There is no mention of features clearly marked on the OS and Title Mapping which are no longer extant but within the DCO boundary (e.g. St Catherine's Well and cottages, an Inn and possible mill by Crickley Hill Road).</u></p>	<p>ES Chapter 6 Cultural Heritage describes the value of heritage assets within the study area and assesses the impact of the proposed scheme upon them. Highways England <u>National Highways</u> is confident that the level of value assigned to each is correct and that the results of the assessment reported in the ES are robust.</p> <p>Geophysical survey</p> <p>Geophysical survey data was obtained for just over 90% of the DCO Boundary. The remaining less than 10% of the DCO Boundary is spread over a number of small land parcels due to access being unavailable due to existing vegetation and ecological constraints.</p> <p>Environmental Statement - Appendix 6.4 - Geophysical Survey Report (Document Reference 6.4, APP-343) notes that "The geophysical survey was undertaken between 9 September and 28 November 2019." and "The site comprises 91.6 ha across 31 land parcels currently utilised for mixed agricultural purposes."</p> <p>Highways England <u>National Highways</u> is aiming to achieve 100% geophysical survey prior to construction, overgrown ground cover permitting.</p> <p>Trial trenching</p> <p>Following the geophysical survey, as stated in para 6.7.41 of ES Chapter 6 Cultural Heritage (Document Reference 6.2, APP-037) "A programme of trial trenching to determine the presence, extent, significance, and level of survival of buried heritage resources was undertaken between September 2020 and March 2021 to inform the environmental impact assessment."</p> <p>The geophysical survey enabled the location of the trenches to be determined. Para 6.7.42 of ES Chapter 6 Cultural</p>	

Ref.	Matter	HE position	Highways England <u>National Highways</u> position	Date of the position
			<p><u>H</u>eritage (Document Reference 6.2, APP-037) states “The trenches were designed to target areas where geophysical survey had suggested the presence of archaeological remains, and areas where the geophysical survey suggested either no archaeological remains or features likely to be geological in origin. In areas where no geophysical survey had been undertaken, the layout of the trenches was random.”</p> <p>ES Appendix 6.5 Trial trenching report (Document Reference 6.4, APP-344 to APP-347) notes that a total of 323 trenches were excavated.</p> <p>ES Chapter 6 Cultural <u>H</u>eritage (Document Reference 6.2, APP-037) notes that “The trial trenching demonstrated a very high concordance between the geophysical survey results and the actual conditions on the ground. A very small number of archaeological features were found in areas where no archaeological features were predicted by the geophysics, or where archaeological features had been misinterpreted as geological. As a result, there is a high degree of confidence that the archaeological potential within the DCO Boundary is understood to the degree required for an appropriate impact assessment to be carried out, and for comprehensive mitigation to be designed.”</p> <p>Trial trenching data for areas in which access was unavailable due to existing vegetation and ecological constraints represents less than 10% of the DCO Boundary spread over a number of small land parcels.</p> <p>These located archaeological remains within the DCO Boundary with a high degree of accuracy and support the</p>	

Ref.	Matter	HE position	Highways England <u>National Highways</u> position	Date of the position
			<p>Detailed Archaeological Mitigation Strategy and Overarching Written Schemes of Investigation.</p> <p>It is the intention of Highways England<u>National Highways</u> to provide Historic England with regular updates of the results of the ongoing Geophysics and Geotechnical survey work. <u>National Highways are intending to secure this through the DAMS/OWSI.</u></p>	
3.2	Methodology and Statements of Significance	HE disagrees that the DMRB methodology is sufficient and expresses concerns that the Statements of Significance looks at assets as individuals and does not provide sufficient discussion on the significance the setting makes and interrelationships with other assets. The ES should include a section on setting assessments as a narrative following guidance (Good Practice Advice in Planning Note 3 T Setting of Heritage Assets – HE and Scheduled Monuments Policy Statement, DCMS 2013 Annex 1: Principles of Selection for Scheduled Monuments).	<p>Highways England<u>National Highways</u> considers that the statements of significance identify the key relationships and aspects that contribute to the significance of each asset, and where there are interrelationships between assets or asset types, these have been described. Highways England<u>National Highways</u> has reviewed HE Guidance Good Practice Advice in Planning Note 3 and does not consider that a tabular format is inherently less able to describe setting than a narrative, as is provided in ES Chapter 6 Cultural Heritage (Document Reference 6.2, APP-037).</p> <p><u>National Highways has shared further information to help address these concerns in its Response to Cultural Issues Raised (Document Reference 8.14, REP2-015).</u></p>	<p>Response to statutory consultation 12 November 2020</p> <p>SoCG meeting, 7 December 2021</p>
3.3	Methodology and the NPS, NPPF and EIA policies and regulations	<p>HE disagree that the assessment fulfils the requirements of the NPS and NPPF polices and EIA regulations. It recommends that to fulfil the requirements the methodology should go beyond that set out in DMRB to provide:</p> <ul style="list-style-type: none"> • A consistent presentation within the ES • A more holistic approach to the landscape • Improved baseline information • Better integration and cross reference to other disciplines 	<p>ES Chapter 6 Cultural Heritage (Document Reference 6.2, APP-037) follows the methodology in DMRB LA106 Cultural heritage assessment.</p> <p>Highways England<u>National Highways</u> considers that the ES Chapter 6 Cultural heritage and its associated appendices which include the surveys undertaken to characterise the archaeology present within the DCO Boundary, fully meet the requirements of the NPSNN and EIA Regulations.</p> <p>Policy framework</p>	<p>Response to statutory consultation 12 November 2020</p> <p>SoCG meeting, 7 December 2021</p>

Ref.	Matter	HE position	Highways England <u>National Highways</u> position	Date of the position
			<p>The Case for the Scheme (Document Reference 7.1, APP-417) provides an assessment of the scheme against the requirements of the NPSNN.</p> <p>In accordance with Paragraph 4.15 of the NPSNN, the ES includes an assessment of effects on Cultural heritage.</p> <p>Para 7.3.81 of the Case for the Scheme (Document Reference 7.1, APP-417) states “A review of the residual significant adverse effects expected to result from the scheme, as reported in the ES (Volume 6), has identified that there are residual adverse significant effects relating to landscape, cultural heritage, biodiversity and noise during construction and operation of the scheme, and other residual adverse significant effects during construction only. However, it can be demonstrated that Highways England <u>National Highways</u> has actively sought to avoid or moderate such detrimental effects through the incorporation of appropriate mitigation, the adoption of a landscape-led approach to the design of the scheme, and through making substantial changes to the scheme design where reductions in adverse effects could be achieved.”</p> <p>Para 7.3.82 then states “It is therefore considered that it is demonstrated and evidenced that exceptional circumstances do exist for development of the scheme within an AONB, in accordance with the tests contained in Paragraph 5.151 of the NPSNN.”</p> <p>The Case for the Scheme (Document Reference 7.1, APP-417) also states in para 10.2.4 ES Chapter 6 Cultural Heritage (Document Reference 6.2, APP-037) details the assessment undertaken by Highways England <u>National Highways</u> relating to heritage impacts of the scheme. Whilst only one designated heritage resource is within the DCO Boundary of the scheme – a scheduled monument known as Emma’s Grove – there</p>	

Ref.	Matter	HE position	Highways England <u>National Highways</u> position	Date of the position
			<p>are numerous designated heritage resources within 1km of the scheme ...”</p> <p>Para 10.2.6 states “The significance of the identified heritage assets is described in ES Appendices 6.1 to 6.4 (Document Reference 6.4, APP340 – APP343). This includes a description of any contribution made by the setting of heritage assets and is provided at a level of detail which is proportionate to the asset’s importance.”</p> <p>10.2.8 It is therefore considered that the requirements of Paragraphs 5.126 and 5.127 of the NPSNN are met.</p> <p>Holistic approach to the landscape</p> <p>Section 10.3 of the Case for the Scheme (Document Reference 7.1, APP-417) para 10.3.4 states “Reflecting the location of the scheme within the Cotswolds AONB, Highways England <u>National Highways</u> has taken a landscape-led approach to the design of the scheme, in which conserving the special qualities of the AONB landscape – including those relating to its historic features – has been the primary consideration in designing the scheme.” This narrative is set out in the Design Summary Report (Document Reference 7.7, APP-423) and demonstrates how the scheme would contribute and respond to the character and local distinctiveness of the area.</p> <p><i>Section 10.4 Effects on heritage assets</i> of the Case for the Scheme (Document Reference 7.1, APP-417) states ” Paragraphs 5.131 to 5.138 of the NPSNN provide direction to the SoS in attributing weight to heritage assets in the decision-making process and considering harm to or loss of designated heritage assets.” and summarises in para 10.4.17 “In demonstrating that the scheme would provide substantial public benefits which outweigh the likely harm to two</p>	

Ref.	Matter	HE position	Highways England <u>National Highways</u> position	Date of the position
			designated heritage assets, it is considered that the scheme complies with the policy contained in the NPSNN.”	
3.4	Methodology and Historic Landscape Characterisation (HLC)	HE disagrees that the methodology sufficiently predicts potential archaeological sites within the scheme. They consider that even with the accurate geophysics, sites can still be missed, and this will cause delays to the work programme further down the line if significant archaeology is uncovered. However, some concerns may be partially addressed subject to review of the DAMS <u>and OWSI</u> and ongoing GI work.	<p>Geophysical survey and trial trenching have been undertaken which have located archaeological remains within the DCO Boundary with a high degree of accuracy. The HLC is intended to provide an overview of the broad make-up of the landscape surrounding the proposed scheme and to establish areas where particular historical land uses are still legible within the modern landscape. It was not intended to predict the presence of archaeological sites within the DCO Boundary, nor is it considered that HLCA it would ever be effective for this.</p> <p>It is the intention of Highways England<u>National Highways</u> to provide further GI survey results and an updated DAMS <u>at Deadline 2 (13 January 2022)</u> (LMS) <u>during the Examination</u>.</p>	<p><u>SoCG meeting, 1 February 2022</u> <u>Response to statutory consultation 12 November 2020</u></p> <p><u>SoCG meeting, 7 December 2021</u></p>
3.5	Emma’s Grove Barrows	HE consider the proposed mitigation/ enhancement insufficient to ensure the future good management of the barrows. To remove the barrows from the Heritage at Risk register and secure their long-term preservation they need to be incorporated into a pasture area, that is ideally grazed, <u>as calcareous grassland</u> . HE reserves further comment until the updated ES and EMP are available to review. <u>HE would require a commitment in the EMP to be secured by the DCO.</u>	<p>Highways England<u>National Highways</u> has committed in Environmental Statement Appendix 2.1 Environmental Management Plan (EMP) (Document Reference 6.4, APP-317) to the following via commitment CH6 “Emma’s Grove scheduled monument will have selective vegetation clearance carried out following arboricultural and ecological inspection. The method statement will be agreed with Historic England.”</p> <p>This is possible as Highways England<u>National Highways</u> is taking “Temporary possession and use of approximately 8120 square metres of land forming part of Emma's Grove and mature non-coniferous woodland to the east of the existing A417 carriageway.” as recorded in the Book of Reference (Document Reference 4.3, APP-026) for plot reference 2/21d. <u>National Highways and HE are in continuous engagement with</u></p>	<p><u>SoCG meeting, 1 February 2022</u> <u>SoCG meeting, 7 December 2021</u></p>

Ref.	Matter	HE position	Highways England <u>National Highways</u> position	Date of the position
			<p><u>regards to any appropriate and/or required updates to the Environmental Masterplan (APP-168 – APP-192) to demonstrate the extent of land required in relation to the scheduled monument.</u></p> <p><u>National Highways will also consider any need for alignment with EMP commitment BD8 to ensure any timings and impact of works consider ecology.</u></p> <p><u>As Highways England<u>National Highways</u> do not own the land, long-term measures cannot be secured by the draft DCO. However, it's the intention of Highways England<u>National Highways</u> to continue to engage with Historic England on this matter <u>which is reflected in</u> As such<u>[LM4], a commitment</u> <u>commitment GP8 of the EMP (REP2-006) "Stakeholder engagement: National Highways would engage with all key environmental stakeholders prior to and during the detailed design process, as well as during construction of the scheme. These are listed in section 2.2 of this EMP."</u> will be included within the EMP which outlines the plan to continue these discussions during detailed design. This will also be explained in the updated ES to be provided at Deadline 2 (13 January 2022).</u></p>	
4. Population and Human Health (Chapter 12 of the ES)				
4.1	No matters identified.			
5. Draft Development Consent Order				
5.1	Requirement 9, Archaeology	HE consider that Requirement 9, Archaeology should refer to the DAMS/OWSI as opposed to the current drafting, which states "archaeological framework strategy and sub-written schemes of investigation."	<u>Highways England<u>National Highways</u> has been in continuous engagement with HE on this matter, which to date has been positively received. National Highways are is considering this change and will provide an update at Deadline 2<u>during the Examination.</u></u>	<u>SoCG meeting, 1 February 2022</u> <u>SoCG meeting, 7 December 2021</u>

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	HE
Name	Melanie Barge
Position	Planning Group Inspector
Date	

For signing	
Signed	
On Behalf of	Highways England <u>National Highways</u>
Name	
Position	
Date	

Appendix B Matters to be determined

- B.1.1.1 There are some matters which the position of HE is pending upon publication of the full suite of DCO application documents, in particular those relating to the Environmental Statement (ES). These are set out in Table B-1.
- B.1.1.2 ~~Highways England~~National Highways will continue to review the matters with HE during the examination of the DCO application and discussions will be aided by HE being able to review the full suite of DCO application documents on the National Infrastructure Planning website (at the point of submission).
- 1.1.2 Table B-1 shows those matters which remain under discussion by the parties. It sets out the latest position of each party in relation to each matter outstanding, and the latest date of that position.
- 1.1.3 In response to a request by the ExA in the Rule 6 letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table B-1 Matters to be determined between HE and ~~Highways England~~ National Highways

Ref	Matter	HE Position	Highways England <u>National Highways</u> position	Date of the latest position
Consultation				
A.1	Resolved (removed).			SoCG meeting, 7 December 2021
Cultural Heritage (Chapter 6 of the ES)				
A.2	Geoarchaeological assessments	<p>The results of the Geo-archaeological monitoring of geotechnical investigations, boreholes and test pits are missing sufficient detail. HE reserve further comment until this detail has been provided.</p> <p>Greater integration and enhanced communication between the cultural heritage team and other specialist teams is required; geology, hydrology, and landscape teams. Some locations such as Nettleton Bottom have been flagged up as wet/ waterlogged this should be cross-referenced with potential for archaeology; in particular paleoenvironmental deposits.</p>	<p>Highways England has begun to engage with HE to design a comprehensive geoarchaeological programme as part of the pre-construction archaeological mitigation strategy. It's the intention that this will be provided during the next iteration of the OWSI/DAMS <u>during the Examination, and continuous updates will be provided to HE in parallel with the programme of works.</u></p> <p>The cultural heritage assessment in ES Chapter 6 Cultural Heritage (Document Reference 6.2, APP-037) has been undertaken in consultation with other environmental disciplines, and where potential impacts on heritage assets have been identified these have been described in the ES. In cases where no impacts are predicted in relation to other topics, no reference has been made to those topics.</p> <p><u>This matter will remain to be determined given its interface with the detailed design stage.</u></p>	<p><u>SoCG meeting, 1 February 2022</u> <u>Response to statutory consultation</u> <u>12 November 2020</u></p> <p><u>SoCG meeting, 7 December 2021</u></p>

Ref	Matter	HE Position	Highways England National Highways position	Date of the latest position
A.3	Interconnectivity of all heritage assets within the landscape	<p>The undesignated archaeology (known and unknown) will provide information about the use and development of the landscape and farming across the plateau. The modern landscape we now appreciate and protect as the Cotswolds AONB only exists through our past exploitation of that land to sustain and support ourselves. It will be important to fully understand that development and relationship to be able to understand the impacts of this scheme on those assets and the modern landscape. Many of the assets within this protected landscape are interconnected and that connection needs to be fully assessed to understand their significance. To better understand the designated assets there needs to be a good understanding of the buried archaeology and the non-designated assets as a whole.</p>	<p>Highways England National Highways considers that ES Chapter 6 Cultural Heritage (Document Reference 6.2, APP-037) presents a robust account of the assessment cultural heritage impacts and includes the areas of interest identified by HE.</p> <p>As detailed in Ref 3.1 of Table 5-3 Matters outstanding between HE and Highways England National Highways, efforts have been made to understand the undesignated archaeology through the geophysical survey and trial trenching. <u>These field surveys have provided a good understanding of the buried archaeology and will support development of the DAMS/OWSI secured by Annex C of ES Appendix 2.1 EMP (Document Reference 6.4, APP-317). It is the intention of National Highways to provide an updated DAMS during the Examination.</u> These field surveys have provided a good understanding of the buried archaeology and will support development of the Detailed Archaeological Mitigation Strategy and Overarching Written Schemes of Investigation secured by Annex C of ES Appendix 2.1 EMP (Document Reference 6.4, APP-317).</p> <p>Highways England National Highways is committed to ongoing engagement with Historic England on this matter during detailed design and construction.</p>	<p><u>SoCG meeting, 1 February 2022</u> <u>SoCG meeting, 7 December 2021</u></p>

Appendix E Draft Statement of Common Ground with Cotswolds Conservation Board

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between Highways England and Cotswolds Conservation Board (CCB) in relation to the A417 Missing Link scheme.
- 1.1.2 The document identifies the following between the two parties:
- Matters which have been agreed
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.3 The matters which are referenced in this document are that which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES), submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 There are also a number of matters identified in the SoCG upon which the position of CCB is pending, for example where matters may relate to the future detailed design stage. These are set out in Appendix B, and Highways England will continue to review the matters detailed in this Appendix with CCB. Discussions will be aided by CCB being able to review the full suite of DCO application documents on the National Infrastructure Planning website (at the point of submission).
- 1.1.5 The SoCG will continue to evolve as the application for development consent progresses through the examination stage.
- 1.1.6 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the examination.
- 1.1.7 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) Guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of CCB in the application and sets out the consultation undertaken.
 - Section 3 summarises the topics considered within the SoCG.
 - Section 4 lists those matters which have been agreed, including the date that this matter was agreed.
 - Section 5 lists those matters which remain outstanding, incorporating a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position including any further meetings planned regarding the matter.
- 1.2.2 Appendix A includes the signing sheet.

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

- 1.2.3 Appendix B includes matters to be determined during the examination of the DCO application.

1.3 Status of this SoCG

- 1.3.1 This SoCG is a correct reflection of the position of both parties in advance of CCB's Written Representation submission for Examination Deadline ~~31 (14 December~~ 2 February 2022).
- 1.3.2 It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the examination stage.

2 Consultation

2.1 Role of Cotswolds Conservation Board

- 2.1.1 Cotswolds Conservation Board (CCB) is an independent statutory body that works to conserve and enhance the natural beauty of the Cotswolds Area of Outstanding Natural Beauty (AONB). It was established by Parliamentary Order in 2004 and is one of two Conservation Boards in England. CCB is comprised of 37 board members drawn from local authorities, parish councils and appointments made by the Department for Environment, Food and Rural Affairs (DEFRA).
- 2.1.2 CCB has two statutory purposes:
- To conserve and enhance the natural beauty of the Cotswolds AONB
 - To increase the understanding and enjoyment of the special qualities of the Cotswolds AONB.
- 2.1.3 While having regard to these two purposes, CCB seeks to foster the social and economic wellbeing of local communities within the AONB.
- 2.1.4 Conserving and enhancing the natural beauty of the area is also the statutory purpose of an AONB designation. Under section 85 of the Countryside and Rights of Way Act (2000), Highways England, as a public body, has a duty to have regard to this purpose.
- 2.1.5 CCB is a prescribed consultee as defined under section 42(1)(a) of the Planning Act 2008 (the Act).

2.2 Summary of consultation

- 2.2.1 Highways England has been in consultation with CCB during the development of the scheme's design, including the optioneering process. The parties have continued communicating throughout the progression of the scheme.
- 2.2.2 CCB has been a member of the Strategic Stakeholder Panel, a Landscape, Environment and Heritage Technical Working Group and the Walking, Cycling and Horse riding Technical Working Group, and has been party to collaborative planning sessions; see Chapter 4 of the Consultation Report (Document Reference 5.1, APP-027) for more information.
- 2.2.3 The engagement outlined in Table 2-1 covers formal consultation with CCB, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below, but are available on request.
- 2.2.4 The consultation with CCB since the Preferred Route Announcement in March 2019 is set out in Table 2-1.

Table 2-1 Consultation with Cotswolds Conservation Board since Preferred Route Announcement

Date	Method	Parties involved	Matters discussed
March 2019	Letter	Cotswolds Conservation Board to Highways England and MPs	Following the announcement by Highways England that Option 30 was the Preferred Route, the CCB wrote to Highways England and MPs to highlight the impact of Option 30 with regard to landscape and scale of impact.
April 2019	Letter	Cotswolds Conservation Board to Highways England	CCB wrote to Highways England. The letter highlighted earlier responses provided by CCB in 2018 and queried the following: <ul style="list-style-type: none"> • That earlier concerns were not addressed • The lack of any further consideration of tunnels • The inadequacy of a small green bridge • The lack of net environmental gain within the scheme
2 May 2019	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • Preferred route announcement – review and feedback • Status update on the technical working groups • Technical partner and programme update • Programme/governance update • Preliminary design and what to expect
12 July 2019	Meeting	Highways England Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • CCB response to Scoping Opinion • Joint landscape vision • Route selection • Alternative link road to Birdlip • Draft viewpoints for Landscape and Visual Impact Assessment (LVIA) • Depth of cutting
20 August 2019	Landscape, Heritage and Environment Technical Working Group Meeting	Highways England TWG Member Organisations including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • Feedback from last TWG • Ecology update on surveys • Landscape update on design approach and LVIA • Geology update on investigations/surveys • DCO process overview • Working group technical discussions

Date	Method	Parties involved	Matters discussed
3-4 September 2019	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> Progress update Technical working group update Public consultation details Highways England provided a preview of the scheme proposals forming part of the consultation materials.
27 September 2019	Letter	Highways England Cotswolds Conservation Board	Highways England wrote to Cotswolds Conservation Board to notify the Board of the statutory consultation taking place between 27 September and 8 November 2019, in accordance with section 42(a) of the Planning Act 2008. The letter invited the Board to provide comments by 8 November 2019.
8 November 2019	Letter	Cotswolds Conservation Board to Highways England	CCB provided a formal response to the statutory public consultation held between 27 September and 8 November 2019.
17 February 2020	Email	Highways England to Cotswolds Conservation Board	Highways England issued the first draft Statement of Common Ground to Cotswolds Conservation Board ahead of the planned meeting on 25 February 2020.
25 February 2020	Statement of Common Ground Meeting	Highways England Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> First draft of the SoCG The process of progressing the SoCG- Minutes of this meeting were shared with the Board on 9 March 2020.
26 February 2020	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> Update on progress of the scheme update on governance, funding, programme and statutory consultation A roundtable discussion on consultation responses – key issues ahead of DCO submission Next steps – activity up to DCO submission and beyond
3 March 2020	Walking Cycling Horse riding Technical Working Group meeting	Highways England TWG member organisations including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> An update of the scheme Draft Public Rights of Way (PRoW) Management Plan WCH Statement of Common Ground
6 March 2020	Email	Cotswolds Conservation Board to Highways England	CCB provided Highways England with comments on the first draft of the SoCG as well as a timeline of consultation and engagement with Highways England since 2014.
10 March 2020	Email	Highways England to Cotswolds Conservation Board	Highways England provided CCB with a revised draft structure of the SoCG and sought comment.

Date	Method	Parties involved	Matters discussed
17 March 2020	Email	Cotswolds Conservation Board to Highways England	CCB stated broad agreement with the new SoCG structure, and reiterated the key points of interest for the Board that would need to be captured in the SoCG.
5 May 2020	Statement of Common Ground meeting	Highways England Cotswolds Conservation Board	Meeting to review and update the matters in the SoCG.
20 July 2020	Strategic Stakeholder Panel meeting	Highways England SSP member organisations, including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • Update on the progress of the scheme • The change to the scheme's programme • The updated designs following consultation in 2019
22 July 2020	Combined Technical Working Group	Highways England Landscape, Heritage and Environment TWG members and Walking Cycling and Horse riding TWG members	The following matters were discussed: <ul style="list-style-type: none"> • Project update following delay to programme, setting out the key changes to the design and the amended timescales • Invited questions from stakeholders during the session
28 July 2020	Meeting	Highways England Cotswolds Conservation Board	Meeting to discuss CCB concerns and suggestions regarding the engineering design of the scheme.
12 August 2020	Walking Cycling and Horse riding Technical Working Group Statement of Common Ground Meeting	Highways England WCH TWG members including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • <u>De</u>draft document given to members and comments on its structure and content were sought • Next steps including date for next meeting
17 August 2020	Environmental Collaborative Planning Meeting	Highways England Environmental bodies, including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • The key concerns of the design changes that were being taken to supplementary consultation in October 2020-

Date	Method	Parties involved	Matters discussed
25 August 2020	Environmental Collaborative Planning Meeting	Highways England Environmental bodies, including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • The public rights of way proposals • Changes to Cowley junction • Realignment of the B4070 to Birdlip via Barrow Wake • Change in gradient
3 September 2020	Environmental Collaborative Planning Meeting	Highways England Environmental bodies, including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • Scheme-wide connectivity, permeability and crossings strategy • Maintaining and improving functionality of the crossings • Cotswolds Way crossing • Gloucestershire Way crossing • Cowley and Stockwell overbridges
17 September 2020	Environmental Collaborative Planning Meeting	Highways England Environmental bodies, including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • Environmental masterplan • Biodiversity net gain • Archaeology
7 October 2020	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including Cotswolds Conservation Board	Highways England provided an update to the SSP on the progress of the scheme including the upcoming supplementary statutory consultation.
13 October 2020	Formal notification of supplementary consultation	Highways England to Cotswolds Conservation Board	Highways England sent formal notification of the supplementary consultation via post and email to CCB, in accordance with section 42(a) of the Planning Act 2008. This set out a deadline to submit comments by 12 November 2020.
28 October 2020	Meeting	Highways England Environmental collaborative planning organisations including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • Biodiversity Net Gain (BNG) • The change by habitat area within the DCO Boundary • The BNG calculation (using the current DEFRA metric, due to be updated in Dec 2020) • The BNG metric • Stakeholders on ideas to improve on biodiversity gain
11 November 2020	Formal response to statutory consultation	Cotswolds Conservation Board to Highways England	CCB submitted a formal response to the statutory consultation to Highways England via emailed letter.

Date	Method	Parties involved	Matters discussed
2 December 2020	Meeting	Highways England SSP member organisations, including Cotswolds Conservation Board	Highways England and the SSP members discussed key concerns and issues regarding the proposed crossings for the scheme, and identified if and how these concerns could be addressed.
11 December 2020	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including Cotswolds Conservation Board	The following matters were discussed: <ul style="list-style-type: none"> • Progress of the scheme • Results from the recent consultation • A summary of the responses received • An update on next steps for the scheme
14 December 2020	Letter	Highways England Environmental bodies, including Cotswolds Conservation Board	Highways England wrote to the environmental stakeholders, including CCB, to outline a change in proposals following the crossings and integration strategy meeting which took place on 2 December 2020.
14 December 2020	Letter	Highways England Environmental bodies, including Cotswolds Conservation Board	CCB wrote to Highways England to confirm their full support for the proposed design changes outlined in Highways England's letter dated 14 December 2020.
21 December 2020	Meeting	Highways England Cotswolds Conservation Board	Meeting to discuss the LVIA.
2 February 2021	Statement of Common Ground meeting	Highways England Cotswolds Conservation Board	Meeting to review and update the matters in the SoCG.
31 March 2021	Statement of Common Ground meeting	Highways England Cotswolds Conservation Board	Meeting to review and update the matters in the SoCG.
12 May 2021	Statement of Common Ground meeting	Highways England Cotswolds Conservation Board	Meeting to review and update the matters in the SoCG.

Date	Method	Parties involved	Matters discussed
21 September 2021	Statement of Common Ground meeting	Highways England Cotswolds Conservation Board	Meeting to discuss progress following DCO application acceptance, update on separate Designated Funds work and agreement on how best to update the matters in the SoCG following relevant representation and review of the DCO application documents.
15 November 2021	Statement of Common Ground meeting	Highways England Cotswolds Conservation Board	Meeting to discuss SoCG updates following submission of relevant representation and agree an updated draft for Deadline 1 (14 December 2021).
7 December 2021	Email	Cotswolds Conservation Board to Highways England	CCB provided an updated set of comments on their draft SoCG which confirmed the removal of the matter outstanding regarding assessment of alternative recommendations by CCB (now matter agreed 2.3).
<u>14 December 2021</u>	<u>Deadline 1 submissions</u>	<u>Cotswolds Conservation Board</u>	<u>CCB submitted the following documents to inform Examination Deadline 1:</u> <ul style="list-style-type: none"> • <u>Written Representation (REP1-030)</u> • <u>Responses to ExQ1 [The document entitled 'Confidential: Cut and cover tunnel feasibility study' referred to in this submission has not been accepted into the Examination. The Applicant has submitted a version of this document at Deadline 1 which is available to view. See REP1-011] (REP1-028)</u> • <u>Responses to ExQ1 – Cotswolds Conservation Board Options Report (REP1-029)</u> • <u>Written Representation – Supporting information (REP1-031)</u>
<u>31 January 2022</u>	<u>Statement of Common Ground meeting</u>	<u>Highways England</u> <u>Cotswolds Conservation Board</u>	<u>Meeting to discuss SoCG updates and agree an updated draft for Deadline 3 (2 February 2022).</u>
<u>1 February 2022</u>	<u>Email</u>	<u>Highways England to Cotswolds Conservation Board</u>	<u>Highways England provided an update with regards to the Cotswold Way National Trail Diversion Report following the ExA's Rule 17 request.</u>

- 2.2.5 Highways England and CCB have also engaged regarding CCB's suggested tunnel options as an alternative design solution for the A417 Missing Link scheme. This has taken place since 2014 and a summary is provided below.
- 2.2.6 Tunnel options were previously considered because of the potential opportunities they could provide to reduce the impact of the scheme on some aspects of the environment, compared to surface route options.
- 2.2.7 In 2017, Highways England undertook an assessment of six route options, including four tunnel options and two surface options, that it had shortlisted from the initial 30 options that had been identified in 2016.
- 2.2.8 Highways England considered and discounted tunnel options during the options assessment carried out before making its Preferred Route Announcement in March 2019.
- 2.2.9 This assessment showed that the four tunnel options outperformed the surface options in most of the economy, social and environmental measures². However, the tunnels options were above the upper limit of the cost range (£500 million) and were outperformed by the surface options in terms of value for money³. The assessments also concluded that tunnel options would still have some adverse environmental impacts due to the requirement to build tunnel portals and link roads to the existing A417 and A436, as well as the more significant impacts during construction involving excavations.
- 2.2.10 Highways England made its Preferred Route Announcement in March 2019. In July 2019, in response to the EIA Scoping Report consultation, CCB asked Highways England to consider three tunnel options, which CCB has referred to as the 'Gold', 'Red' and 'Blue' options, as potential alternatives to Highways England's preferred route, Option 30⁴. CCB also recommended that Highways England should not rule out giving tunnel options further consideration if the financial envelope (budget) for the scheme were to increase.
- 2.2.11 However, Highways England indicated that it had already considered and discounted tunnel options (as outlined above) and, as such, did not address the Gold, Red and Blue options when considering alternative options in the EIA Assessment.
- 2.2.12 Highways England consulted on the proposed scheme in autumn 2019. At that stage, the scheme incorporated a 25m deep cutting up the Cotswold escarpment and would have involved approximately one million cubic metres of material being taken off site.
- 2.2.13 When reviewing the proposed scheme, CCB identified that a cut and cover tunnel could potentially be incorporated into the scheme design, instead of the 25m deep cutting, at a similar cost. CCB recommended the inclusion of a cut and cover tunnel in its formal response to the statutory consultation (8 November 2019). CCB considered this cut and cover tunnel proposal to be a very different engineering solution to the tunnel options that had been previously considered and/or recommended.

² Highways England (2019) A417 Missing Link [Scheme Assessment Report](#). Paragraph 4.7.22.

³ Highways England (2019) A417 Missing Link [Scheme Assessment Report](#). Paragraph 4.7.23.

⁴ CCB response to Highways England's EIA Scoping Report consultation response, June 2019.

- 2.2.14 Following the 2020 design changes, Highways England changed the proposed gradient of the road up the escarpment from 7% to 8%. This has resulted in the depth of cutting now being reduced to around 15m. As such, there is little requirement for material to be taken off site. CCB accepts that this has reduced the benefits of a cut and cover tunnel.
- 2.2.15 Although a tunnel would be CCB's ideal option, CCB has accepted that a tunnel does not form part of the proposed scheme. In May 2021, Highways England produced a report named 'Cut and Cover Tunnel Feasibility Study' and the CCB accepted its findings in October 2021, following further discussion and the submission of their Relevant Representation.
- 2.2.16 Please refer to the Scheme Assessment Report (Document Reference 7.4, APP-420) and ES Chapter 3 Assessment for Alternatives (Document Reference 6.2, APP-034) for further information.

3 Topics covered in this SoCG

3.1.1 The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 Summary of the topics considered within this SoCG

Overarching topic	Topic number	Topic
Background	1.	Principle of development
	2.	Consultation
	3.	Landscape-led approach
	4.	Policy and legislation (AONB)
Scheme design	5.	Crossings of the A417
	6.	Gradient change
	7.	Cowley junction
	8.	The realignment of the B4070 to Birdlip via Barrow Wake
	9.	Improvements for walking, cycling and horse riding including disabled users
	10.	Other engineering design
Relevant ES Chapter	11.	Assessment of Alternatives (Chapter 3 of the ES)
	12.	Environmental Assessment Methodology (Chapter 4 of the ES)
	13.	Cultural Heritage (Chapter 6 of the ES)
	14.	Landscape and Visual Effects (Chapter 7 of the ES)
	15.	Biodiversity (Chapter 8 of the ES)
	16.	Geology and Soils (Chapter 9 of the ES)
	17.	Materials Assets and Waste (Chapter 10 of the ES)
	18.	Assessment of Cumulative Effects (Chapter 15 of the ES)
Other topics	19.	Brockworth bypass to Shab Hill junction (including A436 link)
	20.	Shab Hill to Cowley junction (including Birdlip link road)

4 Matters agreed

4.1.1 Table 4-1 shows those matters which have been agreed by the parties, including that matter's reference number, and the date and method by which it was agreed.

Table 4-1 Matters agreed between Cotswolds Conservation Board and Highways England

Matter reference number	Matter which has been agreed	Date and method of agreement
1. Principle of Development		
1.1.	The need for the scheme in principle is agreed by the Cotswolds Conservation Board (CCB) and the benefits of such a scheme include improved traffic flows and journey times; reduced congestion; reduced air pollution; and reduced numbers of accidents.	Consultation response 8/11/2019, page 1
1.2.	CCB agrees that the specific scheme which is proposed could potentially have a number of beneficial effects, in addition to the key transport and traffic benefits outlined above (matter reference 1.1). These include: <ul style="list-style-type: none"> • The recreational opportunities provided by the re-purposed A417 • The improved crossing of the A417 for the Cotswold Way National Trail • The proposed reduction of traffic intrusion along the Cotswold escarpment • The proposed habitat creation- 	Consultation response 8/11/2019, page 2
2. Consultation		
2.1.	Highways England has positively engaged with CCB and other key stakeholders. CCB has had a proactive role in assisting Highways England to enhance and refine the scheme.	Consultation response 8/11/2019, page 1
2.2.	Both parties agree to continue engagement regarding the detailed design of the scheme, as appropriate. This is with a specific focus (but not limited to) the mitigation of moderate detrimental effects, the Gloucestershire Way crossing and Cotswold Way crossing. <u>This commitment is outlined within the Landscape and Ecological Management Plan (Environmental Statement, Appendix 2.1, Annex D, APP-321), specifically 1.2.4, 2.5.3 and 2.6.4.</u>	SoCG meeting, March 2021 <u>SoCG meeting, 31/01/2022</u>
2.3.	CCB accepts that National Highways has reviewed alternative options (as previously recommended by the Board) in sufficient detail and has provided clear explanation as to the reasons why the current scheme outperforms those alternatives.	Email, 10 December 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
3. Landscape-led approach		
3.1.	Relevant stakeholders (including Highways England and CCB) have agreed a landscape-led vision, design principles, objectives and sub-objectives.	Comments on first draft SoCG 06/03/2020
3.2.	CCB agrees that the agreed landscape-led approach to the scheme is particularly important due to the scheme's location within the Cotswolds AONB, the safeguarding of which is in the nation's interest.	Consultation response 8/11/2019, page 1
3.3.	CCB agrees with the stated vision of a landscape-led scheme, including the Design Principles and objectives.	Consultation response 10/11/2020, page 1
3.4.	CCB agrees with the vision of delivering a road scheme that both meets highways requirements and conserves and enhances the natural beauty of the AONB: reconnecting landscape, recreational access and ecology; bringing about landscape, wildlife and heritage benefits, including enhanced residents' and visitors' enjoyment of the area; improving quality of life for local communities; and contributing to the health of the economy and local businesses.	Consultation response 10/11/2020, page 1
3.5.	CCB agrees that it's clear that landscape has been taken into account when taking forward and designing Option 30 and that some amendments, e.g. changing the gradient on Crickley Hill has had benefits for landscape in reducing both the cutting width and the volume of spoil to be transported off site.	Agreed in November 2021 review of SoCG
3.6.	CCB and Highways England agree that there is a net beneficial effect for both residents and users of public rights of way, particularly the Cotswold Way National Trail, with regards to relative tranquillity.	Agreed in November 2021 review of SoCG
3.7.	CCB and Highways England agree that there is a beneficial effect for dark skies.	Agreed in November 2021 review of SoCG
3.8.	CCB and Highways England agree that there is a net beneficial effect for natural heritage, albeit with some significant adverse effects on a nationally important SSSI and on irreplaceable ancient woodland habitat.	Agreed in November 2021 review of SoCG
3.9.	<p><u>CCB consider the balance of adverse and beneficial effects on the factors that contribute to the natural beauty of the Cotswolds AONB (when compared to the current baseline) to be as follows:</u></p> <ul style="list-style-type: none"> • <u>Landscape quality/character: net adverse effect, with some of these adverse effects potentially being significant.</u> • <u>Scenic quality/beauty: net adverse effect, with these adverse effects potentially being significant in some locations.</u> • <u>Cultural heritage: net adverse effect, with some of these effects potentially being significant.</u> <p><u>Taking into account the great weight that should be given to landscape and scenic beauty, both parties believe it is important that we continue a positive dialogue during detailed design to continue to find ways of mitigating these adverse effects.</u></p>	<u>SoCG meeting, 31/01/2022</u>

Matter reference number	Matter which has been agreed	Date and method of agreement
4. Policy and legislation (AONB)		
4.1.	CCB agrees Highways England has a statutory duty to have regard to conserving and enhancing the natural beauty of the Cotswold AONB under the Countryside and Rights of Way Act (2000) – (the ‘duty of regard’).	Consultation response 8/11/2019, page 1
4.2.	CCB agrees that the scheme must be implemented within the Cotswolds Area of Outstanding Natural Beauty (AONB) because the section of the A417 requiring the scheme (‘the Missing Link’) is located entirely within the AONB.	Consultation response 8/11/2019, page 1
4.3.	It is recognised that the Government-commissioned ‘Landscapes Review’ of National Parks and AONBs (2019) recommends that the Cotswolds AONB ‘stands out as a leading candidate’ for National Park status.	Consultation response 8/11/2019, page 1
5. Crossings of the A417		
5.1.	CCB agrees that a multi-purpose crossing (greened bridge) ‘the Gloucestershire Way crossing’ would provide a number of potential benefits and would be better than an ordinary footbridge. In particular, providing a traffic free crossing across the A417 for users of the Gloucestershire Way Long Distance Footpath and other recreational users would be a significant benefit. A greened bridge could also potentially provide for some degree of connectivity, in terms of landscape, and allow for some habitat creation.	Consultation response 10/11/2020, page 3
5.2.	CCB agrees that the Cotswold Way crossing will provide safer access for users of the Cotswold Way National Trail and better links to other trails than the current position.	Consultation response 10/11/2020, page 2
5.3.	CCB agrees that the Cotswold Way crossing is in the right location because it is as close as practically possible to the existing route, and doesn’t entail excessive ascent and descent onto the route.	SSP meeting, 7/10/2020
5.4.	CCB and Highways England agree it is important that an approach to the detailed design of this crossing is considered that combines, where safe and practicable, all factors that contribute to the natural beauty of the National Landscape.	Consultation response 10/11/2020, page 3
5.5.	CCB agrees with the provision of the Gloucestershire Way crossing to incorporate a 25m width of calcareous grassland habitat to help address fragmentation of the SSSI, in addition to its required functions for species connectivity, landscape integration and diversion of the Gloucestershire Way. The CCB welcomes and fully supports this provision which, in addition to the 25m of calcareous grassland habitat, also includes two 3m width hedgerows, a 3.5m bridleway and a 1.5m maintenance strip.	Position statement response, 18/12/2020, page 1
6. Gradient change		
6.1.	CCB agrees that the increase in gradient from 7% to 8% will bring about positive change to the scheme; the cutting proposed in 2019 would’ve resulted in a much wider cutting in the landscape and vaster land take. From the geological data it is apparent that the deeper cutting proposed in 2019 would have resulted in a much wider cutting and land take.	Consultation response 10/11/2020, page 4

Matter reference number	Matter which has been agreed	Date and method of agreement
6.2.	CCB considers that east of the Air Balloon in the vicinity of Emma's Grove and Ullen Wood, the footprint of the scheme would be reduced as compared with the 2019 scheme. The potential benefits for the scheme from the change of gradient are greater here.	Consultation response 10/11/2020, page 4
7. Cowley junction		
7.1.	CCB and Highways England agree that due consideration will be given to the Roman settlement in this area, which is of significant cultural and historic value, and that means avoiding further harm.	Consultation response 10/11/2020, page 6
8. The realignment of the B4070 to Birdlip via Barrow Wake		
8.1.	Highways England acknowledges feedback received in response to public consultation, which has suggested the reduction, removal or relocation of the Barrow Wake car park. This change is outside the scope of the scheme and the car park is not owned as part of the strategic road network by Highways England. However, Highways England has offered the relevant stakeholders help to inform or facilitate any discussions about any changes that might be proposed to the Barrow Wake car park. Highways England will ensure the A417 scheme is able to accommodate the existing car park arrangement, or a future scenario where the car park is reduced or removed. CCB and Highways England have agreed to continue to engage on this matter as the discussions progress.	Consultation response 10/11/2020, page 6
9. Improvements for walking, cycling and horse riding including disabled users		
9.1.	CCB agrees with the potential benefits that the proposed re-purposing of the A417 could provide, including: <ul style="list-style-type: none"> • Creating a new route for walkers, cyclists and horse riders • The proposed tree planting, native hedgerows and species-rich grassland • Enhanced tranquillity and air quality along this section of the High Wold and Cotswold escarpment 	Consultation response 8/11/2019, Annex 1, page 14
9.2.	CCB agrees the scheme has the potential to significantly enhance access and recreational experiences. In particular, the principle of creating better linkages between the Cotswold Way National Trail and the Gloucestershire Way is welcomed and the repurposed A417 (the Air Balloon Way) will create more recreational opportunity.	Consultation response 10/11/2020, page 6
10. Other engineering design		
10.1.	CCB agrees with the proposed design for the Birdlip Link Road, which uses more existing public highway and reduces the landscape impact of this elements of the scheme.	Agreed in November 2021 review of SoCG
11. Assessment of Alternatives (Chapter 3 of the ES)		
11.1.	CCB agrees that Alternative 2 for the A436 Link road performs better both economically and environmentally than Alternatives 1 and 3.	Consultation response 8/11/2019, Annex 1, page 7

Matter reference number	Matter which has been agreed	Date and method of agreement
11.2.	CCB agrees that Alternative 1 for the A436 Link Road would have significant adverse effects and it should not be brought back into consideration.	Consultation response 8/11/2019, Annex 1, page 12
11.3.	From a landscape perspective, CCB agrees an advantage of Alternative 2 for the A436 Link Road, compared to Alternative 1, is that it allows for a significant area along the top of the Cotswold escarpment, including adjacent to sections of the Cotswold Way National Trail, to become car free.	Consultation response 8/11/2019, Annex 1, page 12
12. Environmental Assessment Methodology (Chapter 4 of the ES)		
	No matters identified.	
13. Cultural Heritage (Chapter 6 of the ES)		
	No matters identified.	
14. Landscape and Visual Effects (Chapter 7 of the ES)		
14.1.	CCB agrees with the methodology, including temporal scope.	March 2021 SoCG meeting
15. Biodiversity (Chapter 8 of the ES)		
15.1.	CCB understands that HE does not have a statutory obligation to achieve biodiversity net gain (BNG) with the A417 road scheme, and agrees that Highways England has tried to avoid the unintended consequences of blindly applying the BNG metric, which would have potentially resulted in an undesirable outcome for landscape and biodiversity in this location.	Review of SoCG in March 2021
15.2.	CCB and Highways England agree to ongoing engagement throughout the detailed design stage, regarding the enhancement measures proposed as a result of the increased nitrogen deposition presence at Ullen Wood, and this section will therefore be finally closed at the end of the detailed design consultation.	May 2021 SoCG meeting
16. Geology and Soils (Chapter 9 of the ES)		
16.1	CCB is happy that access to geological exposures is being explored.	Collaborative Planning session 4, 17/09/2020
17. Material Assets and Waste (Chapter 10 of the ES)		
17.1.	CCB agrees the need for some degree of cut-and-fill to achieve an alignment across undulating ground and that some surplus material can be useful in grading out embankments and screening the road.	Consultation response 8/11/2019, Annex 1, page 9

Matter reference number	Matter which has been agreed	Date and method of agreement
17.2.	CCB agrees that decreasing the amount of spoil by as much as one million cubic metres is another significant positive environment outcome, which would potentially avoid 50,000 lorry movements that would have been required to take the surplus material off site.	Consultation response 10/11/2020, page 5
18. Assessment of Cumulative Effects (Chapter 15 of the ES)		
	No matters identified.	
19. Brockworth bypass to Shab Hill junction (including A436 link)		
19.1.	CCB agrees with the proposed arrangement for the Shab Hill junction. It's proposed that Shab Hill junction would be located in a localised valley which would require filling, using excess excavated material won from other locations in the scheme. To mitigate the visual impact of this section of the route, landscape earthworks in the form of false cuttings would be provided. These landscape earthworks would act to provide visual screening and noise reduction.	Agreed in November 2021 review of SoCG
19.2.	CCB agrees with the proposed design and alignment of the A436 link road.	Agreed in November 2021 review of SoCG
20. Shab Hill to Cowley junction (including Birdlip link road)		
20.1.	CCB agrees that some of the adverse effects of the scheme between Shab Hill junction and Cowley junction will be offset, to some degree, by the beneficial effects of closing and repurposing the existing A417 between the Air Balloon and Cowley junction.	Consultation response 8/11/2019, Annex 1, page 8

5 Matters outstanding

5.1 Principal matters outstanding

- 5.1.1 The principal matter outstanding between Cotswolds Conservation Board (CCB) and Highways England are:
- The Board considers that further assessments with regards to cumulative effects should be undertaken.

5.2 Matters outstanding

- 5.2.1 Table 5-1 shows those matters which remain under discussion by the parties. It sets out the latest position of each party in relation to each matter outstanding, and the latest date of that position.
- 5.2.2 In response to a request by the ExA in the Rule 6 letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 5-1 Matters outstanding between Cotswolds Conservation Board and Highways England

Ref.	Matter	Cotswolds Conservation Board's position	Highways England's position	Date of the position
1. Principle of Development				
	No matters identified.			
2. Consultation				
2.1.	Removed (resolved, matter agreed 2.3)			
3. Landscape-led approach				
	No matters identified.			
4. Policy and legislation (AONB)				
	No matters identified.			
5. Crossings of the A417				
	No matters identified.			
6. Gradient change				
	No matters identified.			
7. Cowley junction				
	No matters identified.			
8. The realignment of the B4070 to Birdlip via Barrow Wake				
	No matters identified.			
9. Improvements for walking, cycling and horse riding including disabled users				
	No matters identified.			
10. Other engineering design				
	No matters identified.			
11. Assessment of Alternatives (Chapter 3 of the ES)				
	No matters identified.			

Ref.	Matter	Cotswolds Conservation Board's position	Highways England's position	Date of the position
12. Environmental Assessment Methodology (Chapter 4 of the ES)				
	No matters identified.			
13. Cultural Heritage (Chapter 6 of the ES)				
	No matters identified.			
14. Landscape and Visual Effects (Chapter 7 of the ES)				
	No matters identified.			
15. Biodiversity (Chapter 8 of the ES)				
	No matters identified.			
16. Geology and Soils (Chapter 9 of the ES)				
	No matters identified.			
17. Material Assets and Waste (Chapter 10 of the ES)				
	No matters identified.			
18. Assessment of Cumulative Effects (Chapter 15 of the ES)				
18.1.	Scope of assessment	CGB considers that further assessments with regards to cumulative effects should be undertaken.	An assessment of the cumulative effects of the scheme has been undertaken and will be reported in Chapter 15 of the Environmental Statement. It includes an assessment of the cumulative effects of the different components of the scheme itself and the cumulative effects of the scheme in combination with other developments. The following standards and guidance have been taken into consideration: <ul style="list-style-type: none"> DMRB volume 11, section 2, LA 104 Environmental assessment and monitoring (section 3.19–3.22), which sets out a high-level methodology for assessing cumulative effects on highways projects; and Planning Inspectorate Advice Note 17 cumulative effects assessment, which sets 	November 2021 review of SoCG

Ref.	Matter	Cotswolds Conservation Board's position	Highways England's position	Date of the position
			out a methodology, relevant to nationally significant infrastructure projects (NSIP).	
19. Brockworth bypass to Shab Hill junction (including A436 link)				
	No matters identified.			
20. Shab Hill to Cowley junction (including Birdlip link road)				
	No matters identified.			

Appendices

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	Cotswolds Conservation Board
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	Highways England
Name	
Position	
Date	

Appendix B Matters to be determined

- B.1.1.1 There are some matters on which the position of CCB is pending upon continued review of DCO application documents and/or discussions throughout the examination process. These are set out in Table B-1.
- B.1.1.2 Highways England will continue to review the matters with CCB during the examination of the DCO application.
- B.1.1.3 In response to a request by the ExA in the Rule 6 letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain undetermined by the end of Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

B.1.1.4

Table B-1 Matters to be determined between CCB and Highways England

Ref.	Matter	Cotswolds Conservation Board position	Highways England position	Date of the position
Principle of Development				
A.1	Severance and land take	CCB questions whether the overall design and mitigation of the scheme addresses the extent of severance and land take within the context of a highly valued AONB. CCB is currently reviewing its position on this matter.	Highways England has worked through collaborative planning sessions with CCB and other environmental groups to help share information and discuss opportunities for improvements, and has made design changes in response following the 2020 consultation. Please see the Statement of Reasons and Environmental Statement for more information.	Consultation response 10/11/2020, page 8

Ref.	Matter	Cotswolds Conservation Board position	Highways England position	Date of the position
Landscape-led approach				
A.2	Interpretation of and ability to deliver a landscape-led scheme	<p>CGB remains concerned regarding the landscape-led nature of the scheme, specifically:</p> <p>National Highways' interpretation of what 'landscape-led' means and the reflection of this in the agreed scheme vision;</p> <p>How 'landscape-considered' is doing the minimum to comply with statutory obligations; and</p> <p>if the proposed scheme does not have substantially more benefits than negative impacts for the Cotswolds AONB then it is at risk of not fulfilling the schemes own design principles.</p> <p><u>CGB is currently reviewing its position on this matter.</u></p> <p>CGB would like to understand where budget and cost has impacted the 'perfect' landscape-led solution.</p>	<p>The landscape-led approach to this scheme has brought together specialists and stakeholders from a range of disciplines to reach a balanced design solution that responds to the sensitive nature of the Cotswolds AONB. The design process has focused on how best to conserve and enhance the special qualities and landscape character of the AONB. This will be achieved by mitigating the effects of the scheme and integrating it within the landscape. This includes restoring and enhancing landscape features typical to the area, such as Cotswold stone walling, hedgerow, tree, woodland and grassland planting. It also includes ecological design features such as creating new habitat and wildlife crossings, linking and restoring locally important habitats, as well as providing new habitat for rare and protected local wildlife. The landscape-led approach has allowed design interventions on all aspects of the scheme to reduce its impact on the landscape and visual resource, with the careful location and sensitive design of structures and use of locally appropriate materials. Wider benefits of the scheme include improving access and recreational opportunities and improving access to cultural heritage sites. Please see the Case for the Scheme and Design Summary Report for more information.</p>	<p>SoCG meeting, 31/01/2022 Consultation response 10/11/2020, page 7</p> <p>Updated in November 2021 review of SoCG</p>

Ref.	Matter	Cotswolds Conservation Board position	Highways England position	Date of the position
A.3	<p><u>Resolved (matter agreed 7.9) Landscape balance sheet</u></p>	<p>CGB consider the balance of adverse and beneficial effects on the factors that contribute to the natural beauty of the Cotswolds AONB (when compared to the current baseline) to be as follows:</p> <ul style="list-style-type: none"> • Landscape quality/character: net adverse effect, with some of these adverse effects potentially being significant. • Scenic quality/beauty: net adverse effect, with these adverse effects potentially being significant in some locations. • Cultural heritage: net adverse effect, with some of these effects potentially being significant. <small>[LMH]</small> <p>Taking into account the great weight that should be given to landscape and scenic beauty, we believe it is important that we continue a positive dialogue with Highways England to find ways of mitigating these adverse effects.</p>	<p>Highways England has produced a Design Summary Report as part of the documentation submitted as part of the Development Consent Order (DCO) application, which details the design decisions made during the development of the A417 Missing Link scheme and how this compares with a 'traditional' highways scheme.</p> <p>ES Chapter 7 Landscape and Visual Effects follows DMRB LA 107 methodology to assess the likely landscape and visual effects of the scheme, and any gains to the baseline situation. It does not include a comparative assessment between different scenarios, as this is not typical for LVIA. The current road and its impact on the landscape and visual amenity is considered as part of the baseline situation. The landscape section of the LVIA assesses likely effects on the landscape character of the area surrounding the scheme, including local distinctiveness and tranquillity, and on landscape features such as dry stone walls.</p> <p>The proposed scheme will create a combination of beneficial and adverse effects on the landscape character and scenic beauty at different stages of the project, with some of the adverse changes being mitigated and further benefits realised.</p>	<p><u>SoCG meeting, 31/01/2022</u> Consultation response 10/11/2020, page 8</p>
Gradient change				

Ref.	Matter	Cotswolds Conservation Board position	Highways England position	Date of the position
A.4	Change from current 10% to 8% gradient on Crickley Hill	<p>CCB reserves comment on specific details of the impact of the proposed change in gradient until <u>they've had the opportunity to review the relevant documentation</u> is available as part of the DCO application. Matters raised to date include:</p> <ul style="list-style-type: none"> • The visual impact of the road itself and the gradient change in comparison to (a) the current road and (b) the 2019 road scheme • <u>The impacts of the gradient change more broadly, particularly to the west of the Air Balloon</u> <p><u>CCB is currently reviewing its position on this matter.</u></p>	Taking into account feedback received to the 2020 public consultation, Highways England has identified in ES Chapter 7 and ES Chapter 11 where the changes made to the scheme design presented in the 2019 statutory consultation have resulted in changes to the landscape effects.	<u>SoCG meeting, 31/01/2022 Consultation response 10/11/2020, page 5</u>
The realignment of the B4070 to Birdlip via Barrow Wake				
A.5	Impact of link road	<p>CCB reserves comment on the overall impacts of the realignment of the B4070 until <u>such a time that they're able to review the ES</u> the ES is available for review, with particular reference to light and noise pollution.</p> <p><u>CCB is currently reviewing its position on this matter.</u></p>	Responding to the scheme's setting within the Cotswolds AONB, the scheme including Barrow Wake roundabout and approach roads would not be lit, to reduce the amount of light spillage to the Dark Skies area. In addition, the scheme design includes the use of cuttings, earth embankments and other physical features to reduce noise impacts during operation. A lower noise road surface is incorporated into the proposed scheme design. Stone walls are proposed along the road edge and Barrow Wake car park to reduce light pollution on the escarpment edge. The roundabout would also be situated in a localised cutting which would screen vehicle lights.	<u>SoCG meeting, 31/01/2022 Consultation response 10/11/2020, page 6</u>

Ref.	Matter	Cotswolds Conservation Board position	Highways England position	Date of the position
Cultural Heritage (Chapter 6 of the ES)				
A.6	Impact on Cowley junction	<p>CCB reserves comment on the proposed vertical alignment and layout for Cowley junction and its impact on the Roman settlement in the vicinity until this matter is determined with Historic England and Gloucestershire County Council.</p> <p><u>CCB is currently reviewing its position on this matter.</u></p>	<p>The vertical alignment could be revised such that excavation in the vicinity of the Roman settlement was minimised; however, this would require an increase in height of the route over a considerable distance north of Cowley junction, requiring embankments likely in excess of 10m in height. This would result in an increase in likely significant adverse environmental impacts. The effect of the scheme on heritage assets is assessed and reported upon in Chapter 6 Cultural Heritage of the Environmental Statement.</p> <p>Highways England is proposing to undertake detailed archaeological excavation of the settlement prior to construction, to analyse the finds that are recovered from it, and then publish the results of the investigations. Discussions regarding mitigation are ongoing with Gloucestershire County Council and Historic England.</p>	<p><u>SoCG meeting, 31/01/2022 Consultation response 8/11/2019, Annex 1, page 14</u></p>
A.7	Approach to the EIA	<p>CCB reserves comment on the EIA until <u>such a time that they've been able to review the Environmental Statement is available for review.</u> Matters raised to date include:</p> <ul style="list-style-type: none"> • The EIA should quantify the areas of potential loss of archaeology, including the loss of ploughzone archaeology due to soil handing requirements • <u>The calculations for potential for improved physical preservation</u> 	<p>Impacts upon buried archaeological remains have been assessed and will be set out in Chapter 6 Cultural Heritage of the Environmental Statement (<u>APP-037</u>). Mitigation measures, including the potential for preservation in situ, will be presented in the Outline Overarching Written Scheme of Investigation in the Environmental Management Plan (EMP) (<u>APP-317</u>).</p>	<p><u>SoCG meeting, 31/01/2022 Consultation response 8/11/2019, Annex 1, page 15</u></p>

Ref.	Matter	Cotswolds Conservation Board position	Highways England position	Date of the position
		CCB is currently reviewing its position on this matter.		
Landscape and Visual Effects (Chapter 7 of the ES)				
A.8	Assessment and conclusions made in ES Chapter 7	<p>CCB reserves comment on Chapter 7 until such a time that they've been able to review the ES, is available to review LM3. However, matters raised with regards to this chapter include:</p> <ul style="list-style-type: none"> • The visual impact of the proposed route from Brockworth bypass to Shab Hill junction, particularly between Cold Slad Lane and Shab Hill junction • A detailed topographical assessment applied to the whole route in order to determine the most appropriate landform <p>CCB is currently reviewing its position on this matter.</p>	<p>Highways England recognises the significance and sensitivity of the landscape. Highways England 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, whilst an assessment of the effect of the scheme on the landscape is set out in Chapter 7 Landscape and Visual Effects of the Environmental Statement (APP-038). These documents are submitted with the DCO application.</p> <p>An Environmental Management Plan (EMP) (APP-317) has to include 'long-term commitments to aftercare, monitoring and maintenance activities', and the scheme that gets granted consent must be operated and maintained in accordance with that EMP. Any tree or shrub planted as part of the scheme that, within five years of planting, is removed or dies or is damaged, must be replaced.</p>	<p>Consultation response 8/11/2019, Annex 1, page 4 SoCG meeting, 31/01/2022</p>

Appendix F Draft Statement of Common Ground with Gloucestershire Wildlife Trust

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between Highways England and Gloucestershire Wildlife Trust (GWT) in relation to the A417 Missing Link scheme.
- 1.1.2 The document identifies the following between the two parties:
- Matters which have been agreed; and
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.3 The matters which are referenced in this document are those which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES) submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 There are also a number of matters identified in the SoCG upon which the position of GWT is pending, for example where matters may relate to the future detailed design stage. These are set out in Appendix B, and Highways England will continue to review the matters detailed in this Appendix with GWT. Discussions will be aided by GWT being able to review the full suite of DCO application documents on the National Infrastructure Planning website (at the point of submission).
- 1.1.5 The SoCG will continue to evolve as the application for development consent progresses through the examination stage.
- 1.1.6 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the examination.
- 1.1.7 This document has been prepared in accordance with Department for Communities and Local Government (now Ministry of Housing, Communities and Local Government) Guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of GWT in the application and sets out the consultation undertaken with GWT since Preferred Route Announcement in March 2019.
 - Section 3 summarises the topics considered within the SoCG.
 - Section 4 lists those matters which have been agreed, including the date that the matter was agreed.
 - Section 5 lists those matters which remain outstanding, incorporating a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position, including any further meetings planned regarding the matter.

¹Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

- 1.2.2 Appendix A includes the signing sheet.
- 1.2.3 Appendix B includes matters to be determined during the examination of the DCO application.
- 1.2.4 Appendix C includes the Landowner Position Statement with GWT.

1.3 Status of this SoCG

- 1.3.1 This SoCG is a correct reflection of the position of both parties in advance of GWT's Written Representation submission at for Examination Deadline 31 (2 February 14 December 2024).
- 1.3.2 It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the pre-application and examination stages.

2 Consultation

2.1 Role of Gloucestershire Wildlife Trust

- 2.1.1 GWT is the largest environmental charity solely focused on Gloucestershire. The Trust has a vision where each year there is more wildlife, more wild places and more people with a connection to the natural world. In delivering this vision, the Trust looks after 53 nature reserves, covering 1,052 hectares, and manages the county database of over 1,000 Local Wildlife Sites. The Trust's work is made possible by 40,000 active local supporters, including more than 27,500 members, representing five per cent of households in the county.
- 2.1.2 GWT owns two nature reserves that are wholly or partly within the DCO Boundary of the A417 Missing Link scheme. Crickley Hill is jointly managed and owned by the National Trust (NT) and GWT, whilst Barrow Wake is solely owned by GWT but managed in partnership with the NT. The two sites form a Site of Special Scientific Interest (SSSI), designated for its nationally important species-rich grassland, scrub and semi-natural woodland, with notable ancient trees.
- 2.1.3 This SoCG deals with issues that are relevant to GWT in its capacity as an affected landowner under section 42(1)(d) of the Planning Act 2008 (the Act) and in its capacity as a local environmental organisation.

2.2 Summary of consultation

- 2.2.1 Highways England has been in consultation with GWT during the development of the scheme's design, including the optioneering process. The parties have continued communicating throughout the progression of the scheme.
- 2.2.2 GWT has been a member of the Strategic Stakeholder Panel (SSP) and Landscape, Environment and Heritage Technical Working Group. It has occasionally attended the Walking, Cycling and Horse riding Technical Working Group (WCH TWG) when their availability and capacity has allowed. GWT has also been party to collaborative planning sessions; see Chapter 4 of the Consultation Report (Document Reference 5.1, APP-027) for more information.
- 2.2.3 The engagement outlined in Table 2-1 covers formal consultation with GWT, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below but are available on request.
- 2.2.4 The consultation with Gloucestershire Wildlife Trust since the Preferred Route Announcement (PRA) in March 2019 is set out below, within Table 2-1.

Table 2-1 Consultation with Gloucestershire Wildlife Trust since Preferred Route Announcement

Date	Method	Parties involved	Matters discussed
19 May 2019	Stakeholder meeting	Highways England, GWT	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • Collaborative approach to ensure the scheme is the best it can be for wildlife • Working with NT and NE on a unified position around habitat impacts – a wider nature strategy for the area to be shared with Highways England • GWT offered to review habitat enhancement proposals to advise on design and delivery costing • The then proposed green bridge options and GWT's preference for option 3 • Enhancement at Fly-Up • Car park at lower Crickley Hill has an old quarry that could be used as a fill site for spoil and removal of car park to return to limestone grassland • MMSJV ecology survey technique – GWT considered the technique did not follow industry practice and therefore the data was not reliable • GWT raised concern on lack of terrestrial invertebrate baseline surveys • GWT requested that loss of Crickley Hill car parking income during the construction phase be compensated, otherwise this loss would severely undermine site management
18 June 2019	Joint Landscape Strategy meeting	Highways England, Gloucestershire Wildlife Trust, National Trust, Natural England and Environment Agency	<p>Technical meeting matters discussed including:</p> <ul style="list-style-type: none"> • Opportunities to restore grassland areas • Opportunity to improve current low-grade arable land to mosaic of calcareous grassland scrub and hedgerow • Woodland creation opportunities • Tree species for planting • Recreation impacts • The potential for landmarks • Drainage solutions (SUDS)
30 July 2019	Technical Working Group meeting	Highways England Landscape, Heritage and Environment TWG member	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • Opportunities mapping feedback • 2091 Preliminary Environmental Information (PEI) report update • Landscape update – approach and sketch designs • Working group technical discussions • Overview of Statements of Common Ground

Date	Method	Parties involved	Matters discussed
		organisations including GWT	<ul style="list-style-type: none"> • Concerns that the design process is deprioritising important ecological and biodiversity issues and opportunities in favour of aesthetics. Too much of a landscape architect-led approach • Invertebrate survey timings and approach • Evidence that biodiversity net gain can be delivered within the DCO Boundary for the scheme requested • Habitats Regulation Assessment (HRA) commissioned for impacts on European designated sites • GWT asked to be consulted on any work that redesigned the access and car park to Barrow Wake • GWT expressed concern on lack of hydrological data and an assessment of how this impacts biodiversity and the SSSIs
14 August 2019	Stakeholder meeting	Highways England, GWT	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • GWT vision of biodiversity net gain imperative and must be a commitment • Management of the land either side of the then proposed green bridge • The position of the then proposed green bridge • Ancient woodland • Veteran tree: • Landscape plan and landscape character • Nationally important species • GWT not being consulted on the redesigned access to and car park at Barrow Wake • Workshop feedback: <ul style="list-style-type: none"> - Habitat creation – arable reversion – leave to re-wild - Drainage basins – wet basins not characteristic and unlikely to be achievable at north of the scheme - Suitable Alternative Natural Green Space (SANGS) /Masterplan - Species data – specialists (recorders) will upload their most recent biological records by December should HE require an update desk study
20 August 2019	Technical Working Group meeting	Highways England Landscape, Heritage and Environment TWG Member	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • Feedback from last TWG • Ecology update on surveys • Landscape update on design approach and Landscape and Visual Impact Assessment (LVIA) • Geology update on investigations/surveys • DCO process overview

Date	Method	Parties involved	Matters discussed
		Organisations including GWT	<ul style="list-style-type: none"> • Working group technical discussions • Ecological survey • Sharing of Environmental Statement and final design
27 September 2019	Letter	Highways England, GWT	Highways England wrote to GWT to notify the Trust of the statutory consultation taking place between 27 September and 8 November 2019, in accordance with section 42(a) of the Planning Act 2008. The letter invited the Trust to provide comments by 8 November 2019.
1 October 2019	Technical Working Group meeting	Highways England, Gloucestershire Wildlife Trust and National Trust	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • Draft proposed walking, cycling and horse riding routes • Consideration of anti-social behaviour in the environmental assessment • Bridleway on the green bridge • GWT recorded disappointment that proposals for WCH changes and enhancements had been developed without consulting landowners or ecology specialists. • Horse riding and cycling are not desired on GWT sites due to the impact on wildlife
4 November 2019	Formal response to statutory consultation	GWT to Highways England	GWT submitted a formal response to the statutory consultation to Highways England via letter.
13 January 2020	Letter	Highways England to GWT	Highways England sent a letter to GWT notifying them of the targeted landowner consultation, with a deadline to respond by 11 February 2020.
4 February 2020	Statement of Common Ground meeting	Highways England, GWT	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • General update • Connectivity at Shab Hill • Land bridge design • Progress on plans to deliver net gain • Progress on surveys of key threatened species using the landscape • Confirmation that DEFRA metric 2.0 will be used to calculate biodiversity net gain • GWT asked for plan showing how loss of irreplaceable habitats would be mitigated, but this was not available • Confirmation that bird exclusion netting will not be used on the scheme • GWT asked when Environmental Statement and final scheme design would be shared

Date	Method	Parties involved	Matters discussed
10 February 2020	Formal response to statutory consultation	GWT to Highways England	GWT submitted a formal response to the statutory consultation to Highways England via letter.
4 March 2020	Statement of Common Ground meeting	Highways England, GWT	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • GWT disappointed to learn that stakeholders will not be consulted on a draft Environmental Statement or final design ahead of DCO submission • Biodiversity net gain – GWT concerned that stakeholders have not been consulted on this or provided with any information on how it will be achieved • Hydrological changes – Highways England confirmed that there are no predicted effects but need to provide GWT with more information • Ensuring that there are no significant Impacts on biodiversity sites • GWT asked how will key ecological connectivity be retained across the Shab Hill junction, no information provided • Habitat quantity, quality and functional invertebrate indicators could act as proxies for efficacy of ecological crossing points to be monitored if non-optimal solutions are selected • Concerns about loss of car-parking income at Crickley Hill during the construction phase • The location of the then proposed green bridge • GWT requested if ecological survey data can be shared ahead of DCO submission • GWT shared a copy of its draft Nature Recovery Network (NRN)
31 March 2020	Statement of Common Ground meeting	Highways England, GWT	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • General update on programme and potential impacts from Covid-19 • Biodiversity net gain, connectivity and ecosystem functioning • Barrow Wake and roundabout changes • Loss of income at Crickley Hill
20 July 2020	Strategic Stakeholder Panel meeting	Highways England Strategic Stakeholder Panel member organisations, including GWT	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • Update on progress of the scheme • The change to the scheme's programme • The updated designs following consultation in 2019

Date	Method	Parties involved	Matters discussed
22 July 2020	Combined Technical Working Group	Highways England Landscape, Heritage and Environment TWG members and Walking Cycling and Horse Riding TWG members	The following matters were discussed: <ul style="list-style-type: none"> Project update following delay to programme, setting out the key changes to the design and the amended timescales Invited questions from stakeholders during the session
17 August 2020	Environmental Collaborative Planning meeting	Highways England Environmental bodies, including GWT	The following matters were discussed: <ul style="list-style-type: none"> Key concerns regarding the design changes that were being taken to supplementary consultation in October 2020
25 August 2020	Environmental Collaborative Planning meeting	Highways England Environmental bodies, including GWT	The following matters were discussed: <ul style="list-style-type: none"> The public rights of way proposals Changes to Cowley junction Realignment of the B4070 to Birdlip via Barrow Wake Change in gradient
3 September 2020	Environmental Collaborative Planning meeting	Highways England Environmental bodies, including GWT	The following matters were discussed: <ul style="list-style-type: none"> Scheme-wide connectivity, permeability and crossings strategy Maintaining and improving functionality of the crossings Cotswolds Way crossing Gloucestershire Way crossing Cowley and Stockwell overbridges
17 September 2020	Environmental Collaborative Planning meeting	Highways England Environmental bodies, including GWT	Highways England provided GWT and other environmental groups with a briefing on: <ul style="list-style-type: none"> Environmental masterplan Biodiversity net gain and ecological connectivity Archaeology
28 September 2020	Meeting	Highways England Environmental bodies, including GWT	Highways England presented its strategy with regards to common land and the interface between this and impacts on the Crickley Hill and Barrow Wake SSSIs.

Date	Method	Parties involved	Matters discussed
29 September 2020	WCH TWG Statement of Common Ground meeting	Highways England WCH TWG members including GWT	The following matters were discussed: <ul style="list-style-type: none"> • Overview of the draft SoCG document • Process and timescales of updating the SoCG.
7 October 2020	Strategic Stakeholder Panel meeting	Highways England Strategic Stakeholder Panel member organisations, including GWT	Highways England provided an update to the SSP on the progress of the scheme including the upcoming supplementary statutory consultation.
13 Oct 2020	Formal notification of supplementary consultation	Highways England GWT	Highways England sent formal notification of the supplementary consultation via post and email to GWT, in accordance with section 42(d) of the Planning Act 2008. This set out a deadline to submit comments by 12 November 2020.
28 October 2020	Meeting	Highways England Environmental collaborative planning organisations including GWT	The following matters were discussed: <ul style="list-style-type: none"> • Biodiversity net gain (BNG) and the DEFRA metric in relation to the A417 Missing Link scheme • The change by habitat area within the DCO Boundary • The BNG calculation (using the current DEFRA metric, due to be updated in Dec 2020) • The BNG metric why the scheme scores lower than expected given the biodiversity delivered • Stakeholders ideas to improve on biodiversity gain • GWT requested information on opportunities to contribute to BNG on land outside the DCO Boundary if stakeholders could leverage other funding • GWT requested information on time-lag between loss of priority habitat and new habitat being established to adequate quality
11 Nov 2020	Formal response to statutory consultation	GWT to Highways England	GWT submitted a formal response to the statutory consultation to Highways England via letter.
2 December 2020	Meeting	Highways England Strategic Stakeholder Panel member	Highways England and the SSP members discussed key concerns and issues regarding the proposed crossings for the scheme and identified if and how these concerns could be addressed. The priority issues raised by GWT were: <ul style="list-style-type: none"> • Address SSSI severance with habitat bridge & stepping stones

Date	Method	Parties involved	Matters discussed
		organisations, including GWT	<ul style="list-style-type: none"> • Provide a balance sheet for BNG, including opportunities to contribute to it in partnership outside of the DCO Boundary • Barrow Wake car park reversion to grassland to support BNG
11 December 2020	Strategic Stakeholder Panel meeting	Highways England Strategic Stakeholder Panel member organisations, including GWT	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • Progress of the scheme • Results from the recent consultation • A summary of the responses received • An update on next steps for the scheme <p>Highways England agreed to provide GWT with a framework plan to outline how biodiversity net gain could be achieved in the landscape and the barriers to this.</p>
14 December 2020	Letter	Highways England to environmental bodies, including GWT	Highways England wrote to the environmental stakeholders, including GWT, to outline a change in proposals following the crossings and integration strategy meeting which took place on 2 December 2020.
14 December 2020	Letter	GWT to Highways England	<p>GWT wrote to Highways England to confirm its full support for the proposed design changes outlined in Highways England's letter dated 14 December 2020.</p> <p>GWT reiterated its desire to see Highways England deliver biodiversity net gain in the landscape, which the design changes did not achieve. GWT also welcomed Highways England's commitment to an ongoing discussion around the reduction or removal of the Barrow Wake car park but queried why the proposed beneficial changes were outside of the scheme's scope when they were inside the DCO Boundary.</p>
8 February 2021	Letter	Highways England, GWT	Highways England sent a letter to GWT notifying the Trust as a landowner of additional targeted landowner consultation, with a deadline to respond by 9 March 2021.
8 February 2021	Email	GWT to Highways England	<p>[REDACTED]</p> <p>[REDACTED]</p>
20 January 2021	Statement of Common Ground meeting	Highways England, GWT	<p>The following priority outstanding matters were discussed:</p> <ul style="list-style-type: none"> • Biodiversity net gain – GWT requested an update on the framework plan for how BNG could be delivered • Barrow Wake car park restoration • Time lag between habitat loss/creation and remediation plans • Recreational impact of increased access to Crickley Hill • Construction impact on income and visitor experience at Crickley Hill

Date	Method	Parties involved	Matters discussed
			<ul style="list-style-type: none"> • Design guarantees on connectivity and Gloucestershire Way crossing • Concerns over ecological value of design for repurposed A417 • Long-term monitoring and management plans • Compensatory land and common land – GWT requested an update on where the land would be located, no updates having been received since 28/09/2020 • GWT had concerns that drafts of important documents were not being shared with stakeholders ahead of DCO submission. This limits the ability to identify and solve potential issues collaboratively ahead of DCO submission
18 March 2021	Statement of Common Ground meeting	Highways England, GWT	<p>The following priority outstanding matters were discussed:</p> <ul style="list-style-type: none"> • Biodiversity net gain – GWT was disappointed that a framework plan for how BNG could be delivered had still not been shared. • Time lag between habitat loss/creation and remediation plans • Recreational impact of increased access to Crickley Hill • Construction impact on income and visitor experience at Crickley Hill • Design guarantees on connectivity and Gloucestershire Way crossing • Concerns over ecological value of design for repurposed A417 • Long-term monitoring and management plans • Compensatory land and common land – GWT requested an update on where the land would be located, no updates having been received since 28/09/2020 • GWT had concerns that drafts of important documents were not being shared with stakeholders ahead of DCO submission. GWT expressed that this limits the ability to identify and solve potential issues collaboratively ahead of DCO submission
17 August 2021	Statement of Common Ground meeting	Highways England, GWT	<p>The following priority outstanding matters were discussed:</p> <ul style="list-style-type: none"> • Biodiversity net gain • Time lag between habitat loss/creation and remediation plans • Recreational impact of increased access to Crickley Hill • Long-term monitoring and management plans
11 November 2021	Statement of Common Ground meeting	Highways England, GWT	Meeting to discuss and agree the updated draft Statement of Common Ground in advance of Examination Deadline 1.
<u>14 December 2021</u>	<u>Deadline 1 submissions</u>	<u>GWT</u>	<p><u>GWT submitted the following documents to inform Examination Deadline 1:</u></p> <ul style="list-style-type: none"> • <u>Cover letter, and notification of wish to participate in an Open Floor Hearing (REP1-063)</u> • <u>Written Representation (REP1-065)</u> • <u>Responses to ExQ1 (REP1-064)</u>

3 Topics covered in this SoCG

3.1.1 The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 Summary of the topics considered within this SoCG

Overarching topic	Topic number	Topic
Background	1.	Principle of Development
	2.	Project Description
	3.	Consultation
Relevant ES Chapter	4.	Assessment of Alternatives (Chapter 3 of the ES)
	5.	Approach to Environmental Impact Assessment (Chapter 4 of the ES)
	6.	Air Quality (Chapter 5 of the ES)
	7.	Landscape and Visual Effects (Chapter 7 of the ES)
	8.	Biodiversity (Chapter 8 of the ES)
	9.	Noise and Vibration (Chapter 11 of the ES)
	10.	Population and Human Health (Chapter 12 of the ES)
	11.	Population and Human Health – Public Rights of Way (Chapter 12 of the ES)
	12.	Road Drainage and the Water Environment (Chapter 13 of the ES)
	13.	Climate (Chapter 14 of the ES)
	14.	Consideration of Cumulative Effects (Chapter 15 of the ES)
Other topics	15.	Environmental Management Plan
	16.	Crossings of the A417
	17.	Gradient change
	18.	Cowley junction
	19.	The realignment of the B4070 to Birdlip via Barrow Wake
	20.	Common Land
	21.	Improvement for walking, cycling and horse riding including disabled users

4 Matters agreed

4.1.1 Table 4-1 shows those matters which have been agreed by the parties, including that matter's reference number, and the date and method by which it was agreed.

Table 4-1 Matters agreed between Gloucestershire Wildlife Trust and Highways England

Matter reference number	Matter which has been agreed	Date and method of agreement
1. Principle of Development		
1.1	GWT agrees that the A417 Missing Link scheme is needed to improve road safety and should deliver benefits for journey times and reduce congestion. GWT wants to see a solution for the road scheme delivered within the Government's post-2020 Road Investment Strategy period.	04/11/2019 consultation response
1.2	GWT agrees Option 30 is the preferred surface route and is keen to work with Highways England to ensure the scheme protects the existing biodiversity sites and delivers biodiversity net gain through locally relevant enhancements for wildlife.	19/05/2019 Stakeholder meeting
2. Project Description		
2.1	Highways England commits to fulfilling the legal commitments as secured in the Development Consent Order (DCO), including environmental mitigation, within the cost allocation for the scheme as committed to in the second Road Investment Strategy.	Discussed in 04/03/2020 SoCG meeting
3. Consultation		
3.1	GWT agrees that proactive engagement has taken place with Highways England to date, both through the Strategic Stakeholder Panel and Technical Working Groups, as well as collaborative planning sessions. The approach to data has been professional and open to contributions from environmental stakeholders. The Trust hopes to see these discussions better reflected in scheme designs during the detailed design stage, with particular regard to Designated Funds and Biodiversity.	04/11/2019 consultation response Updated in review of SoCG in November 2021
3.2	Both parties agree to the use of environmental stakeholders that have access to the best local ecological expertise to help co-design ecological solutions, including the continued engagement between Highways England and a Landscape and Ecology Technical Working Group during construction.	Agreed in January 2021 SoCG #4 meeting
4. Assessment of Alternatives (Chapter 3 of the ES)		

Matter reference number	Matter which has been agreed	Date and method of agreement
4.1	GWT agrees that alternative 1 is not acceptable as it takes away one of the biggest opportunities for ecological restoration by creating limestone grassland habitat adjacent to Barrow Wake. Alternative 1 was discarded.	Discussed in 04/03/2020 SoCG meeting
4.2	GWT agrees that alternative 2 is the least damaging option because it avoids direct destruction of the SSSI and that would be caused by the other options. It also provides the best potential for relevant biodiversity net gain and reduced nitrogen deposition on the SSSI that could be realised by decommissioning the existing A417 between Barrow Wake and the A436 junction.	Discussed in 04/03/2020 SoCG meeting
4.3	GWT agrees alternative 3 is not acceptable because it could fragment the Ullen Wood LWS, potentially impacting bats and dormice. Alternative 3 has been discarded.	04/11/2019 consultation response
5. Approach to Environmental Impact Assessment (Chapter 4 of the ES)		
5.1	Both parties agree that local ecological data and knowledge must be sought to inform the scheme design, particularly in relation to invertebrates, tuffaceous vegetation, bats and fungi.	Discussed on 04/03/2020 SoCG #2 meeting
5.2	GWT confirms that it has reviewed the updated guidance (2016 CIEEM Guidelines Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal, 2nd edition of the new DMRB standards LA108 and LA118 which supersede IAN 130/10, and are more in line with the latest CIEEM's EclA guidelines) and accept this approach.	Discussed on 31/03/2020
5.3	Both parties agree a Habitats Regulations Assessment (HRA) will be undertaken. Highways England confirms that the Stage 1 HRA screening was revisited and updated to reflect the latest scheme design, and also confirms that recreational pressure on the SAC is being taken into account as requested.	Agreed in January 2021 SoCG #4 meeting
5.4	GWT requests information on what action would be taken if it is not possible to provide compensatory badger setts within 250 metres without this being compromised by proximity to roads. HE confirmed that this will be covered in the ES. The artificial badger sett is within 250m of the main sett, as is the Shab Hill culvert.	Agreed in January 2021 SoCG #4 meeting
5.5	Highways England agrees that landowner agreements will be in place before construction commences and translocation would largely take place in the summer 2023.	Agreed in January 2021 SoCG #4 meeting
5.6	GWT agrees with the assessment conclusion on terrestrial invertebrates, including Roman Snails.	Agreed in review of SoCG in November 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
5.7	Fragmentation of the SSSI - GWT is satisfied that the scheme reduces the impact of habitat fragmentation across the Crickley Hill and Barrow Wake SSSI, which is a key connection for the Nature Recovery Network, through the introduction of calcareous grassland habitat stepping stones in meadows either side of the Gloucestershire Way crossing and on the crossing itself to improve calcareous grassland connectivity for flora and fauna species, particularly invertebrates. Planting designs have been amended to extend calcareous grassland around the eastern and southern margins of Emma's Grove and woodland planting between Emma's Grove and Barrow Wake has been reduced to allow better connectivity of grassland habitat to the northern end of Barrow Wake.	Agreed in review of SoCG in November 2021
5.8	GWT agrees with the environmental assessment data sources as outlined in Chapter 8 Biodiversity of the ES.	Agreed in review of SoCG in November 2021
5.9	GWT agrees that there has been adequate assessments and evidence-based conclusions for biodiversity receptors and ecological impacts included within the ES.	Agreed in review of SoCG in November 2021
6. Air Quality (Chapter 5 of the ES)		
	No matters identified.	
7. Landscape and Visual Effects (Chapter 7 of the ES)		
	No matters identified.	
8. Biodiversity (Chapter 8 of the ES)		
8.1	GWT agrees that Nationally Significant Infrastructure Project policy does not currently require Highways England to achieve biodiversity net gain but highlights that this will be an expectation of new NSIPs by 2023. GWT and Highways England have agreed to focus on providing priority habitats that align with needs identified by the Nature Recovery Network, as part of this scheme.	Agreed in March 2021 SoCG meeting
8.2	GWT welcomes recognition of the important impact of habitat severance and the commitment to mitigate impacts, particularly by reconnecting the Crickley Hill and Barrow Wake SSSI via a green bridge with at least a 25-metre width of calcareous grassland habitat.	Letter to NH 14/12/2020
8.3	GWT welcomes measures to reduce the risk of destruction of the Ullen Wood Local Wildlife Site (LWS) and accepts that some pruning may be required. If work in this area can be programmed to avoid the later spring flowering period that would be preferable. There are shared concerns about the significant adverse impact of increased Nitrogen deposition on the LWS. This will be compensated for by creating compensatory habitat of equivalent size that is functionally connected to the LWS, but in a location below the maximum Nitrogen thresholds defined by NECR210.	Consultation response, 11/11/2020, page 14

Matter reference number	Matter which has been agreed	Date and method of agreement
8.4	GWT welcomes the principle of selecting species based on native local provenance, but with consideration of their resilience to climate change and disease. GWT also supports some use of non-native trees, if evidence indicates that this is the only way of ensuring that created woodland habitat will reach maturity in the context of climate change.	Consultation response, 11/11/2020, page 15
8.5	GWT is satisfied with the mitigation measures proposed for bats, subject to Natural England licences being obtained, and that there will be no net loss of bat roosts. All confirmed roosts lost to the scheme will be compensated for, as summarised in ES para 8.9.53. This will be addressed and secured through a scheme-wide bat mitigation licence. In addition to this, two structures will be enhanced for bats, and new roosting features created through the use of veteranisation techniques, bat boxes, and the relocation of existing potential roost features in trees.	Consultation response, 11/11/2020, page 15 Updated in review of SoCG in November 2021
8.6	GWT welcomes the additional mitigation measures for notable invertebrates.	Consultation response, 11/11/2020, page 15
8.7	GWT welcomes the commitment to designing the realignment of watercourses with EA technical experts and ensuring that a re-naturalisation approach is prioritised.	Updated in review of SoCG in November 2021
8.8	GWT welcomes the net gain of species-rich hedgerows.	Consultation response, 11/11/2020, page 18
8.9	GWT welcomes the commitment to deliver a net gain of calcareous grassland and the measures proposed to ensure this retains local genetic diversity. This process can take a long time and has mixed success rates, so the Landscape and Ecology Management Plan (LEMP) should include monitoring and compensatory measures in the event that it fails.	Consultation response, 11/11/2020, page 18
8.10	GWT is pleased that the legal obligations regarding impact on badgers have been addressed. As this is not a species of conservation concern it is not the best use of any funding available for enhancements, which should be directed towards priority habitats and ecological networks.	Consultation response, 11/11/2020, page 19
8.11	Both parties agree the approach to mitigation at Emma's Grove (in that it will be treated as a priority habitat – lowland mixed deciduous woodland) is included in net gain calculations.	Agreed in January 2021 SoCG #4 meeting
8.12	GWT agrees with the proposed wildlife crossing points that have been designed to include minimum three-metre-wide grass verges with hedgerows on either both or one side in order to maintain habitat connectivity across the new road for many species. Culverts designed for badgers have been located to the west and south of Shab Hill and south of the Stockwell Farm overbridge to mitigate fragmentation of known badger territories.	Agreed in January 2021 SoCG #4 meeting

Matter reference number	Matter which has been agreed	Date and method of agreement
8.13	GWT is pleased to hear there will be 'front loaded' habitat creation prior to construction i.e. translocation and habitat creation by the Birdlip quarry. The programme involves nine months of environmental works prior to construction start. Highways England agrees there is a strong driver for habitat creation in terms of landscape and noise reduction.	Agreed in January 2021 SoCG #4 meeting
8.14	GWT states that measures to avoid and mitigate impacts on bats must account for temporary lighting during construction. Lighting should be avoided around any roost sites and key foraging routes. Highways England agrees that construction stage lighting details will be provided within the LEMP which forms Annex D of Appendix 2.1 Environmental Management Plan (EMP). The use of construction stage lighting will be minimised and reviewed on a constant basis by the appointed Ecological clerk of Works and project ecologist to ensure that it does not impact on bat roost sites and key foraging and commuting routes.	Agreed in January 2021 SoCG #4 meeting
8.15	GWT and Highways England agree that bird exclusion netting should not be used at any time for this scheme and supports the approach and commitment to avoid conflicts with nesting birds. All tree and hedgerow management will be detailed within the Landscape and Ecological Management Plan (LEMP) which forms Annex D of Appendix 2.1 EMP.	Agreed in January 2021 SoCG #4 meeting Updated in review of SoCG in November 2021
8.16	GWT welcomes that Highways England is looking at further enhancement opportunities to maximise biodiversity delivery within habitats associated with the scheme around Birdlip Quarry.	04/11/2019 consultation response
8.17	[REDACTED]	08/02/2021 email from GWT
9. Noise and Vibration (Chapter 11 of the ES)		
9.1	GWT agrees with the assessment and conclusions of Chapter 11 Noise and Vibration of the ES, in particular the consideration of noise legislation (the Birds Directive and Wildlife and Countryside Act).	Agreed in review of SoCG in November 2021
10. Population and Human Health (Chapter 12 of the ES)		
10.1	GWT is happy that a potential impact on the Crickley Hill business model, especially during construction has been recognised and that there is a process to compensate for this if evidenced.	Agreed in review of SoCG in November 2021
11. Population and Human Health – Public Rights of Way (Chapter 12 of the ES)		
	No matters identified.	
12. Road Drainage and the Water Environment (Chapter 13 of the ES)		

Matter reference number	Matter which has been agreed	Date and method of agreement
12.1	GWT and Highways England agree that the impact of air pollution, including airborne particulates, NOx and heavy metals on both vegetation and invertebrate communities is sufficiently assessed and a costed mitigation and an avoidance plan should be produced. The EMP and Air Quality Management Plan is designed to mitigate the impacts of dust generated by the construction of the scheme.	Agreed in January 2021 SoCG #4 meeting
13. Climate (Chapter 14 of the ES)		
	No matters identified.	
14. Consideration of Cumulative Effects (Chapter 15 of the ES)		
14.1	GWT agrees with the assessment and conclusions of ES Chapter 15, with particular reference to consideration of the cumulative impacts of different actions on nationally threatened species.	Agreed in review of SoCG in November 2021
15. Environmental Management Plan		
	No matters identified.	
16. Crossings of the A417		
16.1	Cotswold Way crossing – GWT agrees the need for a safer pedestrian crossing in this location.	Consultation response, 11/11/2020, page 4
16.2	Gloucestershire Way crossing – GWT is supportive of a wildlife crossing in the Shab Hill area because evidence from the ecological surveys and the Nature Recovery Network indicates that this is required to provide connectivity for habitats and protected species.	Consultation response, 11/11/2020, page 4
16.3	GWT is satisfied that the current Gloucestershire Way crossing design meets the legal obligations to mitigate the impact of the road scheme on protected species.	Consultation response, 11/11/2020, page 4
16.4	GWT agrees with the provision of the Gloucestershire Way crossing to incorporate a 25m width of calcareous grassland habitat to help address fragmentation of the SSSI, in addition to its required functions for species connectivity, landscape integration and diversion of the Gloucestershire Way. GWT welcomes and fully support this design change which, in addition to the 25m of calcareous grassland habitat, also includes two 3m width hedgerows, a 3.5m bridleway and a 1.5m maintenance strip.	Page 1 of GWT position statement response, 18 December 2020
16.5	GWT agrees with the removal of the original green bridge from the scheme designs.	Agreed in January 2021 SoCG #4 meeting
17. Gradient change		

Matter reference number	Matter which has been agreed	Date and method of agreement
17.1	GWT welcomes the environmental benefits this provides.	Consultation response, 11/11/2020, page 5
18. Cowley junction		
18.1	GWT has no objections to the changes proposed at Cowley junction.	Consultation response, 11/11/2020, page 5
19. The realignment of the B4070 to Birdlip via Barrow Wake		
19.1	GWT understands and shares the desire of local communities to tackle anti-social behaviour issues near Barrow Wake.	2020 consultation response, 11/11/2020, page 5
19.2	GWT agrees that there is sufficient information provided regarding the impact of this decision in Chapter 8 Biodiversity and Chapter 12 Population and Human Health of the ES.	Agreed in review of SoCG in November 2021
20. Common Land		
20.1	GWT is supportive of the proposals.	Consultation response, 11/11/2020, page 5
21. Improvements for walking, cycling and horse riding including disabled users		
21.1	GWT supports the principle of increasing the equity of people's access to nature, but this support does not cover all proposals made by the Walking, Cycling and Horse riding Technical Working Group.	Consultation response, 11/11/2020, page 5
21.2	GWT agrees with the proposed Air Balloon Way. Highways England and GWT commit to ongoing engagement throughout the detailed design stage to discuss and agree matters including maintenance, aesthetics, surfacing and enclosures etc. The remainder of the repurposed A417 will provide replacement common land and landscaping to help provide ecological connectivity and landscape integration.	Agreed in review of SoCG in November 2021

5 Matters outstanding

5.1 Principal matters outstanding

5.1.1 The principal matters outstanding between Gloucestershire Wildlife Trust (GWT) and Highways England are:

- a) The scale of adverse impacts on biodiversity. Examples are as follows:
 - whether the scale of adverse biodiversity impacts can be compensated by other benefits. This is felt, in turn, that it falls short of the shared landscape-led vision and the scheme design principle of 'delivering substantially more benefits than negative impacts'
 - outcomes don't support Highways England's aims 'to enhance the biodiversity value of land and therefore reduce impacts' and 'to achieve no net loss of biodiversity across the strategic road network by 2025'
 - Whilst GWT accepts that nationally significant infrastructure projects (NSIPs) do not require BNG, they are concerned that this does not adhere with Government policy and principles in the 25 Year Environment Plan and Environment Bill, or the recommendations of the Glover review.
 - GWT feels that it is unacceptable for an NSIP within a National Landscape is to result in biodiversity net loss.
- b) Delivery and management of a high-risk mitigation strategy
 - Establishing priority habitat of equivalent quality is not guaranteed and could take more than 30 years
 - GWT disagrees that the estimated time lag between destruction and replacement is reliable and poses no significant risk to biodiversity
 - The likelihood of failure to establish habitat must be assessed and a robust system for long-term management, monitoring and remediation developed in collaboration with the environmental stakeholders
- c) GWT considers that there will be an adverse impact on the ecological features of the Crickley Hill and Barrow Wake SSSI because of increased recreational pressure during the operation of the scheme and its improved PRoW network.
 - There is particular concern about improved access for cyclists and horse riders via the Cotswold Way bridge and the lack of remediation plans if Highways England's assumptions are incorrect.
- d) GWT calls for the scheme to include reversion of the Barrow Wake car park to species-rich calcareous grassland.
- e) Assessment of cumulative impacts:
 - GWT considers the assessment to be inadequate because it does not consider the cumulative impacts of developments that are beneath the EIA threshold. Whilst accepting that this is in-line with LA 104 guidance, it does not provide a true reflection of cumulative impacts
- f) GWT is concerned that no information has been provided about the time lag between habitat loss and the establishment of new habitat of equivalent quality. Information is also required on what area of priority habitat will become more fragmented and fall beneath minimum viable areas, either permanently or temporarily, because of the scheme. This is important to

assess the level of extinction risk for threatened species that require priority habitats and, therefore, the suitability of the design, EMP and LEMP.

- g) It is imperative that the scheme demonstrates that it is truly landscape-led, repairing historic damage to wildlife habitats and improving ecological networks, rather than just minimising further damage.
- h) GWT consider that drafts of some key documents relating to ecological issues should've been shared ahead of DCO submission as they feel that it now means that several matters remain outstanding or to be determined due to the lack of design assurance. Key concerns are:
- The content of the published Environmental Statement subject to review of finalised assessments and conclusions;
 - Design for connectivity between the Crickley Hill and Barrow Wake SSSI parcels via the Gloucestershire Way crossing;
 - Previous ecologically poor design of the A417 Air Balloon Way;
 - The location of compensatory land;
 - The EMP and LEMP; and
 - Lack of remediation plans if habitat creation or translocation fails.

5.2 Matters Outstanding

5.2.1 Table 5-1 shows those matters that are outstanding between the parties, including that matter's reference number, and the date of the latest position.

5.2.2 In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of the Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 5-1 Matters outstanding between Gloucestershire Wildlife Trust and Highways England

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
1. Principle of Development				
	No matters identified.			
2. Project Description				
2.1	Landscape-led vision	GWT disagrees with Highways England's objective to achieve a landscape-led vision and ability to meet the agreed design principles without there being an explicit commitment to delivering biodiversity net gain (BNG).	<p>The vision for the scheme was created in partnership with environmental and strategic stakeholders, including GWT, in 2017.</p> <p>As part of the scheme, it is proposed to plant new woodland, grassland, trees and hedgerows to help preserve and create additional habitats in the local area. These new and improved habitats will be in keeping with the AONB and have been carefully designed to improve habitat connectivity and biodiversity, in line with the nature recovery network strategy for the area.</p> <p>Whilst achieving BNG is not a requirement of NSIPs, Highways England is working hard to maximise biodiversity improvements on the land that is available. Highways England has worked collaboratively with Natural England and other environmental bodies to consider the evolving DEFRA biodiversity metric 2.0 tool and has agreed to focus on providing priority habitats, which are in keeping with the special qualities of the Cotswolds AONB, as part of this scheme.</p> <p>Highways England is continuing to investigate further opportunities to achieve BNG with neighbouring landowners and through looking at other off-site measures.</p>	Consultation response, 11/11/2020, page 7

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
3. Consultation				
3.1	Compensatory plan and mitigation strategy	<p>GWT has requested a compensatory plan to be developed and agreed with environmental stakeholders ahead of the DCO submission. In this, GWT requests:</p> <ul style="list-style-type: none"> • Details on how to address the loss of irreplaceable habitats; • Greater clarification on the time lag between habitat loss and creation and the impacts of this; • A mapped representation of the timing of habitat loss and creation; and • Highways England to enable stakeholders to properly assess what it is proposing to deliver; <p>GWT reserves comment until it has received evidence on where translocation has been achieved elsewhere in order to give a likelihood of success.</p>	<p>Highways England is following the mitigation hierarchy to avoid the loss of irreplaceable habitat such as ancient woodland and reduce the loss of veteran trees. There is unavoidable loss of three veteran trees for which there will be compensatory planting. The veteran tree at air balloon will now be retained.</p> <p>Method statements for reinstatement or translocation of grassland or hedgerows and hazel coppice will be developed at detailed design. In addition to this, a further iteration of the LEMP will be developed during detailed design.</p>	<p>04/11/2019 consultation response</p> <p>Discussed on 04/03/2020 SoCG #2 meeting</p> <p>Updated in review of SoCG in November 2021</p>
4. Assessment of Alternatives (Chapter 3 of the ES)				
	No matters identified.			
5. Approach to Environmental Impact Assessment (Chapter 4 of the ES)				
5.1	Impact on Nature Recovery Network	<p>GWT disagrees with the approach taken in that an assessment should have been undertaken of the scheme's impact on the Nature Recovery Network.</p> <p>GWT asks if the significance of the impact of habitat loss accounts for the impact on the Nature Recovery Network connectivity and resilience. It is important to take an oversight of the cumulative and landscape-scale impact</p>	<p>The impact assessment has followed new DMRB (Design Manual for Roads and Bridges) standard LA 108 Biodiversity which supersedes standards used previously, and which aligns more with the latest CIEEM's EclA guidelines. Landscape design within the Environmental masterplan has considered the draft Nature Recovery Network Map provided by Gloucestershire Wildlife Trust in</p>	<p>Consultation response, 11/11/2020, page 18</p>

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
		of the losses rather than dealing with them individually. GWT feels that the some of the losses would have a moderate to large adverse impact in this landscape in the context of a wider ecological network view.	2020. The significant of the impact of habitat loss takes into overall biodiversity resource and effects on integrity of the resource as per Table 3.11 of LA108. Whilst a quantitative assessment has not been undertaken, the ES has considered alignment to the Nature Recovery Network.	
5.2	Assessment of the impact of changes to farm subsidies on the judged future biodiversity baseline	GWT disagrees that the future biodiversity baseline will not differ significantly from the current situation. Existing government farming policy and legislation will drive changes in the biodiversity value of farmland, so it is highly unlikely to remain at the current baseline levels. GWT consider that the lack of a mechanism is not an adequate reason for not considering it as a factor affecting the future baseline.	There is no mechanism in the ES to detail this; however, all disciplines have been working closely together to provide a design as a joint approach.	04/11/2019 consultation response Discussed on 04/03/2020 SoCG #2 meeting Review of SoCG in November 2021
6. Air Quality (Chapter 5 of the ES)				
	No matters identified.			
7. Landscape and Visual Effects (Chapter 7 of the ES)				
	No matters identified.			
8. Biodiversity (Chapter 8 of the ES)				
8.1.	Biodiversity net gain	GWT considers that the scheme must deliver biodiversity net gain, with particular regards to: <ul style="list-style-type: none"> Fulfilling the requirements of the NPSNN to 'avoid significant harm to biodiversity interests' and 'take advantage of opportunities to conserve and enhance biodiversity' 	As part of the scheme, it is proposed to plant new woodland, grassland, trees and hedgerows to help preserve and create additional habitats in the local area. These new and improved habitats will be in keeping with the AONB and have been carefully designed to improve habitat connectivity and biodiversity, in line with the nature recovery network strategy for the area.	Consultation response, 11/11/2020, page 2 Discussed at SoCG meeting, 20/01/2021 Discussed at SoCG meeting, 18/03/2021

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
		<p>As part of this, GWT considers a clear commitment from Highways England for the scheme to deliver measurable net biodiversity gain essential. This is needed to demonstrate alignment with the scheme design principles and the policy aims of Highways England's Biodiversity Plan.</p>	<p>Highways England is working hard to maximise biodiversity improvements on the land that is available. Highways England has worked collaboratively with Natural England and other environmental bodies to consider the evolving DEFRA biodiversity metric 2.0 tool and has agreed to focus on providing priority habitats, which are in keeping with the special qualities of the Cotswolds AONB, as part of this scheme.</p>	
8.2.	Loss of irreplaceable habitat	<p>GWT objects that the scheme currently delivers a considerable loss of priority and irreplaceable habitat and that a high-risk compensation approach appears to be the main strategy for addressing this. The predicted net loss of habitat demonstrates that the compensation approach is inadequate as it stands. GWT expects to see greater use of the avoidance and mitigation and more compensatory habitat provided if this is indeed the only option. Specific examples are as follows:</p> <ul style="list-style-type: none"> • Loss of 2.53 ha (52%) of the priority calcareous grassland habitat 8.9.115. Aim to create 75.31 but not indication of how long this will take to establish and whether a 50% reduction is viable in the meantime. • Loss of 12.42 ha of nationally important priority woodland habitat. • Loss of 4.48 MG5a neutral semi-improved grassland is irreversible and stated as slight adverse local level loss, not signification 	<p>Irreplaceable habitats in this ES are considered to Ancient Woodland and Veteran trees in accordance with NPPF. All priority habitats have been assessed as nationally important.</p> <p>Efforts were made throughout design to avoid as much priority habitat as possible. Mitigation is applied where possible (i.e. translocation) but all habitat replacement planting is considered compensation.</p> <p>Regarding loss of 2.53 ha (52%) of the priority calcareous grassland habitat. This is the area within the scheme but excluding that within the SSSI which is assessed separately. It is acknowledged that the grassland may establish within 3-5 years but take up to twenty years or longer to reach desired condition.</p> <p>Loss of woodland is assessed as being a large adverse and significant at the national level due to it being priority habitat.</p>	Review of SoCG in November 2021

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
		<p>8.10.105. GWT considered to be a moderate adverse and significant impact at the county level due to rarity of habitat and it being within a high priority area for NRN restoration.</p> <ul style="list-style-type: none"> ES considers impact on Species of Principle importance (section 41) to be neutral from construction and at local level. However the scheme will be removing part of a SSSI supporting these species so it should be Slight adverse at national level and not clear if it will be significant or not given the time lags. 	<p>Loss of MG5a grassland is assessed as large adverse at the national level, and significant. Loss of other less species rich neutral grassland is slight adverse and not significant.</p> <p>The section on 'Other' Species of Principal importance (section 41) refers to those not assessed elsewhere in the ES or within the assessment for designated sites, for example hedgehogs.</p>	
8.3.	Crickley Hill recreational pressure on SSSI and Nature Reserve	<p>GWT disagrees with the conclusion that the mitigation strategy will adequately remove significant effects on the ecological condition of Crickley Hill as a result of increased recreational pressure during the operation of the scheme and its improved PRoW network. There are particular concerns about increased access for horse riders and cyclists to Crickley Hill via the Cotswold Way crossing and an overreliance on signage to divert users. GWT consider that the residual impact should be described as adverse, moderate and nationally significant.</p>	<p>An assessment of the potential impact of new and diverted public rights of way and recreational pressures from walkers cyclists and horse riders on the SSSI during operation is assessed within Chapter 8 Biodiversity and concludes a minor adverse impact upon Crickley Hill and Barrow Wake SSSI which is slight and not significant. Highways England has carefully considered a request for monitoring of recreational activity on Crickley Hill Country Park and the SSSI before, during and/or post construction but does not consider this to be appropriate given the conclusions of the assessment reported in ES Chapter 12 Population and Human Health (slight adverse and not significant).</p>	<p>04/11/2019 consultation response</p> <p>Updated in review of SoCG in November 2021</p>
8.4.	Reversion of Barrow Wake Car Park to species rich calcareous grassland	<p>GWT would like to see the scheme deliver reversion of the car park to species rich calcareous grassland and feel this is a significant missed opportunity to deliver broad environmental enhancements and reduce the</p>	<p>The reduction, removal or relocation of the Barrow Wake car park is outside the scope of the consenting of the scheme and it is not owned as part of the strategic road network by Highways England. Gloucestershire</p>	<p>Review of SoCG in November 2021</p>

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
		<p>level of biodiversity net loss. It is also felt to be necessary due to part of the existing SSSI habitats being destroyed by the scheme.</p> <p>GWT notes that the DCO documentation still includes work to resurface and improve drainage and parking spaces (2.8.36, 2.8.37 and 8.10.19), which is inconsistent with HE's verbal position that works on the car park are outside of the scheme's scope.</p>	<p>County Council who own the car park intend to undertake an options assessment that would likely involve consultation with interested parties and the public in due course, and could result in changes in the future subject to the outcome of that assessment. Highways England has offered Gloucestershire County Council and other relevant stakeholders help to inform or facilitate any discussions about any changes that might be proposed at the car park. Highways England will also ensure the detailed design of the scheme is able to accommodate the existing car park arrangement, or a future scenario if appropriate.</p>	
8.5.	Realignment of Norman's Brook Tributary	<p>GWT has concerns that the realignment proposed in figure HE551505 ARP EWE 000054 represents a partial canalisation of the watercourse. This does not reflect the previously agreed approach of re-naturalising watercourses.</p>	<p>Highways England response to be provided following ongoing engagement with Historic England.^[LM1]</p>	<p>Review of SoCG in November 2021</p>
8.6.	Predicted changes in policy in advance of construction	<p>From 2021, the UK post-2010 Biodiversity Framework will have been superseded. The new framework is likely to be based on the 25 Year Environment Policies (YEP) and the 2021-2030 ecosystem restoration framework being produced by the United Nations Environment Programme. Scheme design should pay due regard to this as they will be the current biodiversity policy frameworks by the construction period. Design, mitigation and management plans will need to adapt to align with the new policy approach.</p>	<p>The ES Chapter 8 Biodiversity has been updated with current legislation and guidance, including consideration of the 25 Year Environment Policies (YEP).</p>	<p>Consultation response, 11/11/2020, page 13</p> <p>Review of SoCG in November 2021</p>

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
9. Noise and Vibration (Chapter 11 of the ES)				
	No matters identified.			
10. Population and Human Health (Chapter 12 of the ES)				
	No matters identified.			
11. Population and Human Health – Public Rights of Way (Chapter 12 of the ES)				
	No matters identified.			
12. Road Drainage and the Water Environment (Chapter 13 of the ES)				
	No matters identified.			
13. Climate (Chapter 14 of the ES)				
	No matters identified.			
14. Consideration of Cumulative Effects (Chapter 15 of the ES)				
14.1	Assessment of cumulative impacts	GWT considers the assessment to be inadequate because it does not consider the cumulative impacts of developments that are beneath the EIA threshold. Whilst accepting that this is in-line with LA 104 guidance, it does not provide a true reflection of cumulative impacts.	<p>We have screened out non-EIA development based on the DMRB criteria listed in para 15.3.11 of ES Chapter 15 - Assessment of Cumulative Effects below.</p> <p>“ In accordance with the methodology outlined in DMRB LA 104 Environmental assessment and monitoring (section 3.21.2), the assessment of cumulative effects with other developments for the scheme reports on:</p> <p>a “roads projects which have been confirmed for delivery over a similar timeframe ;</p> <p>b other development projects with valid planning permissions or consent orders, and for which EIA is a requirement; and</p>	Review of SoCG in November 2021

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
			<p><i>c proposals in adopted development plans with a clear identified programme for delivery”.</i></p> <p>Relevant ‘other developments’, as listed above, have been identified through a combination of consultation with the relevant planning authorities and directly from published sources”.</p> <p>Major development that are not EIA are included in the long list of developments identified through consultation with the relevant planning authorities in Table 1 1 of Appendix 15.1 Consideration of Cumulative Effects (Document Reference 6.4, APP-413) presents does identify ‘non-EIA development’, ‘pending applications’ and ‘emerging planning policy’, this is either because the major development is within allocated sites within adopted development plans (for major developments) or it they were noted down as pending applications so we could monitor progress to see if they got planning permission prior to assessment. This demonstrates we have given them consideration. From the column titled “Potential to give rise to significant cumulative effects?” it is clear that they’ve been screened out based on being ‘pending’, ‘not EIA’ or ‘not yet adopted planning policy’.</p>	
15. Environmental Management Plan				
	No matters identified.			

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
16. Crossings of the A417				
	No matters identified.			
17. Gradient change				
	No matters identified.			
18. Cowley junction				
	No matters identified.			
19. The realignment of the B4070 to Birdlip via Barrow Wake				
	No matters identified.			
20. Common Land				
	No matters identified.			

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	Gloucestershire Wildlife Trust
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	Highways England
Name	
Position	
Date	

Appendix B Matters to be determined

- B.1.1.1 There are some matters which the position of GWT is pending upon publication of the full suite of DCO application documents, in particular those relating to the Environmental Statement (ES). These are set out in Table 5-2.
- B.1.1.2 Highways England will continue to review the matters with GWT during the examination of the DCO application and discussions will be aided by GWT being able to review the full suite of DCO application documents on the National Infrastructure Planning website (at the point of submission).
- B.1.1.3 In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in determination by the end of the Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table B-1 Matters to be determined between GWT and Highways England

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
Project Description				
A.1	Project timetable	<p>GWT is satisfied that ecological surveys were completed before DCO submission and agrees that pre-construction surveys are required to update the baseline.</p> <ul style="list-style-type: none"> The scheme to adapt to baseline information that becomes available after submission Adhere to enhanced environmental legislation and standards outlined in the Environment Act which should be in force before construction begins 	<p>The ES has been written using baseline information provided at the time of the assessment.</p> <p>Update surveys for the purpose of protected species licence applications, along with pre-construction surveys, will be carried out as stated in the REAC table and LEMP.</p>	GWT 01/21 – can be moved to matters agreed once ES is available for review
Assessment of Alternatives (Chapter 3 of the ES)				
A.2	Alternative 2 for the A436 Link road	GWT has requested more information on what measures are being taken to mitigate the impact on the core ecological network in this location.	Alternative 2 for the A436 Link road was the option taken forward for the preferred scheme. Impacts are addressed in ES Chapter 8.	04/11/2019 consultation response
Approach to Environmental Impact Assessment (Chapter 4 of the ES)				
A.3	Assessment and conclusions of ES Chapter 4	<p>GWT reserves comment on Chapter 4 of the ES until it is available for review. Matters raised in relation to what is included in the assessment to date include:</p> <ul style="list-style-type: none"> Detail on the impact of the loss of sections of important hedgerow on ecological connectivity. 85 % of important hedgerows present are being lost 8.10.81. Judged as major adverse and nationally significant impact 8.10.83. Does this affect viability of connections in the landscape? 	<p>Information on these matters is included in Chapter 8 Biodiversity with the following exceptions;</p> <p>Whilst areas of habitat lost and gained are stated in terms of hectares or length of linear habitats, information on biodiversity net gain and the Defra metric is not included within the ES.</p> <p>Ecosystem function is considered as part of the assessment on integrity of the key</p>	<p>04/11/2019 and 11/11/20 consultation response</p> <p>Updated in review of SoCG November 2021</p>

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
		<ul style="list-style-type: none"> • aquatic inverts won't be protected in some cases - 8.9.96. Not clear if mitigation habitat creation offsets that lost and whether there are other impacts from mitigating via a groundwater transfer? • Mitigation measures to avoid construction impacts on Barn Owls essentially reduce foraging habitat and therefore habitat viability. This is likely to have an adverse impact on the populations regardless of construction activities 8.9.68. Will provision of supplementary foraging habitat be in place before existing habitat is removed? 	<p>characteristics of the resource in line with DMRB LA108.</p> <p>The species richness of the fungi recorded at Crickley Hill and Barrow Wake SSSI underline the biodiversity value of the habitats within the SSSI which is valued of national importance and assessed as such as part of the designated habitat.</p> <p>The wider trophic impact of mortality on invertebrates and fish has not been assessed. Fish translocation will be carried out based on pre-construction surveys and impacts are assessed as negligible.</p> <p>A clear and transparent process about how stakeholders including GWT will be engaged throughout detailed design will be shared with those stakeholders in due course, further to commitments from Highways England to work collaboratively where appropriate with stakeholders to help inform future detailed design and construction phases.</p>	
A.4	Assessment methodology	There is relatively little cross-referencing of themes between some chapters and in stakeholder consultations, which does not reflect the intricate interdependencies between different environmental considerations. GWT would like to see a more integrated approach to evidence, decision making and design during the detailed design stage.	This information will be presented in the Design Summary Report, available as part of the DCO submission.	<p>Consultation response, 11/11/2020, page 3</p> <p>Updated in review of SoCG November 2021</p>

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
A.5	Monitoring	<p>GWT states that monitoring of key ecological and biodiversity receptors should continue until measurable net gain is achieved or the end of the Design year (whichever is sooner). Before operation begins, a funded mitigation plan should be in place to take appropriate action if biodiversity net gain fails to be achieved. They reserve the right to comment on this further until the LEMP is available for review.</p>	<p>The EMP will provide details of the monitoring required for all mitigation measures.</p> <p>Some habitats will take longer to establish and reach target condition (woodland and calcareous grassland) and therefore long-term management plans will be included in the final stage of the EMP as a commitment expected from a DCO perspective.</p> <p>Habitats created and restored will form part of Highways England' estate and therefore it will be in control of their management in the long term.</p> <p>Highways England' approach to managing road verges is currently changing for biodiversity benefit which will be in support of the proposals for this scheme.</p>	<p>04/11/2019 GWT consultation response</p> <p>Discussed on 04/03/2020 SoCG #2 meeting</p> <p>Discussed at SoCG #4 meeting, 20/01/2021</p>
A.6	Design conflicts across environment features and benefits	<p>GWT discourages a design approach that overlooks potential high value ecological enhancements due to the impact on landscape character, when changes to farming systems are likely to drive a change in landscape appearance anyway.</p> <p>GWT feels there needs to be a mechanism to resolve design conflicts between different environmental features and benefits e.g. biodiversity, access and landscape character.</p> <p>GWT reserves the right to make further comments as a result of the detailed design stage.</p>	<p>There is no mechanism in the ES to detail this; however, all disciplines have been working closely together to provide a design as a joint approach.</p> <p>Landscape planting has been designed to provide ecological mitigation where required as well as delivering a design in context with the local landscape character.</p>	<p>04/11/2019 consultation response</p> <p>Discussed on 04/03/2020 SoCG #2 meeting</p> <p>Agreed in review of SoCG in November 2021</p>
Biodiversity (Chapter 8 of the ES)				

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
A.7	Assessment and conclusions of ES Chapter 8	<p>GWT reserves further comments on the matters below until the LEMP is available to review:</p> <ul style="list-style-type: none"> It is considered that the landscaping around the Shab Hill junction does not have the right balance of trees to open grassland habitat and the NRN indicates that a north-south corridor of limestone grassland habitat is required along the carriageway of Shab Hill junction A detailed assessment of the impact that the deep cutting will have on the hydrology of the surrounding land should be carried out as changes could have an impact on the Crickley Hill and Barrow Wake SSSI How the permeability of ecological corridors will be maintained during construction An evidence base for calcareous grassland of CG5 quality being established within three years 	<p>Information regarding these points is included in Chapter 8 biodiversity.</p> <p>In relation to the first point, calcareous grassland is created where possible around Shab Hill, but tree species and hedgerows are required along the road alignment for mitigation purposes in order to deter bats and barn owl from flying across the road at grade. Detailed assessments of the impact on hydrology are considered in the Water chapter, and conclusions relating to Ground Water Dependent Terrestrial Ecosystems summarised in Chapter 8.</p> <p>Habitat creation in the form of stepping-stones of calcareous grassland and other multispecies habitat creation areas such as reptile habitat will benefit notable invertebrates as well as protected species.</p>	Updated in review of SoCG in November 2021
A.8	Ability to deliver public body duties associated with SSSIs	<p>At present, GWT considers that there is a lack of evidence and measures to demonstrate that legal issues have been avoided, including:</p> <ul style="list-style-type: none"> A public body failing to minimise damage done to an SSSI Or, if damage occurs, failing to restore an SSSI to its former state 	<p>In accordance with the mitigation hierarchy measures to avoid impact to SSSIs have been taken and where this is not possible measures have been taken throughout the design process to reduce the impacts including those of habitat loss, degradation, fragmentation and recreational pressure.</p> <p>Where SSSI habitat is unavoidably lost, compensatory habitat will be provided.</p> <p>The DCO will disapply the need to apply for a SSSI consent. The EMP will secure a</p>	Consultation response, 11/11/2020, page 13

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
		<ul style="list-style-type: none"> The duty of statutory bodies to take reasonable steps to further the conservation and enhancement of SSSIs <p>Where statutory bodies propose to undertake or permit activities that could affect an SSSI and the activity cannot be avoided, it must be undertaken in a way least damaging to the SSSI.</p>	<p>commitment that work in SSSI will be subject to a method statement for works be agreed and signed off by Natural England. These will be provided at detail design stage.</p>	
A.9	Loss of bat roost sites	<p>GWT states that any permanent loss of roost sites must be mitigated with a net gain of roost sites. The Environmental Statement should contain evidence that an artificial bat hibernation site is needed. As GWT has not seen relevant documents it cannot be assured of this yet.</p>	<p>Regarding the loss of roost sites, replacement roosts will be provided under a mitigation licence from Natural England. In addition, as part of the bat barn that will be provided for the loss of the lesser horseshoe and brown long-eared day roosts in Building 28, a cool tower will be included in the design. This feature is not being provided in compensation for the loss of existing bat roosts, as no confirmed hibernation roosts will be lost. This is part of a wider package of mitigation and enhancement for ecological network connectivity for bats.</p> <p>Although an artificial bat hibernation site is not required, one will be created as an enhancement to the bat barn which will be constructed to compensate for the loss of building 28 (day roosts of lesser horseshoe and brown long-eared bats). This will be in the form of an internal cool tower, primarily aimed at horseshoe bats.</p>	<p>04/11/2019 consultation response</p> <p>Updated in review of SoCG in November 2021</p>
A.10	Crickley Hill	<p>GWT is pleased that an assessment of the potential impact of new and diverted public rights of way and recreational pressures on the SAC is provided within the ES Chapter 8</p>	<p>An assessment of the potential impact of new and diverted public rights of way and recreational pressures on the SAC is provided within the ES Chapter 8 Biodiversity and</p>	<p>04/11/2019 consultation response</p>

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
		Biodiversity. GWT reserves the right for further comment until more detailed construction programmes are available.	Habitats Regulations Assessment, which concludes no likely significant effects. ES Chapter 12 Population and Human Health considers the potential effects on the Country Park with visitor centre, café and waymarked trails. The assessment concludes there would be a minor impact, with a discernible change in attributes and environmental quality during construction activities in close proximity, with minor loss of and alteration to key characteristics. Construction requires acquisition of some land which would not compromise the overall viability of the resource, and access to the resource would be maintained at all times.	Updated in review of SoCG in November 2021
Road Drainage and the Water Environment (Chapter 13 of the ES)				
A.11	Impact of hydrological changes	GWT reserves comment on the following matters are discussed during detailed design: <ul style="list-style-type: none"> The impact of the realignment of Norman's Brook; Hydrological changes affecting Crickley Hill; including the claim that the change in gradient lessens hydrological impacts on the Crickley Hill part of the SSSI 	Detailed assessments of the impact on hydrology are considered in the Water chapter, Chapter 13 and conclusions relating to Ground Water Dependent Terrestrial Ecosystems such as Bushley Muzzard SSSI are summarised in Chapter 8 Biodiversity.	Updated in October 2021 review of SoCG
Climate (Chapter 14 of the ES)				
A.12	Assessment and conclusions of ES Chapter 14	GWT reserves further comment the assessment of likely changes in the climate envelope of any habitats created as part of the mitigation and net gain measures until the LEMP is available for review.	Chapter 8 considers the use of some non-native tree species for resilience to climate change. Full species lists will be developed in future iterations of the LEMP. The end stage EMP will include long term habitat	Consultation response, 11/11/2020, page 21

Ref.	Matter	Gloucestershire Wildlife Trust position	Highways England position	Date of the position
			management plans to ensure habitats created continue to function as intended.	
Environmental Management Plan				
A.13	Content of the EMP	GWT reserves comment on the EMP until it is available for review. It has requested that a detailed fish translocation plan is included. GWT has also requested that monitoring of key ecological and biodiversity receptors should continue until measurable net gain is achieved or the end of the Design Year (whichever is sooner).	The EMP (end of construction stage) including 'long-term commitments to aftercare, monitoring and maintenance activities' confirms that the authorised development must be operated and maintained in accordance with the approved EMP (end of construction stage). As part of this, all landscaping works must be carried out in accordance with the approved landscaping scheme. Any tree or shrub planted as part of the scheme that, within five years of planting, is removed or dies or is damaged, must be replaced.	04/11/2019 GWT consultation response Discussed on 04/03/2020 SoCG #2 meeting Discussed at SoCG #4 meeting, 20/01/2021
The realignment of the B4070 to Birdlip via Barrow Wake				
A.14	Impact on SSSI	GWT supports the proposed approach to compensate the loss of natural habitat within the SSSI but reserves further comment on this until detailed design plans are available, including the LEMP.	A small area of roadside trees at the current junction would be unavoidably lost due to the construction of the roundabout. Many of these trees are ash trees. Any SSSI land lost will be compensated for with replacement habitat. Although trees are lost, in agreement with GWT, replacement habitat will be calcareous grassland. This will be provided in the same area as the replacement common land adjacent to the existing SSSI and on land which is currently the A417.	Consultation response, 11/11/2020, page 5 Updated in review of SoCG in November 2021

Appendix C Landowner Position Statement with Gloucestershire Wildlife Trust

Landowner Position Statement – Gloucestershire Wildlife Trust (GWT)

1.1 Purpose of this Document

- 1.1.1 Highways England has 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), Highways England Property and Compensation Team and Highways England 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 Highways England response to such matters.
- 1.1.3 The detail recorded within this Position Statement relates to the communication and engagement regarding Gloucestershire Wildlife Trust (GWT)’s position as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by GWT 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-028/029) submitted in support of the DCO Application. Where appropriate, matters pertinent to GWT’s 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 Engagement

Date	Form of correspondence	Key Topics Discussed and key outcomes
21/08/2019	Meeting	<p>The following actions were agreed at the meeting with GWT:</p> <ul style="list-style-type: none"> • Cotswold Way footpath to be diverted. • Vegetation clearance and borehole locations to be reviewed further. • The borehole within the Coach Park is to be moved.
27/09/2019	Statutory Consultation Notification	Correspondence issued to GWT notifying them of the beginning of the statutory consultation.
13/01/2020	Land Interest Consultation Invitation - Letter	Consultation letter issued to GWT and meeting arranged for 5 February 2020.
05/02/2020	Meeting	<p>Highways England explained the potential to change the junction at Crickley Hill from a roundabout to a T-Junction.</p> <p>GWT's main concerns were:</p> <ul style="list-style-type: none"> • Risk to biodiversity. • Damage to the Site of Special Scientific Interest (SSSI) at Crickley Hill through the current design of the Green Bridge. • Damage to the SSSI at Barrow Wake through the current scheme design
09/07/2020	Email – Landowner Meeting Invitation	Meeting arranged with GWT on 27 July 2020.
27/07/2020	Meeting (Virtual) – 8% gradient and green bridge design change	<p>GWT raised concerns that the entrance to Crickley Hill will be permanently impacted by the scheme. GWT request that this is changed to temporary land take for the DCO subject to construction requirements.</p> <p>GWT requested for the cattle grid at the entrance to their land at Crickley Hill Country Park to be retained.</p> <p>GWT raised concerns about the increase in bridleway traffic next to Crickley Hill. GWT explained the Tree Preservation Order's (TPOs) that exist on their land around the site.</p> <p>Highways England explained that feedback from the 2019 statutory consultation focused on the repurposing of the old A417 down to Barrow Wake.</p>

Date	Form of correspondence	Key Topics Discussed and key outcomes
		<p>GWT requested that the impact on the SSSI around Barrow Wake is reviewed. Members of the project team will provide an update from a site visit on 28 July including the level of impact on the SSSI and the land required.</p> <p>Concerns were raised by GWT that the proposals will not help to reduce existing anti-social behaviour in the area.</p> <p>GWT look to discourage any mountain biking or horse-riding on the SSSI.</p>
13/10/2020	Statutory Consultation Notification	Correspondence issued to GWT notifying them of the beginning of the statutory consultation.
22/10/2020	Meeting (Virtual)	<p>The scheme design changes at Crickley Hill were explained to GWT. This included the changes in the alignment of the highway at Crickley Hill.</p> <p>GWT stated that there will be some trees that they do not wish to maintain liability for. GWT to review the scheme arboricultural report to identify the relevant trees.</p> <p>GWT request a plan showing aerial imagery and the land take to be produced. Plan to be produced and issued to GWT.</p> <p>The total figure for the SSSI land take is still to be determined. It is hoped that the land take can be reduced when utility details are confirmed. It was confirmed that the middle access track originally proposed has been removed.</p> <p>It was explained to GWT that land acquisition and accommodation work discussions will begin in the next few months.</p> <p>Principle of common land strategy is to be developed.</p>
29/01/2021	Email Correspondence	Draft accommodation works plans issued to GWT for comment.
08/02/2021	Targeted Landowner Consultation	<p>Correspondence issued to GWT notifying them of the beginning of the targeted landowner consultation.</p> <p>(GWT stated at the landowner meeting on the 16 February that they did not receive the correspondence. Targeted landowner consultation documents reissued after the meeting on 16 February.)</p>
16/02/2021	Meeting (Virtual)	Meeting to discuss the scheme design changes at Barrow Wake, Crickley Hill and Ullenwood Cricket Club.

Date	Form of correspondence	Key Topics Discussed and key outcomes
		It was explained to GWT that there will be an overall reduction in their land directly impacted by the scheme.
14/10/21	Meeting	Meeting between DVS and Land Agent acting for GWT to discuss and agree land acquisition.

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	Highways England Position
1	Drainage Infrastructure	Previous design plans did not include the existing soakaway and drainage infrastructure at Ullenwood Cricket Club.	The relevant plans were updated to show the existing soakaway and drainage infrastructure at Ullenwood Cricket Club. The scheme drainage design was revised with a new soakaway to be installed. The existing soakaway fails to meet existing requirements.
2	TPOs	GWT explained the TPOs and veteran trees that exist in their land interest. These trees and their preservation need to be considered as part of the scheme.	Highways England produced a map layer to show the TPOs that exist in the area around the scheme. This will help to ensure that existing TPOs are considered as the scheme design develops.
3	Arboricultural Report	GWT requested the arboricultural report at the landowner meeting on the 22 October.	The arboricultural report was shared with GWT on 23 October 2020.
4	Land Plans	GWT request a plan showing aerial imagery and the land take to be produced. Plan to be produced showing this level of detail and issued to GWT.	Plans showing aerial imagery and the land take proposed were issued to GWT on 7 January 2021.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Comment	Highways England Response
1	Accommodation works	Accommodation works to be provided as part of the scheme are to be agreed.	Accommodation works will be developed and agreed during the detailed design stage of the scheme.
2	Land acquisition	Land acquisition discussions to begin. GWT requested that further detail about land acquisition is sent to them in advance of any meetings.	Land acquisition discussions will be progressed by the DVS.

Appendix G Draft Statement of Common Ground with the National Trust

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between Highways England and the National Trust in relation to the A417 Missing Link scheme.
- 1.1.2 The document identifies the following between the two parties:
- Matters which have been agreed
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.3 The matters which are referenced in this document are that which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environment Statement (ES), submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 There are also a number of matters identified in the SoCG upon which the position of the National Trust is pending, for example where matters may relate to the future detailed design stage. These are set out in Appendix B, and Highways England will continue to review the matters detailed in this Appendix with the National Trust. Discussions will be aided by the National Trust being able to review the full suite of DCO application documents on the National Infrastructure Planning website (following submission).
- 1.1.5 The SoCG will continue to evolve as the application for development consent progresses through the examination stage.
- 1.1.6 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the examination.
- 1.1.7 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) Guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of the National Trust in the application and sets out the consultation undertaken.
 - Section 3 summarises the topics considered within the SoCG.
 - Section 4 lists those matters which have been agreed, including the date that this matter was agreed.
 - Section 5 lists those matters which remain outstanding, incorporating: a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position including any further meetings planned regarding the matter.
- 1.2.2 Appendix A includes the signing sheet.

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

- 1.2.3 Appendix B includes matters to be determined during the examination of the DCO application.
- 1.2.4 Appendix C will include the National Trust's landowner position statement subject to the development of an emerging side agreement. This is intended to be provided on or before Deadline 4 subject to discussions being sufficiently progressed.

1.3 Status of this SoCG

- 1.3.1 This updated SoCG reflects the position of both parties ~~in advance of National Trust's Written Representation submission for at~~ Examination Deadline ~~31~~ (14 ~~December~~ February 2022~~4~~).
- 1.3.2 It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the examination stage.

2 Consultation

2.1 Role of the National Trust

- 2.1.1 The National Trust is Europe's largest conservation charity with more than five million members. Established over 125 years ago, its primary purpose is to promote the preservation of special places for the benefit of the nation. The National Trust has a statutory duty under the National Trust Acts to promote the conservation of these places.
- 2.1.2 The National Trust is the largest private landowner in the UK and has the ability to declare its land to be held inalienably.
- 2.1.3 The National Trust is the Freehold owner of part of Crickley Hill Country Park and has a farm business tenancy and rights of access relating to parts of the Country Park in the freehold ownership of Gloucestershire Wildlife Trust. In addition, the National Trust has a farm business tenancy on land at Barrow Wake which is in the freehold ownership of Gloucestershire Wildlife Trust. The National Trust and Gloucestershire Wildlife Trust jointly manage this land.
- 2.1.4 This SoCG deals with issues that are relevant to the National Trust in its capacity as an affected landowner under section 42(1)(d) of the Planning Act 2008 (the Act) and in its capacity as a major conservation organisation.

2.2 Summary of consultation

- 2.2.1 Highways England has been in consultation with the National Trust during the development of the scheme's design, including the optioneering process. The parties have continued communicating throughout the progression of the scheme.
- 2.2.2 The National Trust is a member of the Strategic Stakeholder Panel (SSP) and has been a member of the Landscape, Environment and Heritage Technical Working Group, the Walking, Cycling and Horse riding Technical Working Group, and party to collaborative planning sessions; see Chapter 4 of the Consultation Report (Document Reference 5.1, APP-027) for more information.
- 2.2.3 The engagement outlined in Table 2-1 covers formal consultation with the National Trust, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below but are available on request.
- 2.2.4 The consultation with the National Trust since the Preferred Route Announcement in March 2019 is set out within Table 2-1.

Table 2-1 Consultation with the National Trust since Preferred Route Announcement

Date	Method	Parties concerned	Matters discussed
2 May 2019	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations including National Trust	The following matters were discussed <ul style="list-style-type: none"> • Preferred route announcement – review and feedback • Status update on the technical working groups • Technical partner and programme update • Programme/governance update • Preliminary design and what to expect
13 June 2019	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Update on the scheme. • Building connections and working together • The vision and purpose of the SSP • Next steps: shared objectives and ways of working
18 June 2019	Joint Landscape Strategy meeting	Highways England TWG member organisations including National Trust,	The following matters were discussed: <ul style="list-style-type: none"> • Opportunities to restore grassland areas • Opportunity to improve current low-grade arable land to mosaic of calcareous grassland scrub and hedgerow • Woodland creation opportunities. • Tree species for planting • Recreation impacts • The potential for landmarks • Drainage solutions (Sustainable drainage systems (SuDS))
26 July 2019	Email	National Trust to Highways England	National Trust provided Highways England with a paper on the then proposed green bridge.
15 August 2019	Email	Highways England to landscape officers/representatives at statutory body organisations, including National Trust	Highways England landscape specialist emailed the landscape representatives to share figures of the Zone of Theoretical Visibility (ZTV) and indicative viewpoint locations. The landscape specialist asked for feedback on the viewpoints.

Date	Method	Parties concerned	Matters discussed
20 August 2019	Landscape, Heritage and Environment Technical Working Group Meeting	Highways England TWG Member Organisations including: National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Feedback from last TWG • Ecology update on surveys • Update on design approach and Landscape and Visual Impact Assessment (LVIA) • Geology update on investigations/surveys • DCO process overview • Working group technical discussions
4 September 2019	Email	Highways England to National Trust	Highways England invited the National Trust to participate in the Walking, Cycling and Horse Riding TWG and attend a meeting in September.
4 September 2019	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Progress update • Technical working group update • Public consultation details • Highways England provided a preview of the scheme proposals forming part of the consultation materials
27 September 2019	Letter	Highways England to National Trust	Highways England wrote to National Trust to notify them of the statutory consultation taking place between 27 September and 8 November 2019, in accordance with section 42 of the Planning Act 2008. The letter invited the Trust to provide comments by 8 November 2019.
1 October 2019	Walking, Cycling and Horse riding Technical Working Group	Highways England TWG member organisations including National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Draft proposed walking, cycling and horse riding routes • Consideration of anti-social behaviour in the environmental assessment • Bridleway on the then proposed green bridge
5 October 2019	Email	Highways England to National Trust	Highways England geologist shared minutes from a meeting held on 6 September with National Trust to discuss geological enhancements and mitigation. The geologist invited National Trust to attend a follow-up site meeting on 23 October.
8 November 2019	Letter	National Trust to Highways England	National Trust sent Highways England their formal response to the statutory consultation.

Date	Method	Parties concerned	Matters discussed
21 November 2019	Email	Highways England to National Trust	Highways England provided a green bridge technical note which set out the principles of the design decisions for the then proposed green bridge and the overall thinking behind it.
13 January 2020	Letter	Highways England to National Trust	Highways England sent a letter to National Trust notifying them of the targeted landowner consultation, with a deadline to respond by 11 February 2020. This was followed by an email with the same content on 17 January.
16 January 2020	Meeting	Highways England National Trust	<p>The following matters were discussed:</p> <ul style="list-style-type: none"> • An overview of the progress of the scheme to date and programme • The design and location of the then proposed green bridge • An overview of how the concept and locations for the then proposed green bridge were considered • National Trust gave a presentation on their position and preference for a wider wildlife bridge, providing examples of precedent bridges • National Trust desire to understand in more detail the potential impacts or benefits of bridge at different locations
30 January 2020	Meeting	Highways England National Trust	<p>The following matters were discussed regarding the then proposed green bridge:</p> <ul style="list-style-type: none"> • National Trust summarised their position on the bridge and in particular request for more detail on other locations of bridge and impacts • The policy context and purpose of the green bridge and how alternative locations were assessed during the design process, and that detailed assessment of all locations would not be possible • Highways England provided a draft sketch of an alternative location and set out at a high level how this would impact upon land, design, buildability, environment • Highways England set out a need for a clear position from National Trust very soon regarding their support or otherwise for scheme
11 February 2020	Letter	National Trust to Highways England	The National Trust sent a formal response to the 11 January – 11 February 2020 targeted consultation.

Date	Method	Parties concerned	Matters discussed
26 February 2020	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Progress of the scheme • Update on governance, funding, programme and statutory consultation • A roundtable discussion on consultation responses – key issues ahead of DCO submission • Next steps – activity up to DCO submission and beyond
3 March 2020	Walking Cycling Horse riding Technical Working Group meeting	Highways England TWG member organisations including National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Update on the scheme • Draft Public Rights of Way (PRoW) Management Plan • WCH Statement of Common Ground
6 March 2020	Meeting	Highways England National Trust	A meeting to discuss the then proposed green bridge proposals and respective positions of the parties. It was agreed that as an action of the meeting, Highways England and National Trust would 'hot house' on the issue to consider alternatives.
17 March 2020	Letter	Highways England to National Trust	Highways England sent a letter to the National Trust notifying them as a landowner of additional targeted landowner consultation, with a deadline to respond by 16 April 2020. This was followed by an email copy of the correspondence on 6 April 2020.
26 March 2020	Meeting	Highways England, National Trust	Two consecutive 'hot house' meetings were held as a collaborative session to consider alternatives to the then proposed green bridge, capture potential performance, benefits and disbenefits of each, and provide an indicative assessment of the potential for successful delivery.
27 March 2020	Meeting	Highways England, National Trust	
8 April 2020	Statement of Common Ground Meeting (SoCG)	Highways England, National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Overview of the draft SoCG • Process and timescales of updating the SoCG.
29 April 2020	Letter	National Trust to Highways England	Reconfirming National Trust position following meetings in March 2020 regarding the then proposed green bridge.

Date	Method	Parties concerned	Matters discussed
20 July 2020	Strategic Stakeholder Panel meeting	Highways England SSP member organisations, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> Update on the progress of the scheme The change to the scheme's programme The updated designs following consultation in 2019
12 August 2020	Walking Cycling Horse riding Technical Working Group meeting	Highways England TWG member organisations including National Trust	The following matters were discussed: <ul style="list-style-type: none"> Update on how the design changes in the scheme have resulted in changes to the PRow network Next steps including the issue of the draft updated PRow management plan, the upcoming statutory consultation and the SoCG process
17 August 2020	Environmental Collaborative Planning Meeting	Highways England Environmental bodies, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> Key concerns the groups had following a briefing on the design changes that were being taken to supplementary consultation in October 2020
25 August 2020	Environmental Collaborative Planning Meeting	Highways England Environmental bodies, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> The Public Rights of Way proposals Changes to Cowley junction Realignment of the B4070 to Birdlip via Barrow Wake Change in gradient
3 September 2020	Environmental Collaborative Planning Meeting	Highways England Environmental bodies, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> Scheme wide connectivity, permeability and crossings strategy Maintaining and improving functionality of the crossings Cotswolds Way crossing Gloucestershire Way crossing Cowley and Stockwell Farm overbridges
17 September 2020	Environmental Collaborative Planning Meeting	Highways England Environmental bodies, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> Environmental masterplan Biodiversity Net Gain Archaeology
28 September 2020	Meeting	Highways England	Highways England presented their strategy with regards to Common Land and the interface between this and impacts on the Crickley Hill and Barrow Wake SSSI's.

Date	Method	Parties concerned	Matters discussed
		Environmental bodies, including National Trust	
29 September 2020	Walking Cycling and Horse-riding Technical Working Group Statement of Common Ground Meeting	Highways England WCH TWG members including National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Draft SoCG document • The process and timescales of updating the SoCG.
7 October 2020	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including National Trust	Highways England provided an update to the SSP on the progress of the scheme including: <ul style="list-style-type: none"> • The upcoming supplementary statutory consultation
13 October 2020	Formal notification of supplementary consultation	Highways England National Trust	Highways England sent formal notification of the supplementary consultation via post and email to the National Trust in accordance with section 42 of the Planning Act 2008. This set out a deadline to submit comments of the 12 November 2020.
28 October 2020	Meeting	Highways England Environmental collaborative planning organisations including National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Biodiversity Net Gain (BNG) and the DEFRA Metric in relation to the A417 Missing Link scheme • The change by habitat area within the DCO Boundary • the BNG calculation (using the current DEFRA metric, due to be updated in Dec 2020) • The BNG metric • Stakeholders ideas to improve on biodiversity gain
10 November 2020	Formal response to statutory consultation	National Trust to Highways England	The National Trust submitted a formal response to the statutory consultation to Highways England via letter.

Date	Method	Parties concerned	Matters discussed
2 December 2020	Meeting	Highways England SSP member organisations, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Key concerns and issues regarding the proposed crossings for the scheme.
11 December 2020	Strategic Stakeholder Panel Meeting	Highways England SSP member organisations, including National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Progress of the scheme • Results from the recent consultation • A summary of the responses received • Provide an update on next steps for the scheme
14 December 2020	Letter	Highways England Environmental bodies, including National Trust	Highways England wrote to the environmental stakeholders, including National Trust, to outline a change in proposals following the crossings and integration strategy meeting which took place on 2 December 2020.
18 December 2020	Letter	Highways England Environmental bodies, including National Trust	The National Trust wrote to Highways England to confirm their full support for the proposed design changes outlined in Highways England's letter dated 14 December 2020 but also highlighted the need to collectively challenge the negative biodiversity net gain position of the road scheme.
05 January 2021	Email	Highways England National Trust	The National Trust responded to Highways England on recent dialogue advising their position with regards to the revised proposed inalienable land take and would wait to formally respond in next land acquisition consultation.
25 January 2021	Statement of Common Ground Meeting (SoCG)	Highways England National Trust	Highways England provided the National Trust with an overview of the draft SoCG document and sought comments on its structure and National Trust's principal matters outstanding. Highways England and National Trust discussed the process and timescales of updating the SoCG.
8 February 2021	Letter	Highways England to National Trust	Highways England sent a letter to the National Trust notifying them as a landowner of additional targeted landowner consultation, with a deadline to respond by 9 March 2021.

Date	Method	Parties concerned	Matters discussed
8 March 2021	Formal response to statutory consultation	National Trust to Highways England	The National Trust submitted a formal response to the targeted landowner consultation to Highways England via letter.
19 March 2021	Statement of Common Ground Meeting (SoCG)	Highways England National Trust	The following matters were discussed: <ul style="list-style-type: none"> • Overview of the draft SoCG document and comments on its structure and National Trust's principal matters outstanding • Process and timescales of updating the SoCG
25 August 2021	Statement of Common Ground Meeting (SoCG)	Highways England National Trust	The following matters were discussed: <ul style="list-style-type: none"> • National Trust's issue of suggested changes to the draft SoCG following DCO application acceptance and publication of DCO documents (resent to Highways England during the meeting) • Commitments and details as part of the long-term management plans set out in the DCO application • Request to hold a focused technical meeting on climate • Suggested further update to the draft SoCG following Relevant Representation, which will align closely to the priority matters outstanding • Update on landowner discussions (separate to the SoCG meetings) • Process and timescales for updating the SoCG during examination
6 October 2021	Meeting	Highways England National Trust	The following matters were presented and discussed: <ul style="list-style-type: none"> • Climate Change Act and statutory carbon reduction targets • Publicly Available Specification (PAS) 2080 as a standard for managing and reporting infrastructure carbon • Decarbonising transport: a better, greener Britain, DfTs plan to decarbonise the entire transport system in the UK • Highways England's decarbonisation plan, Net zero highways: our 2030 / 2040 / 2050 plan • Scheme net emissions (up to 2037) against UK Government carbon budgets
22 November 2021	Statement of Common Ground Meeting (SoCG)	Highways England National Trust	Meeting to discuss and agree the updated draft Statement of Common Ground in advance of Examination Deadline 1.

Date	Method	Parties concerned	Matters discussed
<u>14 December 2021</u>	<u>Deadline 1 submissions</u>	<u>National Trust</u>	<p><u>The National Trust submitted the following documents to inform Examination Deadline 1:</u></p> <ul style="list-style-type: none"> • <u>Responses to ExQ1 (REP1-096)</u> • <u>Summary of Written Representation (REP1-097)</u> • <u>Written Representation (REP1-098)</u> • <u>Cover letter, notification of wish to participate in a Compulsory Acquisition Hearing, and Submission of suggested locations for the Examining Authority to include in any site inspection (REP1-095)</u>
<u>31 January 2022</u>	<u>Statement of Common Ground Meeting (SoCG)</u>	<u>Highways England</u> <u>National Trust</u>	<u>Meeting to discuss and agree the updated draft Statement of Common Ground in advance of Examination Deadline 3.</u>

3 Topics covered in this SoCG

3.1.1 The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 Summary of the Topics considered within this SoCG

Overarching topic	Topic number	Topic
Background	1.	Principle of Development
	2.	Consultation
Relevant ES Chapter	3.	Assessment of Alternatives (Chapter 3 of the ES)
	4.	Environmental Assessment Methodology (Chapter 4 of the ES)
	5.	Air Quality (Chapter 5 of the ES)
	6.	Cultural Heritage (Chapter 6 of the ES)
	7.	Landscape and Visual Effects (Chapter 7 of the ES)
	8.	Biodiversity (Chapter 8 of the ES)
	9.	Geology and Soils (Chapter 9 of the ES)
	10.	Noise and Vibration (Chapter 11 of the ES)
	11.	Population and Human Health (Chapter 12 of the ES)
	12.	Population and Human Health – Public Rights of Way (Chapter 12 of the ES)
	13.	Climate (Chapter 14 of the ES)
Other topics	14.	Environmental Management Plan
	15.	Crossings of the A417
	16.	Gradient change
	17.	Cowley junction
	18.	The realignment of the B4070 to Birdlip via Barrow Wake
	19.	Common Land
	20.	Improvements for walking, cycling and horse riding including disabled users
	21.	Land
	<u>22.</u>	<u>Draft DCO</u>

4 Matters agreed

4.1.1 Table 4-1 shows those matters which have been agreed by the parties, including that matter's reference number, and the date and method by which it was agreed.

Table 4-1 Matters agreed between the National Trust and Highways England

Matter reference number	Matter which has been agreed	Date and method of agreement
1. Principle of Development		
1.1	Both parties agree that measures are needed to address the safety and traffic flow issues on the 5km stretch of single carriageway between Brockworth bypass and Cowley Roundabout.	Covering letter, National Trust response to Supplementary Consultation, 10 November 2020
1.2	Both parties agree the scheme will need to accord with paragraph 5.152 of the National Policy Statement for National Networks (NPSNN), which states that there is a strong presumption against any significant road widening or the building of new roads in an Area of Outstanding Natural Beauty (AONB) unless it can be shown that there are compelling reasons for the new or enhanced capacity and with any benefits outweighing the costs significantly.	Covering letter, National Trust response to Supplementary Consultation, 10 November 2020
1.3	Both parties agree the scheme will need to accord with the requirements set out in paragraph 5.153 of the NPSNN which states that for projects within an AONB, the Secretary of State should be satisfied that the project will be carried out to high environmental standards and where possible include measures to enhance other aspects of the environment.	Covering letter, National Trust response to Supplementary Consultation, 10 November 2020
1.4	Both parties agree the scheme will need to accord with the requirements set out in paragraph 5.154 of the NPSNN which states that the aim should be to avoid compromising the purposes of designation and the project should be designed sensitively.	Covering letter, National Trust response to Supplementary Consultation, 10 November 2020

Matter reference number	Matter which has been agreed	Date and method of agreement
1.5	The National Trust agrees with the 'landscape-led' approach for the scheme as stated in the agreed vision statement. The National Trust also agrees with the following aspects of the scheme vision: conserving and enhancing the special character of the Cotswolds AONB; reconnecting landscape and ecology; bringing about landscape, wildlife and heritage benefits; and enhancing visitor enjoyment.	Covering letter, National Trust response to Supplementary Consultation, 10 November 2020
1.6	Both parties agree the scheme should have regard to the policies set out to meet the challenge of climate change, conserving and enhancing both the natural and historic environment stipulated in the revised February 2019 National Planning Policy Framework (NPPF).	Page 1 of National Trust response to Statutory Consultation, 6 November 2019
2. Consultation		
2.1	<p>Highways England agrees that to date, National Trust have raised key concerns in the following submissions:</p> <ul style="list-style-type: none"> • 2017 Position statement • 2018 Non-Statutory Consultation response • 2018 Non-Statutory Consultation position statement • 2019 Preferred Route Announcement statement • 2019 Environmental Impact Assessment Scoping Report to Planning Inspectorate • 2019 July Green Bridge considerations paper • 2019 Statutory consultation response • 2020 Landowner land acquisition consultation responses (x3 – February, April and November) • 2020 Briefing note for the Access Bridges (collaborative document with CNL, GWT) • 2020 Supplementary statutory consultation response • 2020 Supplementary statutory consultation collaborative press release (with CNL, GWT) • 2021 Landowner land acquisition consultation response 	National Trust responses dated to Landowner land acquisition response (February 2021)
2.2	Both parties agree to continue to engage with one another during the detailed design stage of the scheme to agree things such as, but not limited to, surfacing and signage.	SoCG meeting, 25 January 2021
3. Assessment of Alternatives (Chapter 3 of the ES)		
3.1	The National Trust understands how the scheme has evolved and how the current proposal has been arrived it. They also note that the scheme would bring some notable public benefits.	SoCG meeting, 22 November 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
4. Environmental Assessment Methodology (Chapter 4 of the ES)		
4.1	Both parties agree an Environmental Management Plan and a Construction Traffic Management Plan must be in place before construction commences and key stakeholders must have had the opportunity to feed into the drafting of these documents.	Page 9 of National Trust response to Statutory Consultation, 6 November 2019
5. Air Quality (Chapter 5 of the ES)		
5.1	Both parties agree that a clear scope for ecological receptors in terms of the habitats and the zone of influence is needed and that mitigation measures to reduce any adverse impacts will be fully considered. An assessment of the effects of the scheme on air quality in relation to human and ecological receptors is provided in ES Chapter 5 Air Quality of the ES (Document Reference 6.2, APP-036).	SoCG meeting, 19 March 2021
5.2	Both parties agree that there needs to be an assessment of nitrogen deposition from any increased traffic in operational phase on the ecological receptors. An assessment of the effects of the scheme on air quality in relation to human and ecological receptors is provided in ES Chapter 5 Air Quality (Document Reference 6.2, APP-036).	SoCG meeting, 19 March 2021
5.3	Both parties agree that the EIA should include an assessment of the effects of dust during construction and vehicle emissions during operation. The effects of dust during construction will be assessed and reported on in ES Chapter 5 Air Quality (Document Reference 6.2, APP-036).	SoCG meeting, 19 March 2021
5.4	Both parties agree that there is an appropriate mechanism secured through table 2.1 of the EMP (APP-317) for the Trust (and GWT) to report any concerns in relation to construction dust with specific regards to Crickley Hill Country Park and that these would be addressed through the same mechanism.	SoCG meeting, 31 January 2022
5.5	Both parties agree that there is an appropriate mechanism secured through table 2.1 of the EMP (APP-317) for the Trust (and GWT) to report any concerns in relation to construction dust and that these would be addressed through the same mechanism.	SoCG meeting, 31 January 2022
5.6	National Trust agree with the location of the dust crushing compound to be over 250m away from the Crickley Hill and Barrow Wake SSSI as shown on Sheet 2 of 6 of the General Arrangement Plans (APP-010).	SoCG meeting, 31 January 2022
5.7	Both parties agree to continue to engage with specific regards to air quality impacts during construction on Crickley Hill and Barrow Wake SSSI, as secured through commitment GP8 "Stakeholder engagement: Highways England would engage with all key environmental stakeholders prior to and during the detailed design process, as well as during construction of the scheme. These are listed in section 2.2 of this EMP."	SoCG meeting, 31 January 2022
6. Cultural Heritage (Chapter 6 of the ES)		
	No matters identified.	

Matter reference number	Matter which has been agreed	Date and method of agreement
7. Landscape and Visual Effects (Chapter 7 of the ES)		
7.1	Both parties agree that there should be no lighting in the vicinity of Shab Hill junction to reduce the amount of light spillage to the Dark Skies area. The National Trust would reconsider this position if the approach to lighting was any different from that currently proposed (particularly in light of GCC's position as local highway authority that Ullenwood junction could be lit subject to assessment).	SoCG meeting, <u>19 March 2021</u> and <u>22 November 2021</u>
7.2	The National Trust agrees with the "Dark-Skies" approach taken to the scheme development in recognition of one of the key characteristics of the Area of Outstanding Natural Beauty (AONB) landscape.	<u>SoCG meeting, 31 January 2022</u> April 2021
<u>7.3</u>	<u>The National Trust notes and supports the Applicant's statement that the design and finish of the cutting would be of a 'naturalistic appearance', with mix of exposed rock, terraces and steep slopes, and avoiding 'hard engineered' solutions.</u>	<u>Page 31 of National Trust's Written Representation, December 2021</u>
<u>7.4</u>	<u>Regarding walls, the Trust acknowledges and supports the use of Cotswold dry-stone walls, to reduce noise impacts and reflect the landscape characteristics within the area of the Cotswolds AONB.</u>	<u>Page 30 of National Trust's Written Representation, December 2021</u>
<u>7.5</u>	<u>Both parties wish for the scheme to adhere as closely as possible to its landscape-led vision and are committed to working collaboratively alongside other stakeholders during the detailed design stage to help ensure this is achieved. Whilst Draft DCO requirements secure the approach to continued consultation, appropriate EMP commitments have also been included to help secure this approach to delivering a landscape-led highway scheme, for example (not an exhaustive list) L5 and L21 provide commitments to the design of all bridges and structures – to be of high architectural quality – and commitment L7, L8, BD41 and BD54 define the Gloucestershire Way crossing design in further detail.</u>	<u>SoCG meeting, 31 January 2022</u>
8. Biodiversity (Chapter 8 of the ES)		
8.1	The National Trust accepts that under the Town and Country Planning Act 1990, a Nationally Significant Infrastructure Project is not required to achieve Biodiversity Net Gain. Whereas the Road Investment Strategy 2: 2020-2025 (RIS2) states a commitment to no net loss to biodiversity by 2020 and net gain by 2040 along the Strategic Road Network, and the 25 Year Environment Plan states that: "Current policy is that the planning system should provide biodiversity net gains where possible". The National Trust agree that Highways England has sought to maximise biodiversity improvements on the land that is available within the DCO Boundary. Highways England has worked collaboratively with the National Trust and other environmental bodies to consider the evolving DEFRA Biodiversity Metric 2.0 tool and has agreed to focus on providing priority habitats, which are in keeping with the	<u>SoCG meeting, 31 January 2022</u> March 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
	special qualities of the Cotswolds AONB, as part of this scheme. Highways England is continuing to investigate further opportunities to achieve Biodiversity Net Gain (BNG) with neighbouring landowners and through looking at other off-site measures.	
8.2	The National Trust supports tree planting mitigation adjacent to extending into Ullenwood.	Page 8 of National Trust response to Statutory Consultation, 6 November 2019
8.3	The National Trust agrees that the re-purposing of part of the existing A417 provides an opportunity for an ecological link across the landscape. Both parties agree that further collaboration will take place during the detail design discussions to ensure it is sensitively designed and existing A417 infrastructure completely removed, that the right surface is provided for all users and planting/landscaping allows the scarring to reduce in the landscape.	Page 9 of National Trust response to Statutory Consultation, 6 November 2019 SoCG meeting, November 2021
8.4	Overall, the Trust agrees that the amount of calcareous grassland creation is a positive outcome for the scheme when incorporated with the other mitigation measures that Highways England is proposing as part of the scheme. National Trust are pleased to see that Highways England have worked to maximise habitat creation opportunities within the DCO Boundary and are seeking to create high distinctiveness (priority) habitats where possible.	Page 10 of National Trust response to Supplementary Consultation, 10 November 2020
8.5	The National Trust agrees that appropriate mitigation and compensation is proposed for the loss of 5.324.5ha of species-rich neutral grassland in the field north of Shab Hill lowland meadow priority habitat . It is achieved by creating as part of the creation of c 70ha of calcareous grassland and 7.6 ha of species-rich neutral grassland. The species-rich neutral grassland will be created using topsoil from the lowland meadow field north of Shab Hill . The methodology for translocating and storing the topsoil should be detailed in Annex B Construction Traffic Management Plan (CTMP) of ES Appendix 2.1 EMP (Document Reference 6.4, APP-319) , the Landscape and Ecological Management Plan (LEMP) (Document Reference 6.4) . Whilst the calcareous grassland is not a like-for-like replacement for species-rich neutral grassland lowland meadow , it is of equally high-value and appropriate to claim as compensation due to the extent of new habitat and its importance in the local landscape. All appropriate mitigation measures are set out in ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039).	SoCG meeting, 25 August 2021 and 22 November 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
9. Geology and Soils (Chapter 9 of the ES)		
9.1	National Trust agrees with the conclusion that with the cutting being much reduced (compared to the scheme consulted on in 2019), it presents a lesser risk from a geological perspective, as it will avoid digging into less stable materials, has a reduced impact to the SSSI geological features (notable rock exposures), ancient woodland and Emma's Grove. Decreasing the amount of spoil by approx. 1m cubic tonnes is another significant environment outcome compared to the scheme consulted on in 2019 (potentially reducing 50,000 lorry movements that would have been required to take the waste material off-site).	National Trust response to Supplementary Consultation, 10 November 2020
<u>9.2</u>	<u>Both parties agree that the EMP (Document Reference 6.4, APP-317) provides the following commitments on geology, that geological interpretation will be carried out, revealing and interpreting exposed sections within the scheme area, GS7, GS8, GS9 and GS10.</u>	<u>SoCG meeting, 31 January 2022</u>
10. Noise and Vibration (Chapter 11 of the ES)		
<u>10.1</u>	<u>Both parties agree that commitment National Trust will be engaged with and consulted regarding noise and vibration impacts from construction. This is secured through NV2, NV3 and NV5 in the EMP (Document Reference 6.4, APP-317). No matters identified.</u>	<u>SoCG meeting, 31 January 2022</u>
11. Population and Human Health (Chapter 12 of the ES)		
	No matters identified.	
12. Population and Human Health – Public Rights of Way (Chapter 12 of the ES)		
	No matters identified.	
13. Climate (Chapter 14 of the ES)		
	No matters identified.	
14. Environmental Management Plan		
14.1	Both parties agree mitigation must be implemented at every stage of the construction process for protected species and other wildlife and phased to have the best opportunity of success in starting the gradual process of restoring and re-connecting the landscape within which the road scheme sits.	Page 10 of National Trust response to Statutory Consultation, 6 November 2019
14.2	Both parties agree that a Construction Traffic Management Plan (CTMP) must be produced. <u>Annex B Construction Traffic Management Plan (CTMP) of ES Appendix 2.1 EMP (Document Reference 6.4, APP-319)</u> has been produced as part of the DCO submission. A construction stage (at detailed design) CTMP will also form part of the construction-stage EMP as per draft DCO Requirement 3.	SoCG meeting, <u>19</u> March 2021 and <u>22</u> November 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
15. Crossings of the A417		
15.1	The National Trust supports the provision of the Cotswold Way crossing in its location, and agrees that it should provide connectivity along the Cotswolds escarpment and provide a safe crossing point for walkers on the Cotswold Way, as well as for other non-motorised users and livestock movement between Crickley Hill and Barrow Wake.	Page 1 of National Trust response to Supplementary Consultation, 10 November 2020
15.2	The National Trust agrees that the Cotswold Way crossing will enhance people's ability to physically connect Crickley Hill, Emma's Grove and Barrow Wake, that it will be a gain for landscape connectivity (compared to having no crossing in this location) and will present an opportunity to enhance people's understanding of the historic environment and landscape setting (subject to detailed scheme design).	Page 2 of National Trust response to Supplementary Consultation, 10 November 2020
15.3	Both parties agree that the design, form and appearance of the Cotswold Way crossing should respond to the natural and built character of this part of the Cotswolds and should make a positive contribution to sense of place.	Page 1 of National Trust response to Supplementary Consultation, 10 November 2020
15.4	The National Trust supports the provision of the Gloucestershire Way crossing in its location, to provide access connectivity for the Gloucestershire Way, and to provide vital connectivity within the landscape, with benefits for ecological networks, with particular regard to having 'splayed' ends as it joins the land on either side of the cutting, providing a funnel effect and will have benefits in terms of how it fits in with the local landscape and guides some mobile wildlife across the crossing. Both parties agree to continue working together, and with other stakeholders during the detailed design discussions to ensure as far as possible for a bridge of its size, that the bridge provides a sustainable wildlife corridor for local species as appropriate once construction has been completed.	Page 2/4 of National Trust response to Supplementary Consultation, 10 November 2020 SoCG meeting, November 2021
15.5	The National Trust agree the Gloucestershire Way will enhance people's ability to physically connect with Crickley Hill, Emma's Grove, Barrow Wake and other notable sites, which will increase understanding of historical assets and how human activity has, over millennia created the living landscape we currently enjoy. This will certainly be a gain for landscape connectivity (compared to having no such crossing) and presents an opportunity to enhance people's understanding of the historic environment and landscape setting if the bridge is designed appropriately and sensitively.	Page 4 of National Trust response to Supplementary Consultation, 10 November 2020
15.6	The National Trust agrees that a primary purpose of the Gloucestershire Way crossing is to provide an access route connecting the Gloucestershire Way and Cotswold Way National Trail.	Page 2 of National Trust response to Supplementary

Matter reference number	Matter which has been agreed	Date and method of agreement
		Consultation, 10 November 2020
15.7	The National Trust agrees with the provision of the Gloucestershire Way crossing to incorporate a 25m width of calcareous grassland habitat to help address fragmentation of the SSSI, in addition to its required functions for species connectivity, landscape integration and diversion of the Gloucestershire Way. The National Trust welcomes and fully supports this design change which, in addition to the 25m of calcareous grassland habitat, also includes two 3m width hedgerows, a 3.5m bridleway and a 1.5m maintenance strip. Both parties agree to continue developing the design of the bridge through detailed design stage.	Page 1 of National Trust position statement response, 18 December 2020
16. Gradient change		
16.1	The National Trust broadly supports the design change with an 8% gradient proposed on Crickley Hill as consulted upon in 2020, compared to the 7% proposed in the Autumn 2019 consultation. The proposed change in grade would remove the extent of some harmful impacts, including visual impacts, effects on the water environment and in terms of wider environmental impacts. Because this reduced depth of excavation means less land/habitat loss, then this is considered to be beneficial.	Page 4 of National Trust response to Supplementary Consultation, 10 November 2020
17. Cowley junction		
17.1	Highways England 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 walking, cycling and horse riding, 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. In principle, the National Trust agree to the proposed change at Cowley junction.	Page 5 of National Trust response to Supplementary Consultation, 10 November 2020
18. Realignment of the B4070 to Birdlip via Barrow Wake		
18.1	The National Trust is supportive of the revised design of the realigned B4070 as it is now using part of the existing highway. The proposed change would reduce both the length of new highway that is required and agricultural land take and therefore, on balance, may represent a beneficial change to the scheme.	Page 6 of National Trust response to Supplementary Consultation, 10 November 2020
18.2	The National Trust supports the aspiration to address the known and persistent anti-social behaviours currently associated with the Barrow Wake car park and this revision will go towards deterring this behaviour.	Page 6 of National Trust response to Supplementary Consultation, 10 November 2020
19. Common Land		

Matter reference number	Matter which has been agreed	Date and method of agreement
19.1	The National Trust supports the re-provision of Common Land, in principle.	Page 8 of National Trust response to Supplementary Consultation, 10 November 2020
20. Improvements for walkers, cyclists, and horse riders, including disabled users		
20.1	The National Trust supports the provision of the Cotswold Way and Gloucestershire Way crossings, and the re-purposing of the existing A417 route, subject to detailed design.	Page 7 of National Trust response to Supplementary Consultation, 10 November 2020
20.2	The National Trust supports the proposed improvements, being mindful that they must accommodate different user groups, whilst still protecting the mosaic of habitats, designated sites and differing land uses across landownerships.	Page 7 of National Trust response to Supplementary Consultation, 10 November 2020
21. Land		
21.1	Subject to agreement, the National Trust agrees to the acquisition of four parcels of inalienable land as stated in the first land acquisition plan dated 13.01.2020 – The parcels of land are identified as 2/14, 2/14a, 2/14b and 2/14c 'LAND PLANS APFP REGULATION 5(2)(i)(I),(II),(III) SHEET 2 OF 6 Drawing Number HE551505 Revision C01' Both parties agree to continue discussions about the transfer of these parcels of land.	SoCG meeting, 19 March 2021 and 22 November 2021
21.2	Highways England acknowledges that the National Trust has better title to part of its registered title GR323231, being parcel 2/14 on Drawing Title 'LAND PLANS APFP REGULATION 5(2)(i)(I),(II),(III) SHEET 2 OF 6 Drawing Number HE551505 Revision C01' and that this parcel will be included in the parcels to be acquired by Highways England.	SoCG meeting, 22 November 2021
21.3	Highways England and the National Trust commit to ongoing discussions with regards to long-term land management, with a particular focus on Crickley Hill & Barrow Wake SSSI and blighted land .	SoCG meeting, 25 January 2021

Matter reference number	Matter which has been agreed	Date and method of agreement
21.4 ^[AP2]	Highways England and the National Trust commit to ongoing discussions with regards to long term land management, with a particular focus on blighted land.	SoCG meeting, 31 January 2022
<u>22. Draft DCO</u>		
<u>22.1</u>	<u>Both parties agree that both temporary and permanent stopping up of rights of way are addressed within Article 28 of the Draft DCO.</u>	<u>SoCG meeting, 31 January 2022</u>
<u>22.2</u>	<u>Both parties agree that both the temporary and permanent diversion of the Cotswold Way National Trail is addressed within Article 20 of the Draft DCO</u>	<u>SoCG meeting, 31 January 2022</u>

5 Matters outstanding

5.1 Principal matters outstanding

- 5.1.1 The principal matters outstanding between National Trust and Highways England are listed below. It is important to recognise that there may be further matters outstanding identified, subject to the determination of the matters identified in Appendix B where the position of the National Trust is pending following it making its Relevant Representation and upon review of the full suite of DCO application documents, in particular those relating to the Environmental Statement (ES).
- 5.1.2 The principal matters outstanding between National Trust and Highways England are:
- the scheme's approach to delivering biodiversity net gain;
 - the conclusion of the predicted impact on Crickley Hill SSSI unit during construction and operation; and
 - that a holistic landscape approach should be taken for scheme mitigation that overlays cultural heritage, historic environment and natural environment.

5.2 Matters Outstanding

- 5.2.1 Table 5-1 shows those matters which remain under discussion by the parties. It sets out the latest position of each party in relation to each matter outstanding, and the latest date of that position.
- 5.2.2 In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of the Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 5-1 Matters outstanding between the National Trust and Highways England

Ref.	Matter	National Trust position	Highways England position	Date of the position
1. Principle of Development				
1.1.	Removed (resolved) Scale of intervention	National Trust question whether the extent of overall highway corridor is necessary or appropriate in an AONB context.	The new road design will ensure a free flow of traffic, which will improve journey times, safety and reliability on the A417. Journey time reliability and safety would also improve on the A436, however, the traffic modelling undertaken by Highways England shows variations in how the scheme would affect journey times on the A436, depending on the direction and time of travel. For example, journey times for those travelling between the A436 and Gloucester/M5 will increase at some times of day, and in some directions, and decrease at others. For those travelling towards Cheltenham/Stroud, there will be a decrease in journey times on the A436 in comparison a scenario without the scheme.	SoCG meeting, 31 January 2022 Page 17 of National Trust response to Supplementary Consultation, 10 November 2020
1.2.	Ability to deliver a 'landscape-led' <u>highways</u> scheme that meets the vision and objectives	National Trust have requested a definitive list of assurances and demonstrable outputs of the scheme that identify the 'value add' aspects of the scheme that result in it being landscape-led. They would like a clear comparison between the A417 Missing Link and a standard 'engineering-led solution.' <u>National Trust remains concerned regarding the ability to deliver a landscape-led highways scheme, with specific regards to the detailed design of structures. Specific matters are covered in matters outstanding 15.1, 15.2 and 15.3.</u> Having reviewed the Design Summary Report, the National Trust still has reservations that 'landscape-led' has underpinned every design decision made and still needs to be convinced (for example,	Highways England notes the position of the National Trust. Highways England has drawn comparisons between the A417 Missing Link scheme and a 'traditional' highways scheme in a series of collaborative engagement sessions with the Trust, and other environmental stakeholders, which includes detailing the mitigation and enhancement measures proposed as part of this scheme. The Design Summary Report (Document Reference 7.7, APP-423) <u>demonstrates how the scheme is landscape-led and</u> details the design decisions made during the development of the A417 Missing Link scheme and how this compares with a 'traditional' highways scheme. <u>Appropriate EMP commitments have also been included to help secure the approach to delivering a</u>	SoCG meeting, 31 January 2022 Page 10 of National Trust response to Supplementary Consultation, 10 November 2020 <u>SoCG meeting, November 2021</u>

Ref.	Matter	National Trust position	Highways England position	Date of the position
		regarding all bridge structures in the scheme design) and that the characteristic values of the Cotswolds AONB have been fully considered and mitigated.	<p><u>landscape-led highway scheme, for example (not an exhaustive list) L5 and L21 provide commitments to the design of all bridges and structures – to be of high architectural quality – and commitment L7, L8, BD41 and BD54 define the Gloucestershire Way crossing design in further detail.</u></p> <p><u>Highways England are committed to ongoing consultation at the detailed design stage to help ensure these concerns are addressed at the appropriate time.</u></p>	
2. Consultation				
<u>2.1</u>	No matters identified			
3. Assessment of Alternatives (Chapter 3 of the ES)				
3.1.	No matters identified			
4. Environmental Assessment Methodology (Chapter 4 of the ES)				
4.1.	Use of DMRB standards	<p><u>Since the Applicant's Scoping Report submission, the Trust has raised concerns about the reliance on the Design Manual for Roads and Bridges (DMRB) for assessment criteria and methodology. In our view, the DMRB methodology can be insufficient when it comes to assessing historic landscape character and the effects of the scheme, resulting in a focus on individual heritage assets, with little consideration of their inter-relationships within a contextual landscape.</u></p> <p><u>Please refer to recommendations on page 19 of our Written Representation. The National Trust has concerns about the potential over-reliance on the Design Manual for Roads</u></p>	<p>DMRB is Highways England's principal guidance for undertaking the environmental assessment of trunk road schemes. However, other best practice standards and guidance have been consulted in the course of the assessment, as set out in individual chapters of the Environmental Statement.</p> <p><u>Highways England has responded to Written Representations in our Response to Written Representations Document (Document Reference 8.11, REP2-012).</u></p>	<p><u>Pages 8 and 18 of National Trust Written Representation, December 2021</u> <u>Page 11 of National Trust response to Statutory Consultation, 6 November 2019</u></p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<p>and Bridges (DMRB) in assessment criteria and methodology. This includes a particular focus on Cultural Heritage Chapter 6 of the ES (the Trust consider that Historic England guidance should be used here).</p> <p>This concern was also raised in response to the Scoping Report.</p>		
5. Air Quality (Chapter 5 of the ES)				
5.1.	<p>Dust and the Air Quality Management Plan Removed (resolved)</p>	<p>Paragraph 4.3.7 of ES Appendix 2.1 EMP sets out what the Air Quality Management Plan would include as a minimum, including monitoring of dust and recording of inspection results, but we would also want to see a mechanism for any dust issues to be reported and resolved.</p>	<p>ES Appendix 2.1 Environmental Management Plan (EMP) (Document Reference 6.4, APP-317) is the EMP submitted as part of the application. It includes (in section 3) the Register of Environmental Actions and Commitments (the REAC). Commitment GP5 of the REAC requires the submission of an Air Quality Management Plan (including dust) as part of the EMP (construction) which is to be approved pursuant to Requirement 3. The AQMP is to be prepared in consultation with the relevant regulatory authority, relevant planning authority, and local highway authority. The matters being raised here would be addressed through that process. An outline of the minimum content of the Air Quality Management Plan has been included in Section 4.3 EMP (Construction) Management Plans of ES Appendix 2.1 EMP.</p>	<p>SoCG meeting, 31 January 2022 SoCG meeting, November 2021</p>
5.2.	<p>Resolved (matter agreed 5.4)</p>		<p>As noted in the EMP (table 2.1) the project manager will 'Provide an initial point of contact for members of the public/local community who have queries regarding the works'. Table 2.1 also details roles and responsibilities for implementing any corrective actions. This is the appropriate mechanism for any dust issues to be reported and then addressed. [AP3][CS4][LMS]</p>	<p>SoCG meeting, 31 January 2022</p>
5.3.	<p>Resolved (matter agreed 5.5)</p>		<p>This commitment is secured by BD63 of the EMP (APP-317) which states "All works within a SSSI will be</p>	<p>SoCG meeting, 31 January 2022</p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
			<p><u>subject to a method statement to be agreed and signed off by Natural England.</u></p> <p><u>As per commitment GP8 "Stakeholder engagement: Highways England would engage with all key environmental stakeholders prior to and during the detailed design process, as well as during construction of the scheme. These are listed in section 2.2 of this EMP."</u></p> <p><u>As National Trust are listed as a stakeholder, on this basis, all works within the SSSI would be consulted upon.</u> [AP6][BS7]</p>	
5.4.	<u>Resolved (matter agreed 5.6)</u>		<p><u>The location of the compound is shown on Sheet 2 of 6 of the General Arrangement Plans (APP-010). This is located over 250m way from the Crickley Hill and Barrow Wake SSSI.</u></p> <p><u>To ensure protection of Ullen Wood, the EMP (APP-317) includes commitment AQ14 which states "Air quality monitoring would be undertaken at appropriate locations to determine emissions during operation of the scheme and confirm the impact on Ullen Wood Ancient Woodland and veteran trees. Monitoring would be undertaken for 1 year from the first full year of operation. Should monitoring identify poorer air quality, remedial action would be required."</u> [AP8][BS9]</p>	<u>SoCG meeting, 31 January 2022</u>
5.5.	<u>Resolved (matter agreed 5.7)</u>		<p><u>As per commitment GP8 "Stakeholder engagement: Highways England would engage with all key environmental stakeholders prior to and during the detailed design process, as well as during construction of the scheme. These are listed in section 2.2 of this EMP."</u></p> <p><u>As National Trust are listed as a stakeholder, on this basis, all works within the SSSI would be consulted upon.</u> [AP10][BS11]</p>	<u>SoCG meeting, 31 January 2022</u>

Ref.	Matter	National Trust position	Highways England position	Date of the position
6. Cultural Heritage (Chapter 6 of the ES)				
6.1.	Baseline information	<p>The National Trust considers that the baseline information to inform the understanding of the asset, it's setting <u>setting</u>, and the mitigation is poor. National Trust consider there to be a lack of evidence concerning:</p> <ul style="list-style-type: none"> • a landscape-scale approach and the focus on individual assets outside of their landscape context; • an assessment of historic landscape impacts; • <u>an explanation of how the value of identified sites has been assessed;</u> • <u>information on how undesignated sites of schedulable value have been identified (i.e. what criteria has been used); and</u> • <u>detailed information about heritage sites and believe that this information, as well as a full site survey, should have been available to inform route selection.</u> <p>• <u>Refer to Written Representation pages 18-22 and Annex B commissioned report</u></p>	<p>Highways England notes the comments of the National Trust.</p> <p>Environmental Statement Chapter 6 Cultural Heritage (Document Reference 6.2, <u>APP-039</u>) has carried out the assessment of the scheme in accordance with the standards set by DMRB. Highways England considers that the assessment is robust and meets the requirements of NPSNN.</p> <p><u>Highways England has shared further information to help address these concerns in its Response to Cultural Issues Raised (Document Reference 8.14, REP2-015).</u></p>	<p><u>Pages 18 – 22 and Annex B of National Trust Written Representation, December 2021</u> <u>Page 15 and 16 of National Trust response to Supplementary Consultation, 10 November 2020</u></p>
6.2.	Assessment conclusion	<p>National Trust disagrees with the conclusions of Highways England with regards to the impact on cultural heritage, in particular Emma's Grove and Crickley Hill.</p>	<p>Highways England notes the comments of the National Trust. Environmental Statement Chapter 6 Cultural Heritage (Document Reference 6.2, <u>APP-039</u>) has carried out the assessment of the scheme in accordance with the standards set by DMRB.</p>	<p><u>Pages 18 – 22 and Annex B of National Trust Written Representation,</u></p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<p><u>Refer to Written Representation pages 18-22 and Annex B commissioned report.</u></p>	<p>The assessment in ES Chapter 6 Cultural Heritage takes account of changes to setting as a result of noise and visual intrusion, against the baseline conditions.</p>	<p><u>December 2021</u> <u>April 2024</u></p>
6.3.	A holistic landscape approach	<p>Having reviewed the ES in respect of historic landscape characterisation, the National Trust disagrees that a holistic approach has been taken to cultural heritage. <u>Similar concerns also relate to the assessment of landscape and visual effects.</u></p> <p><u>Refer to Written Representation pages 18-22 and Annex B commissioned report.</u></p>	<p>The <u>ES Appendix 6.3</u> Historic Landscape Characterisation (ES Appendix 6.3, Documents Reference 6.4, <u>APP-342</u>) sets out the approach to the assessment of cultural heritage.</p> <p><u>Highways England has shared further information to help address these concerns in its Response to Cultural Issues Raised (Document Reference 8.14, REP2-015).</u></p>	<p><u>Pages 18 – 22 and Annex B of National Trust Written Representation, December 2021</u> <u>November 2024</u></p>
7. Landscape and Visual Effects (Chapter 7 of the ES)				
7.1.	<p><u>Resolved (matter agreed 7.5)</u> <u>Landscape-led scheme and impact on Cotswolds AONB</u></p>	<p>The National Trust does still hold some concerns about the potential landscape impact and severance that the road scheme would give rise to, for example due to the overall width of highway corridor, and its implications for the AONB landscape. We question whether the scheme would demonstrate the ‘whole design’ approach as set out in DMRB LD 117 Landscape Design, Appendix A. We would want the scheme to adhere as closely as possible to its landscape-led vision.</p>	<p>The landscape-led approach to this scheme is set out and illustrated within the Design Summary Report (Document Reference 7.7, APP-423), including how the scheme addresses DMRB and policy requirements, 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). The landscape-led approach has brought together specialists and stakeholders from a range of disciplines to reach a balanced design solution that responds to the sensitive nature of the Cotswolds AONB. The design process has focused on how best to conserve and enhance the special qualities and landscape character of the AONB. This will be achieved by mitigating the effects of the scheme and integrating it within the landscape. This includes restoring and enhancing landscape features, typical to the area, such as Cotswold stone walling,</p>	<p><u>SoCG meeting, 31 January 2022</u> <u>November 2024</u></p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
			<p>hedgerow, tree, woodland and grassland planting. It also includes ecological design features such as creating new habitat and wildlife crossings, linking and restoring locally important habitats, as well as providing new habitat for rare and protected local wildlife. The landscape-led approach has allowed design interventions on all aspects of the scheme to reduce its impact on the landscape and visual resource, with the careful location and sensitive design of structures and use of locally appropriate materials. Wider benefits of the scheme include improving access and recreational opportunities and improving access to cultural heritage sites.</p> <p>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> <p>Highways England has sought to limit the effect of the construction on the environment as far as is practicable. To assist with this, Highways England would seek to re-use as much material as possible on-site, if it is assessed as suitable for re-use. Discussions are ongoing to determine whether any limited surplus material now arising could be re-used off-site with local landowners or on other projects within the region to minimise the requirement to transport this material. Where possible, Highways England would also seek to source material locally.</p>	
7.2.	Resolved (covered in matter outstanding 6.3) Effect on landscape character LMI21	The National Trust has previously questioned whether the Applicant has taken a sufficiently holistic approach to assessing the effects of the road scheme and the Trust has commissioned the University of	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).	SoCG meeting, 31 January 2022 Section 5.6.1 of National Trust Written

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<u>Gloucestershire study – see Annex B of Written Representation.</u>	<u>Highways England has shared further information to help address concerns about historic landscape, which is a key focus of Annex B of the National Trust's Written Representation, in its Response to Cultural Issues Raised (Document reference 8.14, REP2-015).</u>	<u>Representation, December 2021</u>
<u>7.3.</u>	<u>Short and long term visual impacts</u>	<u>The Trust suggests that further visualisations showing the cutting as experienced from the Cold Slad lane/ Cotswold Way crossing / Ullenwood roundabout area would help parties to better understand the scheme; and would want to ensure the impacts at the entrance to Crickley Hill country park are properly understood and mitigated as appropriate.</u>	<u>ES Chapter 7 reports all likely impacts that may arise as a result of the scheme, as described in Table 7-14 Assessment of effects on landscape receptors, AONB LCT 7 High Wold and is represented by Viewpoint 21 Entrance to Crickley Hill Country Park and described in Table 7-30 Assessment of visual effects on visitors to Crickley Hill Country Park.</u>	<u>Section 5.6.3 of National Trust's Written Representation, December 2021</u>
<u>7.4.</u>	<u>Drainage attenuation bunds</u>	<u>We are less clear as to the landscape treatment of the large basin to the south of the Ullenwood roundabout. This basin would be a considerable size, it looks to be about half the size of the nearby cricket pitch. We would want to see drainage basins designed to be in keeping with the AONB landscape and to be screened or softened by planting and boundary treatment as appropriate.</u>	<u>Attenuation basin 3a, situated between the proposed A417 and A436, has been located between the two roads to reduce the overall footprint of the scheme. Tree and woodland planting are proposed to help integrate the attenuation basin into the landscape.</u> <u>This is shown on the Environmental Masterplan sheet 7 of 25 (Document Reference 6.3, APP-174) which is secured as a certified document.</u>	<u>Section 5.6.6 of National Trust Written Representation, December 2021</u>
<u>7.5.</u>	<u>Fencing</u>	<u>Requirement 7 states that fencing shall be in accordance with the <i>Manual Contract Documents for Highways Works</i>, although we would prefer to see some mechanism to ensure the fencing was appropriate to its setting.</u>	<u>Highways England commits to continue to engage with National Trust on this matter and will provide an update during the Examination.</u>	<u>Section 5.6.6 of National Trust Written Representation, December 2021</u>
8. Biodiversity (Chapter 8 of the ES)				
8.1.	Biodiversity Net Gain	The National Trust considers that in order to deliver a landscape-led scheme, biodiversity net gain needs to be delivered on a	As part of the scheme, it is proposed to plant new woodland, grassland, trees and hedgerows to help preserve and create additional habitats in the local	<u>Pages 10-11 of National Trust Written</u>

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<p>landscape scale, and every opportunity sought within the red line boundary to deliver biodiversity improvements.</p> <p><u>We note that a c.20% net loss was recorded using the Defra Biodiversity Metric 2.0. We question the acceptability of this in the current and emerging policy environment.</u></p> <p><u>We request that:</u></p> <ul style="list-style-type: none"> • <u>The Applicant discloses the type (i.e. habitat), number and location of biodiversity units secured by the scheme</u> • <u>New habitats are maintained habitats for a minimum of 30 years</u> <p><u>See Written Representation, section 4.1.3.</u></p>	<p>area. These new and improved habitats will be in keeping with the AONB and have been carefully designed to improve habitat connectivity and biodiversity, in line with the nature recovery network strategy for the area.</p> <p>Highways England is working hard to maximise biodiversity improvements on the land that is available.</p> <p>Highways England has worked collaboratively with Natural England and other environmental bodies to consider the evolving DEFRA Biodiversity Metric 2.0 tool and have agreed to focus on providing priority habitats, which are in keeping with the special qualities of the Cotswolds AONB, as part of this scheme.</p> <p>Highways England is continuing to investigate further opportunities to achieve BNG with neighbouring landowners and through looking at other off-site measures.</p> <p>For further information, please refer to the Case for the Scheme (Document Reference 7.1, APP-417).</p> <p><u>Highways England has addressed the two bullet points in its Biodiversity Net Gain Calculation (Document Reference 8.10, REP1-015) and Responses to the Examining Authority's Written Questions (Document Reference 8.4, REP1-009), respectively.</u></p>	<p><u>Representation, December 2021</u> <u>Pages 8 and 9 of National Trust response to Supplementary Consultation, 10 November 2020</u></p>
8.2.	<u>Crickley Hill SSSI unit</u>	<p><u>The National Trust disagrees with Highways England's conclusions about likely operational impacts on Crickley Hill and are concerned about the potential effects of increased visitor pressure from the Cotswold Way crossing and new PRoWs into Crickley Hill and therefore, the required mitigation.</u></p>	<p><u>An assessment of the potential impact of new and diverted public rights of way and recreational pressures from walkers, cyclists and horse riders on the SSSI during operation is assessed within Chapter 8 Biodiversity (Document Reference 6.2, APP-039) and concludes a minor adverse impact upon Crickley Hill and Barrow Wake SSSI which is slight and not significant. Highways England has carefully considered a request for monitoring of recreational activity on</u></p>	<p><u>Pages 6-8 and Annex A Impact report of National Trust Written Representation, December 2021</u></p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<p><u>We suggest that a precautionary approach should be applied to the SSSI, including monitoring visitor numbers and impacts post construction, alongside a collaborative and funded mitigation strategy to address recreational pressures, including potential off-site provisions.</u></p> <p><u>See Written Representation, Section 4.1.1.</u></p>	<p><u>Crickley Hill Country Park and the SSSI before, during and/or post construction but does not consider this to be appropriate given the conclusions of the assessment reported in ES Chapter 12 Population and Human Health (Document Reference 6.2, APP-043) (slight adverse and not significant) (Document Reference 6.2).</u></p> <p><u>Highways England has responded to Written Representations in our Response to Written Representations Document (Document reference 8.11, REP2-012), section 2.15 Recreational Pressures on Crickleley Crickleley Hill and Barrow Wake SSSI.</u></p>	
<p><u>8.3.</u></p>	<p><u>Compensation for the loss of veteran trees</u></p>	<p><u>The National Trust would like to see additional compensation measures for the loss of veteran trees. We recognise that it is not fully possible to compensate for their loss but believe more can be done, including:</u></p> <ul style="list-style-type: none"> <u>• Improving the condition of existing veteran trees</u> <u>• Create veteran features in existing mature trees</u> <u>• Include mature trees in planting scheme</u> <p><u>See Written Representation, Section 5.2.5.</u></p>	<p><u>The impact on and all appropriate mitigation is set out in ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039). Highways England have worked hard in the design of the scheme to avoid the loss of veteran trees and have avoided 18 trees being lost to the scheme. These are situated either within land required temporarily for construction works or are adjacent to the DCO Boundary and will be protected and retained. As a result of these efforts, the scheme causes the unavoidable loss of three veteran trees during the early construction phase of the scheme prior to the commencement of works due to their location within the proposed road alignment. Highways England cannot compensate for their loss but as partial compensation for the loss of veteran trees, young trees of the same species as those to be lost will be planted with space around them to develop an open crown. This will comprise scattered tree planting within the meadow south of Ullen Wood, which is in close proximity to the veteran trees to be lost. In addition to this, Highways England has committed to (see EMP commitment BD62) to reduce existing threats and pressures on veteran beech tree (Ref 196380) to include</u></p>	<p><u>Section 5.2.5 of National Trust Written Representation, December 2021</u></p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
			<p><u>arboricultural management of the tree and of adjacent woody vegetation.</u></p> <p><u>In addition, veteranisation techniques would be employed to create habitats in younger trees that are otherwise found on older more mature trees as stated in paragraph 8.9.53 ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) as mitigation for bats.</u></p> <p><u>Highways England has provided further information in their Response to Written Representations document (Document Reference 8.11, REP-012, section 2.11 Impact on Veteran Trees and Ancient Woodland).</u></p>	
8.4.	<u>Mitigation and monitoring</u>	<p><u>The National Trust considers that further information and detail is required on the following matters:</u></p> <ul style="list-style-type: none"> <u>• An evidence base supporting the design of wildlife crossing points (i.e. under passes, culverts and bridges). Neither is there reference to best practice design principles, which are fundamental in ensuring this type of mitigation is effective</u> <u>• To provide confidence in the design and efficacy of the proposed mitigation, we request supporting evidence is provided in the form of academic studies, case studies or industry accepted design principles/best practices</u> <u>• Alternative mitigation if the proposed fails to work (particularly bat roosts). This can be secured via a robust monitoring programme, to be developed in the</u> 	<p><u>The full survey results and proposed mitigation is presented in the ES Chapter 8 Biodiversity (Document Reference 6.2, APP-039) with appropriate cross references where applicable to other DCO documents. Survey results applicable to the evidence base supporting the location and design of wildlife crossing points in particular are ES Appendices 8.6,8.7 and 8.8 (Document rReference 6.4, APP-pps-360 -APP-362), and ES Figure 8.4 Combined bat survey results (Document rReference 6.3, AppPP 197-202 (confidential)) and ES Appendix 8.9 - Badger Survey Report (Document rReference 6.4, APPpp-363).</u></p> <p><u>The Ddesign Ssummary Rreport (Document rReference -7.7, APP-pp-423)– details the design process and principles for the crossings within the scheme. It does not explicitly reference design principles, but Natural England and Landscape Institute guidance has been taken into account as well as built</u></p>	<u>SoCG meeting, 31 January 2022</u>

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<p><u>second iteration of the LEMP. The monitoring programme should include specific research questions to identify mitigation successes and failures alongside a commitment to undertake remedial action where mitigation has failed.</u></p> <ul style="list-style-type: none"> <u>LEMP details for habitat creation methodologies, long-term management (> 5 years), monitoring and remedial actions. This should be achieved by collaborative working with stakeholders to develop the relevant sections of the LEMP.</u> <p><u>As stakeholders whose land is affected by the scheme, we request to be able to participate in the development and sign off the monitoring methodologies. We also request that a legal mechanism is included which requires the Applicant to remedy any failed mitigation identified through the monitoring schemes.</u></p> <p><u>See Written Representation, Section 5.2.8</u></p>	<p><u>examples/case studies of wildlife crossings in the UK and Europe. -In addition, the design principles used for the bat crossings have been drawn from published research and guidance, in particular Berthinussen & Altringham (2015), taking into account site-specific factors such as species present, habitat connectivity and density, and topography, as recommended in the guidance</u></p> <p><u>Highways England is committed to working collaboratively with stakeholders to develop the relevant management and monitoring sections of the LEMP at the detailed design stage. Section 4 of the LEMP (PP-321) provides recommended pre, during and post construction monitoring. In addition, the</u></p> <p><u>Environmental Management Plan sets out many commitments for mitigation and monitoring, as well as for stakeholder engagement throughout detailed design (GP8).</u></p> <p><u>Furthermore, badger sets or bat roosts will be closed or moved under a license from Natural England as secured by DCO Requirement 10 (Protected Species).</u></p> <p><u>Requirement 6 remedies any failed mitigation to the landscape and planting (including habitat creation).</u></p>	
<p>9. Geology and Soils (Chapter 9 of the ES)</p>				
<p>9.1.</p>	<p><u>Resolved (matter agreed 9.2)Consideration of geology in design</u></p>	<p><u>The National Trust considers that the scheme proposal still does not consider or address the importance of geology. It does consider the impact on the SSSI, however, there is no consideration given of the</u></p>	<p><u>ES Chapter 9 Geology and Soils (Document Reference 6.2) considers geology and opportunities for the protection and enhancement of features. (API3)(CS14)The commitments in ES Appendix</u></p>	<p><u>SoCG meeting, 31 January 2022Page 21 and 22 of National Trust</u></p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<p>opportunities for geology and geological conservation.</p>	<p>2.1 Environmental Management Plan (EMP) (Document Reference 6.4, APP-317) that consider geology in design eGS7 A temporary physical barrier would be constructed to protect the identified geological exposures of the Leckhampton Member within the Crickley Hill SSSI (as shown on ES Figure 9.5 (Document Reference 6.3)). This would be considered by the contractor in their temporary works design.</p> <p>GS8 For any work required to stabilise or descale the rock exposures adjacent to the A417 within the Crickley Hill and Barrow Wake SSSI, measures will be taken to enhance the exposures. Works would be monitored by a suitably qualified geologist.</p> <p>GS9 Provide access for Natural England or their nominated specialists for the detailed sampling of fossils and recording of stratigraphic horizons from temporary geological sections exposed during construction, where safe and practical. Including identifying an area within the site compound where material could be looked at in more detail.</p> <p>GS10 Provide information board explaining the geology of the region.</p> <p>ES Chapter 2 (Document Reference 6.2, APP-033) states that "The cutting slopes would typically have an overall slope angle of 35 degrees to the horizontal and may locally be steepened up to 60 degrees with intermediate benches at five metre height intervals (achieving an overall slope angle of 35 degrees), subject to ground conditions. Cut slopes would be left unfinished with rock exposures with benching to allow for natural weathering of the slope angle to replicate the existing landscape, while eliminating the need for</p>	<p>response to Supplementary Consultation, 10 November 2020</p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
			<p>hard engineered solutions. Rock exposures would provide opportunities for rare and protected flora and fauna communities."RES Appendix 2.1 Environmental Management Plan (J)R</p>	
<p><u>9.2.</u></p>	<p><u>Soils</u></p>	<p><u>The National Trust would like to see commitments regarding the movement of topsoil and subsoil, to avoid or minimise any temporary and long-term impacts with regards to the creation of new woodland or grassland.</u></p> <p><u>The Trust would like to see that all habitat creation methodologies are agreed and signed off by the ecological design Working Group. These are to include, but not be limited to:</u></p> <ul style="list-style-type: none"> <u>Ensuring soil conditions are suitable before creating habitats. This can include setting appropriate pH, phosphate (P) and Soil Organic Matter (SOM) ranges for all new habitats, measures to limit and restore compacted soils and methods to establish suitable soils if they are not present already</u> 	<p><u>Commitment GP5 of ES Appendix 2.1 Environmental Management Plan (EMP) (Document Reference 6.4, APP-317) states that a Soils Management Plan shall be appended to the EMP and be prepared in consultation with the relevant regulatory organisation, relevant planning authority and the local highway authority and submitted to and approved in writing by the Secretary of State.</u></p> <p><u>This is built on further by commitment GS11 which states "Prepare Soils Management Plan: Soils should be managed in accordance with Department for Environment, Food & Rural Affairs (DEFRA) (2009) Construction Code of Practice for the Sustainable Use of Soils on Construction Sites."</u></p> <p><u>A brief outline of the minimum requirements that need to be included and described in the Soils Management Plan is provided in para 4.3.8 of the EMP (Document Reference 6.4, APP-317) in Section 4.3 (EMP (Construction) Management Plans).</u></p> <p><u>An additional commitment has been added to the EMP to secure engagement during detailed design:</u></p> <ul style="list-style-type: none"> <u>GP8 Stakeholder engagement Highways England would engage with all key environmental stakeholders prior to and during the detailed design process, as well as during construction of the scheme. These are listed in section 2.2 of this EMP.</u> 	<p><u>Page 16 of the National Trust Written Representation, December 2021</u></p>
<p>10. Noise and Vibration (Chapter 11 of the ES)</p>				

Ref.	Matter	National Trust position	Highways England position	Date of the position
10.1	<u>Resolved (matter agreed 10.1) Construction noise</u>	The National Trust would want a clear mechanism to raise concerns about any excessive noise experienced by users of the country park during construction. If possible, we would also like the contractor to provide updates on construction, so that landowners such as the Trust could plan their land and livestock management activities accordingly.	The provision in <u>Commitment EMP NV3 in the EMP (Document Reference 6.4, APP-317)</u> is for a Noise and Vibration Management Plan (NVMP) to set out the detailed protocols for controlling noise and vibration impacts. It is noted in the EMP that the content of the NVMP will be subject to consultation with the National Trust 'in respect of their roles and responsibilities'. The NVMP will be used to include any receptor-specific protocols by which concerns can be raised, beyond those standard measures already set out in the following commitments in the EMP: — NV2 — Section 61 Consents to agree construction noise and vibration evaluation and controls with the planning authority prior to commencement of works; and — NV5 — Monitoring of noise and vibration at selected locations to demonstrate compliance with all noise and vibration commitments. [AP15][EM16]	<u>SoCG meeting, 31 January 2022</u>
10.2	Operational noise	The National Trusts note the references in the ES chapter on Noise and Vibration, the EMP and the DCO Requirements to a lower noise surface / a low noise surface / a very low noise surface. We would appreciate further clarification from the Applicant on which types of surface are likely to be used in the vicinity of Crickley Hill. We would also want to ensure that proposed felling of trees (e.g. on southern National Highways has for some time now referred to low noise road surfacing being part of the scheme, and we have been supportive of this solution. We do however note different references to the surfacing within the ES: • <u>Para. 11.5.10 of the ES Noise chapter refers to a lower noise surface;</u>	A lower noise surface would be laid on all new and altered roads in the scheme, including the altered section alongside Crickley Hill <u>and is secured by DCO Requirement 13.-</u> The noise performance of this new road surface, described in DMRB LA 111 as the Road Surface Influence (RSI), would be a correction of -3.5dB compared with a conventional hot rolled asphalt surface. The operational noise predictions have been carried out according to the established and well validated methods required by DMRB. The prediction procedure does not assume acoustic screening provided solely by trees given the seasonal nature of leaf cover and the density of vegetation that would be required to provide attenuation.	<u>Page 31 of National Trust Written Representation, December 2021 SoCG meeting, November 2021</u>

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<ul style="list-style-type: none"> • Table 3-2 (row NV7) of the EMP refers to a low noise road surface; • Requirement 13 refers to a very low noise surface. <p>Notwithstanding the above differences, we want to ensure that low noise surfacing is secured through the DCO and forms part of the resultant scheme and we would appreciate further clarification from the Applicant on which types of surface are likely to be used in the vicinity of Crickley Hill.</p> <p>Please also refer to proposed solution on page 31 of Written Representation, #ank of Crickley Hill) has been factored into predicted operational noise assessments.</p>		
11. Population and Human Health (Chapter 12 of the ES)				
11.1	Impact on access to Crickley Hill country park	<p>Whilst the National Trust welcomes the statement by the Applicant that access to the country park would be retained at all times, we would like to understand how this could actually work in practice. We envisage considerable impact on the ease and convenience of staff and visitors accessing the site throughout the duration of the construction phase.</p> <p>We would like to understand how such parties would be engaged in the CTMP as it evolves, including in respect of issues such as diversion routes. We also want to understand what mechanisms would be in place to identify and mitigate any adverse effects.The National Trust disagrees with the</p>	<p>ES Chapter 12 Population and Human Health (Document Reference 6.2, APP-043) considers the potential effects on the Country Park with visitor centre, café and waymarked trails. The assessment concludes there would be a minor impact, with a discernible change in attributes and environmental quality during construction activities in close proximity, with minor loss of and alteration to key characteristics. Construction requires acquisition of some land which would not compromise the overall viability of the resource, and access to the resource would be maintained at all times.</p> <p>EMP commitment PH2 sets out that where the construction works would affect access to any of the existing receptors identified in ES Chapter 12</p>	Section 5.8.1 of National Trust Written Representation, December 2021/April 2024

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<p>assessment conclusion of a neutral impact on the Crickley Hill business model, especially during construction.</p>	<p>Population and human health (Document Reference 6.2), temporary alternative access arrangements would be provided in agreement with the receptor, landowner and/or tenant(s). This is to be detailed within the Construction Traffic Management Plan to be refined at detailed design.</p> <p>Annex B Construction Traffic Management Plan (CTMP) of ES Appendix 2.1 EMP (Document Reference 6.4, APP-319) identifies appropriate mitigation and phasing to help reduce adverse effects at Crickley Hill. For example, access to the facilities would be retained at all times.</p> <p>Highways England is committed to continuing to engage with all landowners and others affected to help identify and mitigate any potential adverse effects.</p> <p>An additional commitment has been added to the EMP to secure engagement during detailed design:</p> <ul style="list-style-type: none"> GP8 Stakeholder engagement Highways England would engage with all key environmental stakeholders prior to and during the detailed design process, as well as during construction of the scheme. These are listed in section 2.2 of this EMP. 	
11.2	<p>Resolved (now matter outstanding 8.2) Crickley Hill SSSI unit</p>	<p>The National Trust disagree with Highways England's conclusions about likely operational impacts on Crickley Hill and are concerned about the potential effects of increased visitor pressure from the Cotswold Way crossing and new PRowS into Crickley Hill and therefore, the required mitigation.</p>	<p>An assessment of the potential impact of new and diverted public rights of way and recreational pressures from walkers cyclists and horse riders on the SSSI during operation is assessed within Chapter 8 Biodiversity (Document Reference 6.2) and concludes a minor adverse impact upon Crickley Hill and Barrow Wake SSSI which is slight and not</p>	<p>Page 14 of 2020 consultation response</p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
			<p>significant. Highways England has carefully considered a request for monitoring of recreational activity on Crickley Hill Country Park and the SSSI before, during and/or post construction but does not consider this to be appropriate given the conclusions of the assessment reported in ES Chapter 12 Population and Human Health (slight adverse and not significant) (Document Reference 6.2).</p>	
11.3	<p><u>Resolved (see National Trust's Position Statement, Appendix C) Visitor experience of Crickley Hill during construction</u></p>	<p>Having reviewed the assessment, National Trust disagree with the conclusion as to the effects of the proposed road scheme on the visitors to Crickley Hill, and their experience thereof. Crickley Hill (both National Trust and GWT land) contributes to the health and wellbeing of the people who visit, whether they are local residents or visitors from further afield.</p> <p>It offers them the opportunity to get outdoors and close to nature and appreciate some great views across the Cotswolds landscape and beyond.</p>	<p>ES Chapter 12 Population and Human Health (Document Reference 6.2) considers the potential effects on the Country Park with visitor centre, café and waymarked trails. The assessment concludes there would be a minor impact, with a discernible change in attributes and environmental quality during construction activities in close proximity, with minor loss of and alteration to key characteristics.</p> <p>Construction requires acquisition of some land which would not compromise the overall viability of the resource, and access to the resource would be maintained at all times.</p> <p>The CTMP (ES Appendix 2.1 Environmental Management Plan Annex B (Document Reference 6.4)) identifies appropriate mitigation and phasing to help reduce adverse effects at Crickley Hill. For example, access to the facilities would be retained at all times. Highways England is committed to continuing to engage with all landowners and others affected to help identify and mitigate any potential adverse effects.</p>	November 2021
12. Population and Human Health – Public Rights of Way (Chapter 12 of the ES)				
	No matters identified.			
13. Climate (Chapter 14 of the ES)				

Ref.	Matter	National Trust position	Highways England position	Date of the position
13.1.	Low carbon design and construction	<p><u>Given the importance of tackling climate change, the National Trust would like to see a firmer commitment to low carbon design and construction. As things stand, the use of the phrase “where practicable” (for use of lower carbon construction techniques) needs further clarification. We have suggested the submission and approval of a Low Carbon Construction Plan via the EMP. Given the importance of tackling climate change (even more so since the NPSNN was adopted back in 2014) the National Trust would want to see a firmer commitment to low carbon design and construction, to be secured through the EMP and the DCO requirements. As things stand, the use of the phrase “where practicable” sounds rather non-committal, whilst DCO Requirement 3 doesn’t appear to make mention of low carbon construction.</u></p> <p><u>We would ask the Applicant and the Examining Authority to consider whether a firmer commitment could be secured, for example via a Low Carbon Construction Plan (within the EMP).</u></p>	<p><u>As stated in Environmental Statement – Updates and Errata (Document Reference 6.7, AS-051), on 14th July 2021, the Department for Transport (DfT) published Decarbonising transport: a better, greener Britain, a plan to decarbonise the entire transport system in the UK. This was followed on 20th July 2021 by Highways England publication of its Net zero highways: our 2030 / 2040 / 2050 plan. This responds to the government’s Decarbonising transport: a better, greener Britain.</u></p> <p><u>The plan sets out how England’s motorways and A-roads will be decarbonised, so they can continue to bring significant benefits to people and businesses in a net-zero economy. National Highways requires the contractor to reducing the carbon footprint of the scheme through commitment CC2 of the Environmental Management Plan.</u></p> <p><u>We also have commitment CC7 which requires the contractor to “develop and implement a plan to reduce energy consumption and associated carbon emissions.” This is the commitment which requires the contractor to produce a carbon management plan reflected in National Trusts position.</u></p>	<p><u>Section 5.16 on pages 12-13 of National Trust Written Representation, December 2021 SoCG meeting, November 2021</u></p>
14. Environmental Management Plan				
14.1	<u>Requirement 3 – Environmental Management Plan (EMP) – Construction Stage Design and construction</u>	<p><u>The Trust has an interest in the key control documents, namely the Environmental Management Plan (EMP) and its constituent documents, including the Landscape and Ecology Management Plan (LEMP) and Construction Transport Management Plan (CTMP). The approach defined in these documents is an important part of the</u></p>	<p><u>Highways England has produced an Environmental Management Plan as part of the DCO application (Document Reference 6.4), which includes details of the mitigation and enhancement measures. The commitments set out in the Environmental Management Plan are secured through a requirement in the draft DCO submitted with the DCO application. Highways England has also produced a Construction</u></p>	<p><u>Page 24 of the National Trust Written Representation, December 2021 November 2021</u></p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<p><u>assessment of the scheme and the mitigation and management of its effects.</u></p> <p><u>We would like to see clear provision for consultation and engagement. The National Trust want to ensure that the EMP includes all the relevant mitigation, enhancement or other management actions to address identified harm or other areas of concern, and that these are appropriately secured through the EMP and the DCO Requirements (with mechanisms for stakeholders to be consulted and provide feedback on detailed matters where necessary). At this stage it is not considered there is sufficient detail to provide confidence in the proposals.</u></p>	<p><u>Traffic Management Plan (Document Reference 6.4).</u> Highways England will continue to engage with relevant stakeholders regarding construction management as the scheme progresses.</p> <p><u>An additional commitment has been added to the EMP to secure engagement during detailed design:</u></p> <ul style="list-style-type: none"> <u>GP8 Stakeholder engagement: Highways England would engage with all key environmental stakeholders prior to and during the detailed design process, as well as during construction of the scheme. These are listed in section 2.2 of this EMP.</u> 	
15. Crossings of the A417				
15.1.	User conflicts of the Cotswold Way crossing	The National Trust have concerns that at 5m width, thought will need to be given to final design to avoid conflict between the different user groups (including disabled users) for walkers, cyclists, horse-riders and periodic movement of cattle. The National Trust also consider that it is important to consider how horse-riders and cyclists safely approach and leave the crossing to join existing bridleways and therefore minimise damage to priority habitats and wildlife.	Highways England considers that the 5m width of the bridge would be sufficient to accommodate all likely users effectively, designed in accordance with DMRB. The occasional use for cattle would be managed to avoid unnecessary conflict with other users. The approaches to the crossing would be carefully designed to ensure damage to adjacent habitats is avoided.	Page 1 of National Trust response to Supplementary Consultation, 10 November 2020 Page 38 of National Trust Written Representation, 2021
15.2.	<u>Landscape-led design of Cotswold Way crossing</u>	<u>The Trust has previously questioned whether the appearance of the proposed crossing would reflect the characteristics of the Cotswolds (including its landscape colour palette). It will be important that the design,</u>	<p><u>This is set out and illustrated within the Design Summary Report (Document Reference 7.7, APP-423).</u></p> <p><u>Article 11 of the Draft DCO (Document Reference 3.1, REP1-003) controls that the detailed design must be in</u></p>	Part C of National Trust's Written Representation, December 2021

Ref.	Matter	National Trust position	Highways England position	Date of the position
		<p><u>form and appearance of all bridge structures respond to the natural and built character of this part of the Cotswolds and should make a positive contribution to sense of place.</u></p>	<p><u>accordance with the prelim design as shown on the relevant plans and design principles outlined in the Design Summary Report (Document Reference 7.7, APP-423).</u></p> <p><u>Appropriate EMP commitments have also been included to help secure this approach to delivering a landscape-led highway scheme, for example (not an exhaustive list) L5 and L21 provide commitments to the design of all bridges and structures – to be of high architectural quality.</u></p>	
15.3.	<p><u>Landscape-led design of Gloucestershire Way crossing</u></p>	<p><u>Aesthetically, the alternative design, a double arch crossing, may have been more appropriate in an AONB landscape context. The detailed design of the crossing should try to avoid the crossing appearing as an incongruous or intrusive structure.</u></p> <p><u>We would also like to understand how the bridge would be engineered to successfully sustain the intended calcareous grassland and hedgerow habitats.</u></p>	<p><u>This is set out and illustrated within the Design Summary Report (Document Reference 7.7, APP-423).</u></p> <p><u>Article 11 of the Draft DCO (Document Reference 3.1, REP1-003) controls that the detailed design must be in accordance with the preliminary design as shown on the relevant plans and design principles outlined in the Design Summary Report (Document Reference 7.7, APP-423).</u></p> <p><u>Appropriate EMP commitments have also been included to help secure this approach to delivering a landscape-led highway scheme, for example (not an exhaustive list) L5 and L21 provide commitments to the design of all bridges and structures – to be of high architectural quality – and commitment L7, L8, BD41 and BD54 define the Gloucestershire Way crossing design in further detail.</u></p> <p><u>The bridge has been designed to provide satisfactory soil depth to support the intended vegetation. It is intended that EMP commitment GP8 Stakeholder engagement will help to secure the appropriate design</u></p>	<p><u>Part C of National Trust's Written Representation, December 2021</u></p>

Ref.	Matter	National Trust position	Highways England position	Date of the position
			approach during detailed design, where Highways England would engage with all key environmental stakeholders prior to and during the detailed design process, as well as during construction of the scheme.	
16. Gradient change				
	No matters identified.			
17. Cowley junction				
	No matters identified.			
18. Realignment of the B4070 to Birdlip via Barrow Wake				
18.1.	Removed (resolved) Impact on the Barrow Wake SSSI	The National Trust considers that the realignment of the B4070 misses the opportunity to either reduce the size or remove the road surface and car park completely from the Barrow Wake SSSI unit to a more suitable location.	Highways England acknowledges feedback received in response to public consultation, which has suggested the reduction, removal or relocation of the Barrow Wake car park. This change is outside the scope of the scheme and the car park is not owned as part of the strategic road network by Highways England. However, Highways England has offered the relevant stakeholders help to inform or facilitate any discussions about any changes that might be proposed to the Barrow Wake car park. Highways England will ensure the A417 scheme is able to accommodate the existing car park arrangement, or a future scenario where the car park is reduced or removed.	SoCG meeting, 31 January 2022 Page 6 of National Trust response to Supplementary Consultation, 10 November 2020
19. Common Land				
	No matters identified.			
20. Improvements for walking, cycling and horse riding including disabled users				
	No matters identified.			
21. Land				

Ref.	Matter	National Trust position	Highways England position	Date of the position
	This section will be updated at the time of providing the National Trust's Position Statement (see Appendix C)			
22. Draft DCO				
22.1	<u>Resolved (matter agreed 22.1)</u>		<p>(PRow) of ES Appendix 2.1 EMP R2</p> <p>The majority of PRow management takes place prior to or as part of the main construction in order to facilitate ongoing and safe access. As such, the document does deal with temporary and permanent diversions.</p> <p>The document explains how early re-provision seeks to avoid the need for temporary closures, given new and diverted routes will be provided in advance of or at the same time as any stopping up of routes. In effect, temporary diversions will be avoided in most cases, as detailed in the PRow Management Plan Table 3-2.</p> <p>Where it is considered necessary and safe to do so, PRow in close proximity to construction works or that adjoin roads that may be affected by works would remain open with appropriate signage to warn of the presence of construction vehicles, and to warn drivers of the presence of WCH. It would be disproportionately disruptive to close PRow in this instance, particularly when works may only be taking place for short periods of time and risk to the public is likely to be low.</p> <p>In certain instances, a banks person could be used to hold users of the PRow network for short periods to allow for safe passage of construction traffic (e.g. where a PRow is to be used for construction access).</p> <p>Where works are predicted to affect the safety of PRow users to an extent that cannot be controlled by local</p>	<u>SoCG meeting, 31 January 2022</u>

Ref.	Matter	National Trust position	Highways England position	Date of the position
			<p>management, local closures would be sought. Such closures would be temporary and short term to facilitate periods of construction works that are discrete in nature and can be completed in a matter of days/weeks, rather than months. Where it is not considered safe to keep PRow open with appropriate signage during construction works, the need for a diversion, signage and other relevant details will be discussed and agreed with GCC through the next iteration of the plan during detailed design and construction.</p>	
<u>22.2</u>	<u>Resolved (matter agreed 22.2)</u>		<u>RR</u> _{[AP17][CS18]}	<u>SoCG meeting, 31 January 2022</u>

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	National Trust
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	Highways England
Name	
Position	
Date	

Appendix B Matters to be determined

- B.1.1.1 There are some matters which the position of the National Trust is pending and these are set out in Table B 1.
- B.1.1.2 Highways England will continue to review the matters with the National Trust during the examination of the DCO application with a view to move matters into parts agreed or outstanding as appropriate. In some cases this may not be possible, for example where matters may relate to the future detailed design stage.
- B.1.1.3 In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of the Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table B-1 Matters to be determined between the National Trust and Highways England

Ref.	Matter	National Trust position	Highways England position	Date of the position
Principle of Development				
A.1	Resolved (removed)			
A.2	Removed (resolved) NPSNN Policy Test	The National Trust will continue to review its position as to whether it considers the scheme as proposed meets the policy tests in the NPSNN relating to the location of the scheme within an AONB.	Highways England has considered the balance of the benefits and impacts of the scheme, within the context of the Cotswolds AONB and the relevant policy tests, namely the NPSNN. Highways England considers that the scheme fulfils the requirements of the NPSNN, as a scheme which is of a high environmental standard and includes measures to enhance the environment. This is set out in the Case for the Scheme (Document Reference 7.1).	SoCG meeting, 31 January 2022 November 2021
Assessment of Alternatives (Chapter 3 of the ES)				
A.3	Removed (addressed in matters outstanding 7.1, 7.2, 7.4, 7.5, 8.4, 9.1, 15.2, 15.3) Design improvements	The National Trust would expect the Applicant to clearly demonstrate why it has not been possible to incorporate design approaches that may have further reduced landscape impact or severance, and to justify the scheme as proposed. We would encourage any further measures to reduce adverse impacts, maximise benefits and ensure the best possible outcomes for the scheme. The National Trust has commissioned a study that will highlight the differences to mitigation if a holistic approach to historic environmental and natural mitigation had been taken and aid improvements to the scheme design.	Highways England considers that the scheme has set out sufficient mitigation measures to reduce any likely adverse impacts as far as possible, and in combination with the proposed enhancements would justify the scheme. This is set out in the Case for the Scheme (Document Reference 7.1). Highways England is committed to ongoing discussions with the National Trust to explore further opportunities to improve the scheme during detailed design.	SoCG meeting, 31 January 2022 November 2021
Assessment Methodology (Chapter 4 of the ES)				
A.4	Removed (resolved) Resolved (removed)			
Air Quality (Chapter 5 of the ES)				

Ref.	Matter	National Trust position	Highways England position	Date of the position
A.5	Removed (resolved) Resolved (removed)			
Cultural Heritage (Chapter 6 of the ES)				
A.6	Removed (resolved) Mitigation measures	The National Trust would like to understand the proposed programme of mitigation and how it might address the adverse effects on the setting of various scheduled monuments including Crickley Hill.	ES Chapter 6 Cultural Heritage (Document Reference 6.2) provides an assessment of the effects of the scheme on archaeology and sets out the methodology for this assessment. Annex C of the Environmental Management Plan (Document Reference 6.4) sets out the archaeological mitigation measures proposed prior to and during construction.	SoCG meeting, 31 January 2022 Page 13 of National Trust response to Statutory Consultation, 6 November 2019
A.7	Removed solved (moved to matters outstanding 6.3)			
Landscape and Visual Effects (Chapter 7 of the ES)				
A.8	Removed (resolved) Impact on the AONB Visualisations	Having read the Design Summary Report and the Landscape and Visual Effects chapter, the National Trust is still concerned about the assessment conclusions regarding the visual impact of the scheme at key points as outlined in previous consultation responses.	This is set out and illustrated within the Design Summary Report (Document Reference 7.7), 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).	SoCG meeting, 31 January 2022 November 2024

<p>A.9</p>	<p>Removed (resolved) Landscape mitigation</p>	<p>In order to promote a landscape-led scheme and address the adverse impacts of building a major new highway through an AONB, the National Trust consider that robust landscape mitigation and enhancement is required. The National Trust is still considering its position on landscape mitigation.</p>	<p>Highways England 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.</p> <p>By working with the DCO Boundary this approach has meant that significant landscape design proposals have been developed for the scheme and have been fully integrated into the scheme design. This includes a range of considerations and measures to develop the scheme to fit with the AONB landscape, some of which have been incorporated since 2019:</p> <ul style="list-style-type: none"> • Landscape design input into vertical and horizontal alignment, junction layouts and approaches to road design and detailing. • Comprehensive landscape earthworks proposals designed to fit with the different landscape character areas of the AONB. These earthworks have been combined with the engineering earthworks for landscape integration and visual screening. • The sensitive design of highways features and structures including materials and finishes appropriate to the character of the AONB landscape. This includes; the provision of boundary features such as Cotswold drystone walls rather than traditional highway timber fencing; bespoke retaining wall designs that reflect the geological strata of the limestone landscape; design of the cutting slopes to provide a natural appearance with rock exposures and planting in combination. • A landscape scheme that works with ecology to reconnect and enhance the AONB landscape and restore downgraded landscape features. 	<p>SoCG meeting, 31 January 2022 November 2024</p>
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			<ul style="list-style-type: none"> ● Comprehensive planting proposals including new woodland, tree lines and groups, scattered trees, scrub, hedgerows, and species rich calcareous grassland. ● A greater area of woodland planting will be created to replace that lost by the scheme. ● Native species rich hedgerow will be doubled in length compared to that lost. Proposals include the translocation of important hedgerows with their soil and ground flora which are severed or lost to the scheme. ● The provision of limestone grassland verges and embankments has been considered a priority habitat. Only 4 ha of good condition limestone grassland will be lost (with the rest being neutral or improved grassland or cereal crops). 73 ha of limestone grassland will be being created across the scheme. ● Complete redesign of the detrunked sections of A417 to create new opportunities for walking, cycling and horse riding and habitat restoration and enhancement along the detrunked section. ● Environmental upgrading of Barrow Wake Car park plus additional parking facilities at the Golden Heart Inn and as the start of the detrunked section (includes disabled parking and parking for horse boxes). ● The detrunking WCH route is part of a wider improvement of public rights of way links developed as part of the scheme – this includes new opportunities for loop walks and ‘heritage routes’ that link existing historic features including more direct links between Crickley Hill, Emma’s Grove and The Peak. ● Heritage proposals include upgrading works at Emma’s Grove to provide a better setting for the Anglo-Saxon barrows. 	
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Ref.	Matter	National Trust position	Highways England position	Date of the position
			<p>The landscape-led approach has taken a landscape scale approach with measures designed to match the scale of the infrastructure proposed. The landscape design proposals are indicated on the Environmental Masterplans (Document Reference 6.3). Management proposals are described in the Environmental Management Plan (Document Reference 6.4).</p>	
A.10	<p>Removed (resolved) Visual impact of the cutting</p>	<p>The National Trust has concerns about the potential visual impacts of the cutting sides, and this needs to be carefully considered, with sensitive design and mitigation as appropriate.</p>	<p>The design of the cutting sides has been carefully considered in line with the landscape-led approach for the project. Following the statutory consultation in 2019, retaining walls have been used only where it is not possible to expose the local geology. The retaining walls have been designed with banding of different materials (including stone cladding and space for planting) to visually break down their appearance, whilst also reflecting the character of the local sedimentary geology.</p> <p>The potential to make greater use of the exposed geology has been taken for the cutting slopes above the retaining walls. Given the landscape-led approach the design of the basic 35° cutting required for geotechnical engineering stability has been developed with a series of steeper (60°) rock sections with natural stone benching and spaces for planting. This would take no more land than a basic 35° cutting but would visually appear steeper.</p> <p>The design approach has been to keep the slopes as steep as possible through the Cotswold escarpment to reduce the landscape impact. Greater land take would have been required to reach a solution where slopes could have been seeded with native calcareous that could be readily maintained.</p>	<p>SoCG meeting, 31 January 2022 Page 14 of National Trust response to Statutory Consultation, 6 November 2019</p>
A.11	Resolved (removed)			

Ref.	Matter	National Trust position	Highways England position	Date of the position
Biodiversity (Chapter 8 of the ES)				
A.12	<u>Resolved (moved to matters outstanding 8.4) Mitigation and monitoring</u>	<p>The National Trust requires further information and detail on the following matters:</p> <ul style="list-style-type: none"> • A scientific appraisal of the effectiveness of the proposed mitigation methods for getting wildlife safely across the roads. The ES doesn't provide evidence supporting 'standard' mitigation. We would welcome references to successful examples of bat underpasses and green bridges to show best practice has been incorporated, even if more studies are needed to confirm their effectiveness. • Alternative mitigation if the proposed fails to work (particularly bat roosts). This can be secured via a robust monitoring programme, to be developed in the second iteration of the LEMP. The monitoring programme should include specific research questions to identify mitigation successes and failures alongside a commitment to undertake remedial action where mitigation has failed. • LEMP details for habitat creation methodologies, long term management (> 5 years), monitoring and remedial actions. This can be achieved by collaborative working with stakeholders to develop the relevant sections of the LEMP. 	<p>The full survey results and proposed mitigation is presented in the ES Chapter 8 Biodiversity (Document Reference 6.2) with appropriate cross references where applicable to other DCO documents.</p> <p>Highways England is committed to working collaboratively with stakeholders to develop the relevant sections of the LEMP at the detailed design stage.</p>	<u>SoCG meeting, 31 January 2022</u> <u>November 2021</u>
A.13 2	Resolved (removed)			

Ref.	Matter	National Trust position	Highways England position	Date of the position
A.143	<u>Resolved (moved to matters outstanding 8.3) Compensation for the loss of veteran trees</u>	The National Trust would like to see additional compensation measures for the loss of veteran trees. We recognise that it is not fully possible to compensate for their loss but do not believe that replacement planting with young trees of the same species is adequate compensation, as this will not provide suitable replacement habitat for hundreds of years.	The impact on and all appropriate mitigation is set out in ES Chapter 8 Biodiversity (Document Reference 6.2). Highways England have worked hard in the design of the scheme to avoid the loss of veteran trees and have avoided 18 trees being lost to the scheme. These are situated either within land required temporarily for construction works or are adjacent to the DCO Boundary and will be protected and retained. As a result of these efforts, the scheme causes the unavoidable loss of three veteran trees during the early construction phase of the scheme prior to the commencement of works due to their location within the proposed road alignment. Highways England cannot compensate for their loss but as partial compensation for the loss of veteran trees, young trees of the same species as those to be lost will be planted with space around them to develop an open crown. This will comprise scattered tree planting within the meadow south of Ullen Wood, which is in close proximity to the veteran trees to be lost. In addition to this, Highways England has committed to (see EMP commitment BD62) to reduce existing threats and pressures on veteran beech tree (Ref 196380) to include arboricultural management of the tree and of adjacent woody vegetation.	<u>SoCG meeting, 31 January 2022</u> November 2021
A.154	Resolved (removed)			
A.165	<u>Resolved (moved to matters outstanding 5.5) Air quality impacts during construction on Crickley Hill and Barrow Wake SSSI</u>	National Trust require review of the Environmental Management Plan (EMP) to decide whether proposed mitigation measures are robust enough to protect the Crickley Hill and Barrow Wake SSSI during construction.	The proposed mitigation measures for impacts on Barrow Wake are set out in the Environmental Management Plan (Document Reference 6.4).	<u>SoCG meeting, 31 January 2022</u> November 2021

Ref.	Matter	National Trust position	Highways England position	Date of the position
A.176	Resolved (removed)			
Geology and Soils (Chapter 9 of the ES)				
A.187	Resolved (moved to matters outstanding 9.2) Soils	The National Trust would like to see commitments regarding the movement of topsoil and subsoil, to avoid or minimise any temporary and long-term impacts with regards to the creation of new woodland or grassland. The movement of topsoil and subsoil with regards to the creation of new woodland or grassland is outlined in the LEMP (Document Reference 6.4).	November 2024	SoCG meeting, 31 January 2022
Noise and Vibration (Chapter 11 of the ES)				
A.198	Resolved (removed)			
A.2019	Resolved (removed)			
Population and Human Health (Chapter 12 of the ES)				
A.210	Resolved (moved to matters outstanding 11.3)			
A.224	Resolved (moved to matter outstanding 11.1) Access to Crickley Hill during construction	Having reviewed the assessment, National Trust are still concerned for the ability of people to gain access Crickley Hill during construction and operation of the scheme. We would want to be part of the dialogue as the Construction Traffic Management Plan is developed.	Highways England is committed to engaging with relevant stakeholders including the National Trust as the Construction Traffic Management Plan is developed through detailed design.	SoCG meeting, 31 January 2022 November 2024
A.232	-Resolved (removed)			
Road Drainage and the Water Environment (Chapter 13 of the ES)				
A.243	-Resolved (removed)			
A.254	Resolved (removed)			
Climate (Chapter 14 of the ES)				
A.265	-Resolved (removed)			

Ref.	Matter	National Trust position	Highways England position	Date of the position
Environmental Management Plan				
A.276	Resolved (moved to matters outstanding 14.1)			
A.287	-Resolved (removed)			
Crossings of the A417				
A.298	Gloucestershire Way crossing Resolved (moved to matter outstanding 15.3)	National Trust considers that it is important for the aesthetic appearance of the crossing to befit its location within the AONB, and there are opportunities for enhancement during detailed design. The Applicant should clearly demonstrate that the proposed crossing would be effective in providing connectivity for target species.	Highways England is committed to engaging with relevant stakeholders including the National Trust during detailed design to explore and help achieve enhancement opportunities.	SoCG meeting, 31 January 2022 November 2024
A.3029	Resolved (moved to matter outstanding 15.3) Cotswold Way crossing	National Trust continues to have concerns about how the proposed Cotswold Way crossing would reflect the Cotswolds characteristics, or the landscape colour palette when observing the geological features or landscape characteristics in the immediate vicinity, and we consider that further detailed design discussions are necessary.	Highways England is committed to engaging with relevant stakeholders including the National Trust during detailed design to explore and help achieve enhancement opportunities.	SoCG meeting, 31 January 2022 November 2024
Gradient change				
A.310	Resolved (removed)			

Appendix C National Trust's Landowner Position Statement

Landowner Position Statement – National Trust

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 National Trust’s position as a landowner impacted by the scheme.
- 1.1.4 Further detail relating to any consultation responses submitted by the National Trust 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 but can be found in the Statement of Common Ground between National Highways and the National Trust.

Table 1 Record of Key Landowner Engagement

Date	Form of correspondence	Key topics discussed and key outcomes
21/08/2019	Meeting	<p>The key issues and actions agreed at the meeting with National Trust were:</p> <ul style="list-style-type: none"> • Natural England Site of Special Scientific Interest (SSSI) assent to be drafted; • Revisit to be arranged to discuss vegetation clearance required and to mark borehole locations; and • Licence agreements to be drafted by Arup and sent to National Trust.
27/09/2019	Statutory Consultation Notification	Correspondence issued to National Trust notifying them of the beginning of the statutory consultation.
16/01/2020	Meeting	<p>It was agreed that all National Trust points and concerns raised are to be considered and an approach discussed at the next meeting</p> <p>It was agreed that more documents and plans about the Green Bridge would be sent.</p>
30/01/2020	Meeting	Meeting with further information about the impacts of a 40m bridge in preferred location to be arranged. All agreed may be helpful to have further meeting once information is issued.
11/02/2020	Targeted Landowner Consultation Response	Targeted landowner consultation response received from the National Trust. The purpose of the targeted landowner consultation period was to focus on key scheme design changes and issues relevant to the specific landowners.
07/09/2020	Meeting	<p>The purpose of this meeting was to explain the design changes for the scheme relating to National Trust's land interests.</p> <p>Ground investigation works completed for the scheme were discussed. It was confirmed that there were no issues with the works completed.</p> <p>The change in land impact and required as part of the revised scheme design was explained. Land take required for the green bridge has been removed. The revised land take of National Trust's inalienable land is now significantly less along their land boundary.</p> <p>Cattle access routes across National Trust land are to be created and maintained. It was agreed that cattle will be able to move across National Trust land and the access routes will encourage grazing around barrow wake. Cattle access routes and options are to be developed as the scheme progresses.</p>

Date	Form of correspondence	Key topics discussed and key outcomes
		Land acquisition discussions are likely to begin early 2021.
13/10/2020	Statutory Consultation Notification	Correspondence issued to the National Trust notifying them of the beginning of the public consultation.
06/11/2020	Meeting (Virtual)	Meeting to discuss the mapping data and land ownership detail relating to National Trust's land.
10/11/2020	Statutory Consultation Response	Statutory consultation response received from National Trust.
16/11/2020	Email Correspondence	National Highways requested evidence of ownership to show that the inalienable land identified is owned by National Trust.
23/11/2020	Email Correspondence	National Trust issued email correspondence that provided clarification about land ownership with associated GIS files and Deeds included for reference.
11/12/2020	Meeting (Virtual)	Following review of the information provided on 23/11/2020, it was agreed that the red line boundary for the scheme would be revised to remove the inalienable land impact.
22/12/2020	Email Correspondence	<p>Email correspondence issued by National Highways confirming the red line boundary change in relation to the inalienable land impact. Email contained updated plans in order to show changes made in relation to National Trust Inalienable land, Deeds of Dedication and the scheme boundary.</p> <p>National Highways advised that this change would be notified formally in early 2021 through targeted landowner consultation.</p>
05/01/2021	Email Correspondence	Email correspondence from National Trust confirming agreement with the changes made and a positive position in relation to potential effect on and need to acquire inalienable land for the scheme.
29/01/2021	Email Correspondence	Draft accommodation works plans issued to National Trust for comment.
09/02/2021	Targeted Landowner Consultation	Correspondence issued to National Trust notifying them of the beginning of the targeted landowner consultation period.

Date	Form of correspondence	Key topics discussed and key outcomes
08/03/2021	Landowner Consultation Response	Targeted landowner consultation response received from National Trust.
09/03/2021	Meeting (Virtual)	Meeting as part of the targeted landowner consultation. National Trust raised concerns about the ownership of an area of land west of land parcel 1098/2. The land is currently under the ownership of National Highways but National Trust claim to have better title to the land. Land ownership to be reviewed. National Trust requested a response to the other issues raised in their consultation response.
7/06/2021	Telephone call	Call between National Highways and National Trust legal Counsel to confirm how the parcel of land is considered within the DCO and acknowledge with the Land Registry.
10/06/2021	Meeting (Virtual)	Meeting to confirm points within the Position Statement that should be included within the National Trusts Statement of Common Ground. Update on better title and approach to acknowledge this.
17/01/2022	Meeting (Virtual)	Meeting to discuss in detail points within this Position Statement in efforts to provide an updated Statement into the Examination at Deadline 3.

Table 2 Support / Matters Agreed

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Land take / Red line boundary	<p>National Trust requested that the land take proposed as part of the scheme is reduced.</p> <p>National Trust requested that the land take proposed follows the land ownership boundary of inalienable land parcel 1098/1. This is to ensure that the inalienable land take is only that as previously agreed concerning land parcels 1098/2.</p>	<p>Land take required for the scheme was reduced in line with the request from the National Trust.</p> <p>The use of National Trust land, as shown on the Land Plans submitted as part of the DCO application (Document Reference 2.2 Rev 1, AS-036) is agreed.</p>
2	Overspill of materials	<p>National Trust request that due to their land on the other side of the gated entrance being within the SSSI, there must not be any overspill of materials into land parcel 1098/1 as it will create consent issues with Natural England.</p>	<p>The Order Limits set for the scheme form a hard boundary within which the scheme must be delivered. As shown on the Works Plans (Document Reference 2.4 Rev 1, AS-038), National Highways have allowed sufficient space to construct, operate and maintain the scheme in the vicinity of National Trusts wider land holding and the SSSI. There will be no overspill of materials or works beyond the Order Limits set.</p>
3	Disputed land parcel	<p>At the meeting on the 06 November 2020, National Trust raised concerns about the ownership of the inalienable land identified, highlighting an area of land which they believed to be inalienable and within the ownership of the National Trust, despite plans showing this to be within National Highway's ownership.</p> <p>National Trust provided evidence on the 23 November 2020 that confirmed that the land is owned by the Trust rather than National Highways / providing evidence of better title.</p>	<p>After the review of the land ownership information provided by National Trust in December 2020, the DCO application was updated prior to submission.</p> <p>The application as submitted, through the Land Plans (Document Reference 2.2 Rev 1, AS-036) and the Book of Reference (Document Reference 4.3, APP-026) acknowledge the better title (plot 2/14) and this land will form part of acquisition discussions.</p>
4	Borehole Survey Data	<p>National Trust asked that the data found from the monthly borehole surveys completed for the scheme is shared with them.</p>	<p>Chapter 9 Geology and Soils of the Environmental Statement (Document Reference 6.2, APP-040) contains data about the borehole surveys completed</p>

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
			as part of the ground investigation works for the scheme.
5	Survey Methodology	National Trust requested detail about the methodology to be adopted for future survey work for the scheme on the land that is to be compulsory purchased.	Survey methodology to be provided when a construction contractor is appointed.
6	Gradient of Access at Air Balloon Cottages	National Trust would like to explore the potential of lessening the gradient from the highway into the Country Park on their access to the east of Air Balloon Cottages.	National Highways has committed to working with the contractor (once appointed) and through the detailed design stage, to lessen this gradient / improve the access wherever possible within the scheme Order Limits.
7	Access, security and construction at Crickley Hill	National Trust would like further information in relation to the proposed works, access, security, logistics, site management and duration of construction at the access to Crickley Hill Country Park.	National Highways is committed to ensuring continued access to the Country Park throughout the construction phase of the scheme. The works at the access to Crickley Hill Country Park relate to tying in the access to the realigned Leckhampton Hill. It is likely that works to tie in the access would be completed overnight in order to minimise the impact of works on this access. Where works are required during the daytime, access would be maintained to the Country Park at all times and this commitment is provided through commitment PH2 of the Register of Environmental Actions and Commitments within the EMP (Document Reference 6.4 Appendix 2.1 Environmental Management Plan Rev1, REP-006).
8	Boundary fencing	The current wooden stock fencing along the boundary of land to be acquired is in a poor state of repair and National Trust request that this fence line is replaced when works are completed.	National Highways confirm that the boundary fence will be replaced as part of the construction phase works, with exact specifications to be agreed with the National Trust through detailed design.

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
9	Veteran Tree Protection	National Trust would like to see a commitment to protection of Veteran Trees close to the boundary of the land to be acquired, marked as T172 and T171 in the Environmental Statement Appendix 7.6, Arboricultural Impact Assessment.	Protection for Veteran Trees is currently included in commitment BD21 of the Register of Environmental Actions and Commitments within the EMP (Document Reference 6.4 Appendix 2.1 Environmental Management Plan Rev1, REP-006). This would provide the appropriate protection to the Veteran Trees inline with Natural England Guidelines and Arboricultural advice.
10	Ancient Woodland Protection	National Trust have raised concern about the potential impact of the scheme on the area known as the Scrubbs Woodland.	National Highways confirm that the proposed works in the area adjacent to the Scrubbs Woodland, identified as plot 2/1g on the Land Plans (Document Reference 2.2 Rev 1, AS-036) relates to the installation of sub-surface drainage only and therefore would not directly impact on the Ancient Woodland block.
11	Watercourses / Water Supply	National Trust require confirmation that highway drainage, soakaways and attenuation basins have been sufficiently designed as to not pollute any watercourses or interfere with the water supply, currently providing water to GWT facilities.	The drainage design for the scheme includes measures to replicate the existing situation and will not cause negative impact on watercourses or systems downstream. This is confirmed through Environmental Statement Chapter 13 Road Drainage and the Water Environment (Document Reference 6.2, APP-044).
12	Blighted Land / Future Land Management	National Trust has expressed a willingness to support National Highways in any long-term management of land where this is required as part of the scheme.	National Highways acknowledges this and will continue to discuss such opportunities / requirements with the National trust as a key partner for the delivery of the scheme.

Table 3 Issues / Matters Outstanding

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
1	Acquisition Discussions	National Trust would like to progress with acquisition discussions as soon as possible in order to agree the principles of acquisition.	A meeting has been arranged for week commencing 31 st January 2022 to pick up these discussions.
2	Cattle Access Routes / Grazing Access	It has been agreed in principle that cattle can be moved from Crickley Hill, across the proposed Cotswold Way Crossing and onto Barrow Wake. The right of access needed for this movement of cattle needs to be secured / formalised. This would include access along the existing carriageway from the Crossing to the Barrow Wake SSSI.	National Highways confirm that the principle of this activity has been agreed and the Cotswold Wat Crossing designed to accommodate future cattle crossing. National Highways and National Trust are in discussions around ongoing access provisions. These are to be discussed during the meeting during the week commencing 31 st January.
3	Access at Air Balloon cottages	The National Trust would like a commitment that vehicular access to the Country Park at the eastern side of the Air Balloon Cottages is maintained throughout construction and operation of the scheme.	National Highways confirm the principle of maintaining access at this location during both construction and operation of the scheme. The details of this commitment are to be discussed at the meeting planned for week commencing 31 st January.
4	Calcareous grassland verge	National Trust would like to see this verge reinstated post construction with a management plan in place to maximise its biodiversity value. Covenants within the 1961 DoD need to be honoured regarding this.	National Highways and the National Trust are due to discuss this at the meeting planned for week commencing 31 st January.
5	Accommodation Works	National Trust would ask that boundary fencing and water supply would need to be maintained throughout the construction period.	National Highways is committed to discussing accommodation works with the National Trust at the appropriate time in the programme. When a contractor is appointed, they will liaise with the National Trust on this detail.

Issue No.	Sub-section/ Discipline	Landowner/Occupier Matter	National Highways Position
6	Business Impact	National Trust have current land agreements to graze Crickley Hill and Barrow Wake and have concerns about renewing such agreements given uncertainty of being able to meet commitments. If they do not extend these agreements, it would lead to a reduction in income across the land.	National Highways have advised the National Trust that there should be ways in which construction can be managed in order that they can continue to meet their commitments. National Highways awaits further information from the National Trust in relation to these agreements in the hope that further comfort can be provided at this stage.
7	Deeds of Dedication	The National Trust would like to see the covenants in the 1961 and 1963 Deed of Dedications of those land parcels being transferred honoured by National Highways.	National Highways and the National Trust continue to discuss this request in the context of land acquisition discussions.

Appendix H Draft Statement of Common Ground with the Walking, Cycling and Horse riding Technical Working Group

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a joint Statement of Common Ground (SoCG) between Highways England and the Walking, Cycling and Horse riding (WCH) Technical Working Group (TWG) members in relation to the A417 Missing Link scheme, focusing on Public Rights of Way (PRoW) and Other Routes with Public Access rights (ORPAs).
- 1.1.2 The document identifies the following between the parties:
- Matters that have been agreed; and
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.3 The matters which are referenced in this document are those that are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES), submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 The SoCG will continue to evolve as the application for development consent progresses through the examination stage.
- 1.1.5 It is the intention of all parties that an updated, signed version of the SoCG will be provided during the examination.
- 1.1.6 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) guidance on the pre-application process¹.

1.2 The WCH TWG

- 1.2.1 This joint SoCG is between Highways England and a wide range of individuals and organisations with an interest in public access. For the purposes of the TWG, the term WCH includes users of public rights of way and Other Routes with Public Access Rights, including disabled users.
- 1.2.2 The following parties have been involved in the WCH TWG since its first meeting in July 2019 (acknowledging some members represent more than one organisation and some have changed over time, please see Appendix B1.1.7):
1. Active Gloucestershire;
 2. British Horse Society (BHS);
 3. Campaign to Protect Rural England (CPRE) Gloucestershire;
 4. Cheltenham and Tewkesbury Cycle Campaign;
 5. Cotswold District Council;
 6. Cotswolds Conservation Board (CCB);
 7. Cotswold Trail and Access Partnership²;
 8. Cycling UK;
 9. Gloucestershire County Council (GCC) Principal PROW Officer;

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

² The Cotswold Trail and Access Partnership were represented by a member of the Gloucestershire Local Access Forum (GLAF) who coordinated feedback and inputs to the group as appropriate

10. GCC transport officer;
11. GCC ThinkTravel Coordinator;
12. Gloucestershire Local Access Forum (GLAF);
13. Gloucestershire Ramblers;
14. Gloucestershire Wildlife Trust;
15. National Trust;
16. Natural England;
17. Sustrans;
18. The Disabled Ramblers; and
19. Trail Riders Fellowship.

- 1.2.3 Without being formal members, on occasions representatives have joined the WCH TWG from Coberley Parish Council, Birdlip and Cowley Parish Council, and Leckhampton with Warden Hill Parish Council, to help better understand the proposals and opportunities pertinent to local access.
- 1.2.4 This SoCG has been informed by WCH TWG meetings and correspondence with representatives from the above organisations. Those representatives were identified through engagement with Highways England and its Strategic Stakeholder Panel, as well as recommendations from individuals and organisations during the engagement process associated with the TWG and those engaged with the wider design and development of the scheme.
- 1.2.5 This has led to membership of the group changing and expanding over time in order to help introduce representation of different interests relevant to the scheme and rights of way.
- 1.2.6 Given the nature of the SoCG and the multi-party involvement, the following points should be acknowledged/recognised:
 - a) Some organisations have engaged in the TWG at different levels and, as set out above, membership of the group has changed and expanded over time. In some instances, this has led to some organisations being involved at an early stage and not at a later stage of consultation (e.g. Sustrans), and so this SoCG has not been signed by all parties involved and set out within this document.
 - b) Some members of the WCH TWG are members of more than one of the organisations represented.
 - c) The TWG comprises members that try to best represent their organisations where appropriate but acknowledge that interests and opinions can differ within organisations as well as within the TWG.
- 1.2.7 All members of the WCH TWG have been provided with Terms of Reference for the group, to help establish the role and function of its engagement with Highways England. A copy is provided at Appendix B.
- 1.2.8 Members of the WCH TWG have been engaged through a variety of group and smaller or one-to-one focused meetings in addition to written correspondence to support engagement activities. The details of meetings are provided in section 2 of this SoCG.
- 1.2.9 It should be acknowledged that in some cases, focused meetings were necessary to accommodate the availability of a large number of stakeholders and some requests to focus on particular matters (e.g. walking, cycling or horse riding).

- 1.2.10 ~~[Annex F Public Rights of Way Management Plan \(PRoW\) of ES Appendix 2.1 EMP \(Document Reference 6.4, APP-323\)](#)~~ ~~A Public Rights of Way Management Plan (PRoW Management Plan) (see Annex F of the Environmental Management Plan)~~ has been developed iteratively since July 2019 and has been shared and discussed with the WCH TWG to help capture proposals and commitments pertinent to PRoW as the appropriate document in support of the DCO application.
- 1.2.11 It should also be recognised that some of the members of the WCH TWG submitted their own individual and/or organisation responses to the statutory public consultation associated with the scheme held between 27 September 2019 and 8 November 2019. Further and supplementary public consultation was held between 13 October 2020 and 12 November 2020. Any such responses are responded to as part of the statutory Consultation Report in support of the Development Consent Order application.
- 1.2.12 Some members of the WCH TWG submitted Relevant Representations to the examining authority, and any matters agreed or outstanding identified through those representations have been considered in this SoCG where appropriate.

1.3 Structure of this SoCG

1.3.1 This SoCG is structured as follows:

- Section 2 states the role of the WCH TWG in the application and sets out the consultation undertaken.
- Section 3 summarises the topics considered within the SoCG.
- Section 4 lists those matters which have been agreed, including the date that this matter was agreed.
- Chapter 5 lists those matters which remain outstanding, incorporating: a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position including any further meetings planned regarding the matter.

1.3.2 Appendix A includes the signing sheet.

1.3.3 Appendix B includes the Terms of Reference.

1.4 Status of this SoCG

1.4.1 This joint SoCG is a correct reflection of the position of the parties at the Examination Deadline ~~1-3 (14 December 2021)~~ [2 February 2022](#).

1.4.2 It is acknowledged that the views and opinions of those party to this SoCG may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the examination stage.

2 Consultation

2.1 Membership of the WCH TWG

2.1.1 The following members of the WCH TWG are statutory consultees:

Gloucestershire County Council

2.1.2 The A417 Missing Link scheme is situated wholly within the boundaries of GCC. It is therefore a statutory consultee for the proposed scheme, as defined under section 42(1)(b) and section 43(c) of the Planning Act 2008 (“the Act”).

2.1.3 GCC is the local highway authority for Gloucestershire and has statutory duties in relation to local highways and maintenance, as well as the PRow network.

Cotswold District Council

2.1.4 The A417 Missing Link scheme is situated partially within the boundaries of Cotswold District Council. It is therefore a statutory consultee for the proposed scheme, as defined under section 42(1)(b) and section 43(b) of the Act.

2.1.5 Cotswold District Council is the local planning authority for Cotswold District.

National Trust

2.1.6 The A417 Missing Link scheme is situated partially on land which is owned and/or managed by the National Trust. PRowS also pass through this land. They are therefore statutory consultees for the proposed scheme, as defined under section 42 (1)(d) and section 44 of the Act.

2.1.7 This SoCG deals with issues that are relevant to the National Trust in their capacity as an affected landowner and a conservation organisation. While comments received from the National Trust regarding WCH and PRow provision have been included within the development of proposals and this SoCG, it should be noted that the National Trust have their own SoCG with Highways England and as such have expressed that they wish to sign their separate SoCG given their full position is outlined within their specific SoCG.

Gloucestershire Wildlife Trust

2.1.8 The A417 Missing Link scheme is situated partially on land which is owned and/or managed by the Gloucestershire Wildlife Trust. PRowS also pass through this land. They are therefore statutory consultees for the proposed scheme, as defined under section 42 (1)(d) and section 44 of the Act.

2.1.9 This SoCG deals with issues that are relevant to the Gloucestershire Wildlife Trust in their capacity as an affected landowner and a conservation organisation.

2.1.10 The Gloucestershire Wildlife Trust have expressed that they wish to sign their separate SoCG given their full position is outlined within their specific SoCG with Highways England.

Natural England

2.1.11 Natural England is a statutory body established under the Natural Environment and Rural Communities Act 2006 (NERC Act). Natural England is the statutory advisor to Government on nature conservation in England and promotes the conservation of England’s wildlife and natural features. Natural England is a statutory consultee under section 42(a) of the Act.

- 2.1.12 While the comments received from Natural England regarding WCH and PRowS have been included within the development of proposals and this SoCG, it should be noted that Natural England have their own SoCG with Highways England and as such have expressed that they wish to sign their separate SoCG given their full position is outlined within their specific SoCG.

Cotswolds Conservation Board

- 2.1.13 Cotswolds Conservation Board (CCB) (also known as the Cotswolds National Landscape) is an independent statutory body that works to conserve and enhance the natural beauty of the Cotswolds Area of Outstanding Natural Beauty (AONB). It was established by Parliamentary Order in 2004 and is one of two Conservation Boards in England.
- 2.1.14 CCB is a statutory consultee under section 42(a) of the Act.
- 2.1.15 CCB has expressed that they wish to sign their separate SoCG given their full position is outlined within their specific SoCG with Highways England.

Non-statutory consultees

- 2.1.16 All other members of the WCH TWG are non-statutory consultees but are interest groups that have volunteered their time to share their local and/or expert knowledge pertinent to PRow and ORPA.
- 2.1.17 Highways England consults with these individuals and organisation under section 47 of the Act.

2.2 Summary of consultation

- 2.2.1 Highways England has been in consultation with the WCH TWG during the development of the scheme's design. The parties have continued communicating throughout the progression of the scheme.
- 2.2.2 The engagement outlined in Table 2-1 covers formal consultation with the TWG, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as technical notes, requests for information or clarification points are not detailed below, but are available on request.
- 2.2.3 Meeting minutes were taken for each event. Matters discussed are summarised here and reflect the feedback or views of WCH TWG members involved and do not necessarily represent the views of Highways England then or now.
- 2.2.4 It should also be acknowledged that some of the WCH TWG members also attended other consultation meetings and events associated with the scheme, for example strategic stakeholder panel meetings, and events during the statutory consultation periods.
- 2.2.5 The consultation with the WCH TWG since the Preferred Route Announcement in March 2019 is set out in Table 2-1.

Table 2-1 Consultation activities with WCH TWG

Date	Method	Parties involved	Matters discussed
2 July 2019	Landscape, Heritage and Environment Technical Working Group	<ol style="list-style-type: none"> 1. Highways England 2. Cotswold AONB/Cotswolds Conservation Board 3. Cotswold District Council 4. Environment Agency 5. GCC 6. Historic England 7. National Trust 8. Natural England 9. Tewkesbury District Council 	<p>Whilst the Landscape, Heritage and Environment TWG is separate to that of the WCH TWG, some parties are members of both. At the 2nd July TWG meeting, Highways England provided an update on the scheme design and sought feedback including on WCH matters. Points raised included:</p> <ol style="list-style-type: none"> a) The need to obtain GIS data for mapping to make sure the baseline reflects the latest definitive maps b) Places such as Leckhampton Hill and Seven Springs Layby (both joining the Air Balloon Roundabout) identified as a key location where people park and walk c) Barrow Wake was identified as a key place for people to walk and enjoy the views via the Cotswold Way National Trail d) There is the opportunity to make a feature of the Golden Heart Inn e) The impact of the use of cars on the environment in this area, and anti-social behaviour f) Connections to the east of Cheltenham and the importance of links between routes and connections to the wider area g) The need for diversions of WCH routes/PROW to be as short and like-for-like as possible where practicable, ideally with continuation of the same status h) The importance of reconnecting and upgrading footpaths with connections to existing open land i) WCH movements and associated environmental impacts on Crickley Hill Country Park and Beechwoods Special Area of Conservation j) The opportunities for WCH surrounding Gloucestershire Way and link into the wider PROW network k) The provision of overbridges and the opportunities to landscape them and reduce noise impacts l) The type of surfacing which should be used

Date	Method	Parties involved	Matters discussed
8 August 2019	Walking, Cycling and Horse riding Technical Working Group meeting	<ol style="list-style-type: none"> 1. Highways England 2. Cotswold Trail and Access Partnership 3. GCC transport planning officers 4. GLAF 5. Gloucestershire Ramblers 	<p>Highways England provided an update on the scheme design and set out the Terms of Reference and SoCG process. Feedback was sought from the group on the draft PRoW Management Plan and the proposals it contained, as well as the baseline and methodology of the assessment underpinning it.</p> <p>Post meeting note: Gloucestershire Ramblers expressed objection to the proposed implementation of the preferred route and suggested a number of improvements to minimise the impact on walking and the landscape so that the scheme could meet its claims of being landscape-led and of recreational benefit.</p>
14 August 2019	Focused Walking, Cycling and Horse riding Technical Working Group meeting	<ol style="list-style-type: none"> 1. Highways England 2. GCC Principal PROW Officer 	<p>Highways England provided an update on the scheme design and set out the Terms of Reference and SoCG process. Feedback was sought on the draft PRoW Management Plan and the proposals it contained, as well as the baseline and methodology of the assessment underpinning it.</p>
14 August 2019	Focused Walking Cycling and Horse riding Technical Working Group meeting	<ol style="list-style-type: none"> 1. Highways England 2. Sustrans 	<p>Highways England provided an update on the scheme design and set out the Terms of Reference and SoCG process. Feedback was sought on the draft PRoW Management Plan and the proposals it contained, as well as the baseline and methodology of the assessment underpinning it.</p>
4 September 2019	Focused Walking, Cycling and Horse riding Technical Working Group meeting	<ol style="list-style-type: none"> 1. Highways England 2. British Horse Society 	<p>Highways England provided an update on the scheme design and set out the Terms of Reference and SoCG process. Feedback was sought from the group on the draft PRoW Management Plan and the proposals it contained, as well as the baseline and methodology of the assessment underpinning it.</p>
27 September 2019 to 8 November 2019	Statutory public consultation	All	<p>Members of the WCH TWG were notified on 27th September 2019 by letter and/or email of the statutory consultation and provided with a deadline to submit their responses (11.59pm on 8th November 2019). The statutory consultation sought views on the scheme design and the Preliminary Environmental Information which was published for the consultation. Many members of the WCH TWG provided responses to the statutory consultation, which are reported upon in the Consultation Report submitted with the DCO application.</p>

Date	Method	Parties involved	Matters discussed
1 October 2019	Focussed Walking, Cycling and Horse riding Technical Working Group meeting	<ol style="list-style-type: none"> 1. Highways England 2. Gloucestershire Wildlife Trust 3. National Trust 	Highways England provided an update on the scheme design and set out the Terms of Reference and SoCG process. Feedback was sought from the group on the draft PRow Management Plan and the proposals it contained, as well as the baseline and methodology of the assessment underpinning it.
8 October 2019	Focused Walking, Cycling and Horse riding Technical working group meeting	<ol style="list-style-type: none"> 1. Highways England 2. Natural England 	Highways England provided an update on the scheme design and set out the Terms of Reference and SoCG process. Feedback was sought from the group on the draft PRow Management Plan and the proposals it contained, as well as the baseline and methodology of the assessment underpinning it.
10 October 2019	Focused Walking, Cycling and Horse riding Technical working group meeting	<ol style="list-style-type: none"> 1. Highways England 2. GLAF 	Highways England provided an update on the scheme design and set out the Terms of Reference and SoCG process. Feedback was sought from the group on the draft PRow Management Plan and the proposals it contained, as well as the baseline and methodology of the assessment underpinning it.
27 November 2019	Walking, Cycling and Horse riding Technical working group meeting	<ol style="list-style-type: none"> 1. Highways England 2. Active Gloucestershire 3. British Horse Society 4. Cheltenham and Tewksbury Cycling Campaign/Cycling UK 5. Cotswold Conservation Board 6. Cotswold Trail and Access Partnership 7. Disabled Ramblers 8. GCC Principal PRow Officer 9. GCC ThinkTravel Coordinator 10. GCC Transport Planning Department 11. GLAF 12. Gloucestershire Ramblers 13. Gloucestershire Wildlife Trust 14. National Trust 15. Natural England 	Highways England provided a project update and the change in methodology for the Environmental Impact Assessment under DMRB. The session consisted of a PRow Management Plan workshop which discussed the scheme proposals in three sections. Feedback was sought from the group on the PRow proposals. Members of the group were able to mark-up plans with their comments at the workshop (plans were not shared externally for individual mark-up and were subsequently updated as appropriate). Highways England provided more detail on the SoCG process and how it would be structured and progressed.

Date	Method	Parties involved	Matters discussed
10 February 2020	Email	British Horse Society	Emailed concerns about use of the unclassified road 50944 and suggested alternative.
19 February 2020	Email	Highways England British Horse Society	Emailed response to concerns about use of the unclassified road 50944 and suggested alternative.
24 February 2020	Email in response to the scheme and draft PRow Management Plan	GCC	Feedback on the latest design proposals for the scheme and detailed points and proposals set out within the draft PRow Management Plan.
27 February 2020	Focused Walking, Cycling and Horse riding Technical working group meeting	1. Highways England 2. Gloucestershire Local Access Form	Highways England provided an overview of the response to statutory consultation, and then set out the updates to the scheme design that were made following the consultation. The proposals for further changes to the scheme design were set out, and an update provided on the next steps and programme of the scheme.
3 March 2020	Walking, Cycling and Horse riding Technical working group	1. Highways England 2. British Horse Society 3. Cheltenham and Tewksbury Cycling Campaign 4. Cotswold Trail and Access Partnership 5. GCC Principal PRow Officer 6. GCC Thinktravel co-ordinator 7. GCC Transport Planning Officer 8. GLAF 9. Gloucestershire Ramblers 10. National Trust 11. Natural England	<ul style="list-style-type: none"> Highways England provided an overview of the response to statutory consultation, and then set out the updates to the scheme design that were made following the consultation. The proposals for further changes to the scheme design were set out The SoCG with the group was discussed and the process for updating it The majority of the meeting consisted of a workshop on the updated PRow Management Plan in which the members' views on the updated proposals were sought An update on the programme of the scheme was provided
1 April 2020	Email in response to the scheme and draft PRow Management Plan	Gloucestershire Ramblers	Feedback on the latest design proposals for the scheme and detailed points and proposals set out within the draft PRow Management Plan (issued to WCH TWG members on 24 February 2020).

Date	Method	Parties involved	Matters discussed
28 May 2020	Letter (via email due to Covid-19) and phone call	All members of the WCH TWG	Members of the WCH TWG were notified via a letter that the DCO submission of the A417 Missing Link scheme would be delayed due to further design and development work. The letter stated that Highways England would be continuing to engage with stakeholders. Members of the Highways England team followed up the email with a phone call to outline the contents of the letter and advise of the delay.
2 July 2020	Email	Gloucestershire Ramblers	Query as to when TWGs will re-start and information provided with notes on crossings of the A417 and an updated position from the Gloucestershire Ramblers, seeking continued input into scheme and suggestions made for future format of TWG meetings. Highways England replied to advise that a TWG would be scheduled imminently and that the information provided would be considered.
22 July 2020	Combined Technical Working Group meeting	Members of the WCH TWG and the Environment, Heritage and Landscape TWG	Project update following delay to programme, setting out the key changes to the design and the amended timescales. Invited questions from stakeholders during the session. A presentation and Q&A summarising the session was subsequently issued to all attendees (on 11 th August).
28 July 2020	Email	Gloucestershire Ramblers	Provided updated information on the views of Gloucestershire Ramblers. Provided link to the Gloucestershire Ramblers June 2020 newsletter and attached documents summarising the position of the Gloucestershire Area group in May 2020. Links provided to recent press about the delay to the scheme.
6 August 2020	Emails	Gloucestershire Ramblers	Two further emails setting out the position of the Gloucestershire Ramblers in relation to the scheme. Marked-up map provided of ORPAs and PRow numbers, as well as suggested proposals for scheme design changes.

Date	Method	Parties involved	Matters discussed
12 August 2020	Walking, Cycling and Horse riding Technical working group meeting	<ol style="list-style-type: none"> 1. Highways England 2. Active Gloucestershire 3. British Horse Society 4. Cheltenham and Tewksbury Cycling Campaign 5. Cotswold Trail and Access Partnership 6. GCC Principal PROW Officer 7. GCC Thinktravel co-ordinator 8. GCC Transport Planning Officer 9. GLAF 10. Gloucestershire Ramblers 11. National Trust 12. Natural England 13. CPRE 14. Disabled Ramblers 15. Sustrans 16. Cotswold District Council 17. Woodland Trust 	Highways England provided an update on how the design changes in the scheme have resulted in changes to the PROW network. Feedback was sought from the group and Q&A on the proposals. The next steps were outlined including the issue of the draft updated PROW Management Plan, the upcoming statutory consultation and the SoCG process. Minutes were issued on 4 th September.
14 August 2020	Email	Gloucestershire Ramblers	Request that SoCG makes it clear how organisations' views are represented – whether these are individual views or views of an organisation and which organisations are best able to comment on relevant matters. Provided clarification on role and purpose of Gloucestershire Ramblers as a charity working for all walkers.
28 August 2020	Email	All members of the WCH TWG	Highways England shared with the group the draft General Arrangement and Profile plans for the scheme, ahead of the supplementary public consultation. It was explained that the information was work in progress, draft and confidential and should only be shared within their organisation where there is a legitimate reason to do so. This was followed up with an email on 1 September sharing the draft PROW Management Plan as well.

Date	Method	Parties involved	Matters discussed
1 September 2020	Telephone call	British Horse Society	<p>A number of queries regarding the proposals, including:</p> <ul style="list-style-type: none"> • The likely increase in motor traffic on Crickley Hill and how this may affect the A40 • The possibility of a pegasus crossing near the Frogmill pub at Shipton Oliffe • Concerns from horse riders that the bridleways are on the wrong side of the road where the A40 meets the A417
2 September 2020	Email	British Horse Society	<p>Highways England Population and Health specialist provided a response to queries made on 1st September. Provided:</p> <ul style="list-style-type: none"> • Information on the traffic modelling on the scheme for flows on the A436 and A40 • Confirmation that a pegasus crossing near the Frogmill would be outside of the scope of the scheme due to being significantly outside of the DCO Boundary, but BHS could speak to the relevant local authority about such provision • The proposals at the new Ullenwood junction (A417/A436) are considered to provide an appropriate and safe arrangement for all users
2 September 2020	Email	GLAF	<p>Feedback on the draft PRow Management Plan, including:</p> <ul style="list-style-type: none"> • Clarification sought on what is proposed to provide a connection from the west end of the severed eastern half of the Unclassified Road (UCR) 50853 to the northern part of the proposed new Shab Hill junction • Clarification sought on what is proposed for the section of UCR 47282 that runs north-eastwards from Barrow Wake car park to the present A417 just south of the Air Balloon
2 September 2020	Email	GLAF	<p>Response to query on 2nd September to state that the next WCH SoCG meeting would provide a justification for the proposals in the PRow Management Plan and that a more detailed specialist response would be provided directly, as soon as possible, regarding the crossings queried.</p>

Date	Method	Parties involved	Matters discussed
Between 8 September and 14 September 2020	Meeting and emails	Gloucestershire Ramblers	A two-part meeting to discuss Gloucestershire Ramblers' concerns over PRoW provision in revised scheme and suggestions that the group has put forward for alternative or additional design suggestions, including the downsides of increase of the current gradient from 7% to 8% (in terms of visual and noise impact) and that the Air Balloon should be referred to as an Inn rather than a pub otherwise its significance to many people as part of the landscape and heritage would be missed. Highways England specialists provided their view on the suggestions that the Ramblers had provided and discussed feasibility of these. It was agreed further position statements on these topics would be provided by Highways England in due course. Associated with these meetings were a number of emails from Gloucestershire Ramblers containing further thoughts and information to help inform the ongoing discussions.
12 September 2020	Email	Cheltenham and Tewkesbury Cycling Campaign	Set out three concerns for the A417, having reviewed updated PRoW Management Plan and information sent on 28 August. Considers there to be some good improvements but three areas outstanding: lack of crossing at Crickleigh Farm; lack of clarity on bridleway at Dog Lane to Cold Slad Lane; and Cotswold Way bridge which needs to be a green bridge. Highways England PRoW specialist responded on 14 th September to advise that these points would be considered and be discussed in updated SoCG and next WCH SoCG meeting.
16 September 2020	Meeting	GCC PRoW and highways officer	Meeting to discuss: <ol style="list-style-type: none"> 1. The council's position on a potential unclassified road or byway open to all traffic (BOAT) connecting to Shab Hill junction; 2. Reclassification of existing PRoW e.g. at Grove Farm 3. Historic severance of crossing points of the A417 near Dog Lane
18 September 2020	Email	Gloucestershire Ramblers	Gloucestershire Ramblers set out their views on three points following the meetings held on 8 th and 14 th September: the need to retain the Air Balloon Public House; the impact of the gradient on the cutting and level and waste material; and the operation of the TWGs and SoCGs.

Date	Method	Parties involved	Matters discussed
29 September 2020	WCH impacts on Crickley Hill meeting	Gloucestershire Wildlife Trust and National Trust	Meeting to discuss the walking, cycling and horse riding impacts of the updated scheme on Crickley Hill. An alternative option for replacement Common Land and access to/from the Barrow Wake car park was discussed and supported by the Wildlife Trust, to reduce potential impact on the SSSI. Support was expressed for removing existing rights of way from areas of SSSI where appropriate to do so.
29 September 2020	Walking, Cycling and Horse riding Technical working group meeting	<ol style="list-style-type: none"> 1. Highways England 2. Active Gloucestershire 3. British Horse Society 4. Cheltenham and Tewksbury Cycling Campaign 5. Disabled Ramblers 6. GCC Principal PROW Officer 7. GLAF 8. Gloucestershire Ramblers 9. National Trust 10. Natural England 11. Trail Riders Fellowship 	<p>Meeting to provide initial feedback on the draft Public Rights of Way Management Plan, draft Chapter 12 Population and Health of the 2020 Preliminary Environmental Information (PEI) report and progress the Statement of Common Ground in light of the latest scheme design. Key areas for improvement expressed included:</p> <ul style="list-style-type: none"> • East of Shab Hill connection – provision of a BOAT between existing unclassified road and proposed junction • Crossing west end of the scheme - suggested additional crossing • Common Land - opportunity to carry on the restricted byway as part of the repurposed A417 along the edge of the replacement Common Land and across the Cotswold Way crossing. This would allow Highways England to extend the Common Land further and avoid impact on the SSSI at Barrow Wake
13 October 2020	Supplementary statutory public consultation	All	Members of the WCH TWG were notified of the supplementary statutory consultation and provided with a deadline to submit their responses (11.59pm on 12 November 2020). The consultation sought views on the revised scheme design and the 2020 Preliminary Environmental Information which was published for the consultation. Many members of the WCH TWG provided responses to the statutory consultation, which are reported upon in the Consultation Report submitted with the DCO application.
20 October 2020	Meeting	<ol style="list-style-type: none"> 1. Highways England 2. CCB 3. GCC Principal PROW Officer 4. Natural England 	Meeting to discuss the diversion of the National Trail and associated requirements as part of the scheme and its DCO application.

Date	Method	Parties involved	Matters discussed
23 October 2020	Email	British Horse Society Highways England	Query raised during Teams Live event during public consultation from the British Horse Society about extending the bridleway from Ullenwood Junction along to the Crickley Hill Access Road as far as Coberley Bridleway 10 further along Leckhampton Hill Road. Emailed response from Highways England.
28 October 2020	Email	British Horse Society Highways England	Queries by email from the British Horse Society about connections and routes proposed near Barrow Wake, replacement Common Land and unclassified road 50853. Emailed response from Highways England.
18 January 2021	Email	WCH TWG Members	<p>Email to confirm intention to issue an emailed letter from Highways England confirming all of the design changes adopted since the public consultation that was held in Autumn 2020.</p> <p>Providing thanks for comments in response to the consultation, on the draft WCH Statement of Common Ground (SoCG) and draft PRow Management Plan.</p> <p>Emailed two technical notes as previously requested / promised:</p> <ol style="list-style-type: none"> 1. Shab Hill Connectivity – confirming the new sections of BOAT each side of the proposed Shab Hill junction 2. PRow Connection at Online Section – confirming the reasons why we have been able to provide a Grove Farm underpass but no further crossings of the A417 west of Grove Farm <p>Confirmation of intention to share a third technical note, on tunnelling and cut and cover solutions.</p>
22 January 2021	Email	Cheltenham and Tewksbury Cycling Campaign	Email to provide further information about the arrangement and use of footpaths 77, 74, 80, 84 and 86 interfacing with the existing A417, and support for the scheme should an additional underpass offset from the bat underpass (in the vicinity of footpath 86) be provided.
29 January 2021	Email	WCH TWG Members	<p>Email to provide an update and agenda for 4 February meeting, and</p> <ul style="list-style-type: none"> • A PowerPoint presentation to inform the meeting on 4 February • A copy of the PRow Management Plan • A copy of the PRow Proposals Drawings • A copy of the latest SoCG document
3 February 2021	Email	National Trust	Notes to inform the update to the SoCG document.

Date	Method	Parties involved	Matters discussed
4 February 2021	Email	Gloucestershire Ramblers	Notes to inform a position on the details of the Public Rights of Way Management Plan.
4 February 2021	Walking, Cycling and Horse riding Technical working group meeting	<ol style="list-style-type: none"> 1. Highways England 2. Active Gloucestershire 3. Cowley and Birdlip Parish Council 4. British Horse Society 5. Cheltenham and Tewksbury Cycling Campaign 6. Coberley Parish Council 7. Cotswold Way Association 8. Disabled Ramblers 9. GCC 10. GLAF 11. Gloucestershire Ramblers 12. National Trust 13. Natural England 14. Trail Riders Fellowship 15. CPRE 	<p>Meeting to provide feedback on the design fix for assessment, discuss the Public Rights of Way Management Plan proposals (as also outlined in ES Chapter 12), and progress the Statement of Common Ground. A review of each of the proposals for PRow as set out in the Public Rights of Way Management Plan was held to better understand where each party agreed or disagreed.</p> <p>Note: this meeting is cross referred to in the Cotswold Way National Trail Diversion Report (Document Reference 7.11, APP-427) and the latest position is that the Gloucestershire Ramblers object to its diversion as proposed as part of the scheme for reasons set out in the matters outstanding as part of this Statement of Common Ground (and their Relevant Representation (RR-041).</p>
8 February 2021	Email	Gloucestershire Wildlife Trust	Notes to inform the update to the SoCG document.
10 February 2021	Email	British Horse Society	Concerns about the use of the 50944 up by Stockwell to carry WCH along the west of the new road, with suggestion for new bridleway.
17 February 2021	Meeting	<ol style="list-style-type: none"> 1. Highways England 2. GCC Principal PROW Officer 3. GCC ThinkTravel Coordinator 4. GCC Transport Planning Department 5. GCC Highways Department 	<ol style="list-style-type: none"> 1. Summary update from WCH TWG and design fix 2. Position with stakeholder requests for additional crossing(s) to the west of the scheme 3. Access to proposed bus stop near Birdlip

Date	Method	Parties involved	Matters discussed
19 February 2021	Email	British Horse Society	Highways England response to email dated 10 February 2021, clarifying engagement held with GCC about the issues raised and reasons why Highways England is not able to accommodate the request at this time but with some reassurance about the future of the existing network, in addition to our proposals seeking to enhance it where possible.
23 February 2021	Meeting	<ol style="list-style-type: none"> 1. Highways England 2. GCC 3. Cowley and Birdlip Parish Council 	Access to proposed bus stop near Birdlip and potential alternatives given safety concerns.
24 February 2021	Email	WCH TWG Members	Email to provide a copy of the latest SoCG document for comment in advance of the 29 March meeting.
22 March 2021	Email	Gloucestershire Ramblers	Comments to update positions within the SoCG.
29 March 2021	Email	Gloucestershire Ramblers	Comments to update positions within the SoCG.
29 March 2021	Walking, Cycling and Horse riding Technical working group meeting	<ol style="list-style-type: none"> 1. Highways England 2. GCC 3. National Trust 4. Gloucestershire Wildlife Trust 5. Gloucestershire Ramblers 6. Disabled Ramblers 7. Gloucestershire Local Access Forum 8. British Horse Society 9. Coberley Parish Council 10. Birdlip and Cowley Parish Council 11. Leckhampton with Warden Hill Parish Council 	Pre application meeting to discuss and agree the draft Statement of Common Ground.
29 March 2021	Emails	Highways England British Horse Society	Clarifications with additions/corrections for consultation activities, and response from Highways England.

Date	Method	Parties involved	Matters discussed
30 March 2021	Email	Highways England Gloucestershire Ramblers	Response to email 29 March to address comments within suggested update to positions within the SoCG.
31 March 2021	Emails	Highways England Gloucestershire Ramblers	Comments to update positions within the SoCG from Gloucestershire Ramblers and response from Highways England.
4 May 2021	Meeting	<ol style="list-style-type: none"> 1. Highways England 2. CCB 3. GCC Principal PROW Officer 4. Natural England 	Meeting to discuss the draft National Trail Diversion Report and associated requirements as part of the scheme and its DCO application.
13 September 2021	Walking, Cycling and Horse riding Technical working group meeting	<ol style="list-style-type: none"> 1. Highways England 2. GCC 3. National Trust 4. Gloucestershire Wildlife Trust 5. Gloucestershire Ramblers 6. Disabled Ramblers 7. Gloucestershire Local Access Forum 8. Cheltenham & Tewkesbury Cycling Campaign 9. British Horse Society 10. Coberley Parish Council 	Pre-examination meeting to discuss the application, relevant representations and agree the approach to updating the draft Statement of Common Ground.
10 November 2021	Walking, Cycling and Horse riding Technical working group meeting	<ol style="list-style-type: none"> 1. Highways England 2. GCC 3. National Trust 4. Gloucestershire Wildlife Trust 5. Gloucestershire Ramblers 6. Birdlip and Cowley Parish Council 7. Gloucestershire Local Access Forum 8. British Horse Society 	Meeting to discuss and agree the updated draft Statement of Common Ground in advance of Examination Deadline 1.

Date	Method	Parties involved	Matters discussed
<u>10 November 2021</u>	<u>Procedural Deadline 1 submissions</u>	<u>Gloucestershire Ramblers</u>	<u>The Gloucestershire Ramblers submitted Written submissions on the examination procedure, including responses to matters raised orally at the Preliminary Meeting Part 1 (PDB-001) to inform Procedural Deadline B</u>
<u>14 December 2021</u>	<u>Deadline 1 submissions</u>	<u>British Horse Society</u>	<u>The British Horse Society submitted Written Representation (REP1-127) to inform Examination Deadline 1</u>
<u>14 December 2021</u>	<u>Deadline 1 submissions</u>	<u>Gloucestershire Ramblers</u>	<u>The Gloucestershire Ramblers submitted the following documents to inform Examination Deadline 1:</u> <ul style="list-style-type: none"> • <u>Responses to ExQ1 (REP1-069)</u> • <u>Submission of suggested locations for the Examining Authority to include in any site inspection, and Comments on the Examining Authority's Note of an Unaccompanied Site Inspection (US11) on 14 September 2021 (REP1-070)</u> • <u>Written Representation (REP1-149)</u> • <u>Notes on Applicant's Submission - Late submission accepted at the discretion of the Examining Authority (REP1-150)</u>
<u>14 December 2021</u>	<u>Deadline 1 submissions</u>	<u>Cotswolds Conservation Board</u>	<u>CCB submitted the following documents to inform Examination Deadline 1:</u> <ul style="list-style-type: none"> • <u>Written Representation (REP1-030)</u> • <u>Responses to ExQ1 [The document entitled 'Confidential: Cut and cover tunnel feasibility study' referred to in this submission has not been accepted into the Examination –(REP1-028)</u> • <u>The Applicant has submitted a version of this document at Deadline 1 which is available to view (Document Reference 8.6. –See-REP1-011)] (REP1-028) [AL1]</u> • <u>Responses to ExQ1 – Cotswolds Conservation Board Options Report (REP1-029)</u> • <u>Written Representation – Supporting information (REP1-031)</u>
<u>14 December 2021</u>	<u>Deadline 1 submissions</u>	<u>Joint Councils (Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council)</u>	<u>The Joint Councils submitted the following documents to inform Examination Deadline 1:</u> <ul style="list-style-type: none"> • <u>Local Impact Report (LIR) (REP1-133)</u> • <u>Responses to ExQ1 (REP1-134)</u> • <u>Written Representation (REP1-135)</u>

Date	Method	Parties involved	Matters discussed
14 December 2021	Deadline 1 submissions	National Trust	<p>The National Trust submitted the following documents to inform Examination Deadline 1:</p> <ul style="list-style-type: none"> • Responses to ExQ1 (REP1-096) • Summary of Written Representation (REP1-097) • Written Representation (REP1-098) <p>Cover letter, notification of wish to participate in a Compulsory Acquisition Hearing, and Submission of suggested locations for the Examining Authority to include in any site inspection (REP1-095)</p>
13 January 2022	Deadline 2 submission	Joint Councils (Gloucestershire County Council, Cotswold District Council and Tewkesbury Borough Council)	The Joint Councils submitted Comments on responses to ExQ1, Comments on Written Representations, and Comments on responses received by D1 (REP2-034) to inform Examination Deadline 2
13 January 2022	Deadline 2 submissions	Gloucestershire Ramblers	The Gloucestershire Ramblers submitted Comments on the Agenda for Issue Specific Hearing 2 (ISH2) (REP2-028B) to inform Examination Deadline 2
13 January 2022	Deadline 2 submissions	Cheltenham & Tewkesbury Cycling Campaign	<p>The Cheltenham & Tewkesbury Cycling Campaign submitted the following documents in response to Examination Deadline 2:</p> <ul style="list-style-type: none"> • Responses to ExQ1 (REP2-018) • Responses to ExQ1 – Supporting information (REP2-019)
25 January 2022	Email	British Horse Society Highways England	Confirmation that the British Horse Society would like to support the submission made by Ralph Hampton (email dated 24 January 2022) for the revision of the SoCG matters outstanding 8.4 and 9.4.

3 Topics covered in this SoCG

3.1.1 The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 Summary of the topics considered with this SoCG

Overarching topic	Topic number	Topic
Background	1.	Principle of Development
	2.	Project Description
	3.	Consultation
Assessment	4.	Population and Human Health, including WCH (Chapter 12 of the Environmental Statement)
	5.	Public Rights of Way Management Plan (Annex F to the Environmental Management Plan)
Potential Effects	6.	Effects and proposed mitigation for PRoW
Proposals	7.	New sections of PRoW
	8.	Reclassification of PRoW
	9.	Promotion of Public Access Rights
	10.	De-trunking of the existing A417

3.1.2 To avoid unnecessary duplication, and only where appropriate to do so, where matters are pertinent to more than one topic they are only made once in the topic section of most relevance. For example, where a matter may be relevant in both sections for topics 4 and 5, it may only appear in either topic section 4 or 5.

4 Matters agreed

4.1.1 Table 4-1 shows those matters which have been agreed by some of the parties, including a matter reference number to assist the reader, and the date and method by which it was agreed. This table sets out where members of the WCH TWG agree with the matter specified unless where one or more members of the WCH TWG do not agree with the matter, then it is set out that this is explained in the next chapter 5, where matters are outstanding with one or more of the TWG members.

Table 4-1 Matters agreed between WCH TWG and Highways England

Matter reference number	Matter which has been agreed	Date and method of agreement
1. Principle/Need for Development		
1.1	The TWG members generally agree with the need for development in helping to address the current situation of poor road safety and daily congestion and that the solution should reflect the special qualities of the Area of Outstanding Natural Beauty (AONB).	TWG meeting held on 03.03.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
1.2	The TWG members generally agree with the objectives of the A417 Missing Link as a landscape-led scheme that will deliver a safe and resilient free-flowing road whilst conserving and enhancing the special character of the nationally important protected landscape of the Cotswolds Area of Outstanding Natural Beauty (AONB) that the new route passes through.	TWG meeting held on 27.11.2019 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
2. Project Description		
2.1	The majority of TWG members agree with the form of the scheme to address the objectives of the A417 Missing Link as a landscape-led scheme, acknowledging that some members have expressed concerns about specific impacts, elements or suggested alternatives. This is addressed in chapter 5.	TWG meeting held on 27.11.2019 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
3. Consultation		
3.1	Through a collaborative approach to the preparation of the PRoW Management Plan (see Annex F of the Environmental Management Plan) and feeding back on the relevant WCH sections of the Population and Human Health assessment found in Chapter 12 of the ES, the majority of WCH members agree their views and opinions have been listened to, with reasons given where Highways England have not been able to adopt their suggestions. For example, technical notes have been shared to help explain Highways England's position on some matters outstanding found in chapter 5.	TWG meeting held on 27.11.2019 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021

Matter reference number	Matter which has been agreed	Date and method of agreement
3.2	The TWG members agree that the detail of design will be discussed and agreed between Highways England, its contractor and GCC should the scheme progress to construction. This would include, for example, details of surfaces, signage and enclosures. The views of other organisations should be considered as part of detailed design and the PRoW Management Plan (see Annex F of the Environmental Management Plan) sets out requirements for Highways England and its contractor. The TWG members would like to continue to be involved in the development of the detailed design of the scheme and its implementation, and Highways England agrees that GCC will represent the TWG members in discussions and agreements made with Highways England and its Contractor at the detailed design stage as the appropriate authority to do so.	TWG meeting held on 27.11.2019 TWG meeting held on 03.03.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
4. Population and Human Health (Chapter 12 of the ES)		
4.1	The TWG members and Highways England agree that the consideration and assessment of potential effects on PRoW has been undertaken using the most up to date and appropriate standard (namely the Design Manual for Roads and Bridges Standard LA 112).	TWG meeting held on 27.11.2019 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
4.2	The TWG members agree with Highways England's approach to include unclassified roads / ORPAs in the definition of local routes alongside PRoW for the purposes of the ES. Highways England also agrees that non-motorised users of classified roads have public access rights to use highways where there are no legal restrictions to do so.	TWG meeting held on 22.07.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
4.3	The TWG members agree with Highways England's approach to include disabled users in the definition of WCH for the purposes of the ES, building on the Design Manual for Roads and Bridges Standard LA 112.	TWG meeting held on 22.07.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
4.4	The TWG members and Highways England agree that the baseline for WCH and PRoW matters are adequately set out and recorded.	TWG meeting held on 27.11.2019 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021

Matter reference number	Matter which has been agreed	Date and method of agreement
4.5	<p>GCC and Highways England agree that the previous A417 scheme caused fragmentation or severance of historic crossing points of the A417 near Dog Lane, where Badgeworth footpaths converge and meet the A417, which has been exacerbated by increased motor traffic levels over time. GCC has expressed these routes may have been better stopped-up at that time to prevent safety concerns associated with some users continuing to attempt to cross the A417 mainline at grade despite areas of vegetation, embankment, fencing and central reservation/safety barriers causing obstruction to crossings. Highways England has expressed concerns for the safety of walkers crossing in this location, supported by recorded incidents, including a fatality of a pedestrian.</p> <p>TWG members and Highways England agree that, where possible and reasonable to do so, the proposed scheme could help to provide enhancement rather than mitigation by addressing the fragmentation or severance caused by the previous scheme and by providing crossings of the A417. A technical note was shared by Highways England with the TWG members on 18 January 2021 to explain the reasons why it has been able to provide a Grove Farm underpass but no further WCH crossings of the A417 west of Grove Farm, on the basis of engineering risk, ecological and environmental impacts, and cost / poor value for money.</p> <p>GCC agree the proposal for the Grove Farm underpass would adequately achieve a safe north-south crossing of the A417 in this location.</p> <p>Where some members of the TWG have expressed the need for further crossing points not proposed by the scheme (where some members consider there is a need to retain crossings), this is addressed in chapter 5.</p>	<p>TWG meeting held on 27.11.2019 GCC meeting held on 16.09.2020 Email sent 18.01.2021 Position reconsidered and confirmed within the Statement of Common Ground between Joint Councils and Highways England Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
4.6	<p>The majority of TWG members generally agree with the assessment of potential effects on the WCH and PRoW network.</p> <p>Any exceptions are addressed in chapter 5.</p>	<p>TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
4.7	<p>The TWG members agree that the ES appropriately cross refers to the PRoW Management Plan (Annex F to the Environmental Management Plan), which sets out appropriate requirements for Highways England and its contractor pertinent to WCH routes and PRoW should the scheme proceed to construction.</p>	<p>TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>

Matter reference number	Matter which has been agreed	Date and method of agreement
4.8	The TWG members and Highways England agree existing and replacement Common Land associated with the scheme can be accessed on foot, whereas access to cyclists and horse riders is prohibited for legal reasons. The TWG members agree that the quantity and accessibility of the replacement Common Land provides an improved situation compared to the existing. Any surfacing, signage and enclosures would be agreed at the detailed design stage.	GCC meeting held 16.09.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
4.9	<p>The TWG members agree that the ES Appendix 12.2 'Walking, cycling and horse riding including disabled users review at preliminary design' document has been undertaken to:</p> <ul style="list-style-type: none"> • Help ensure that previously identified opportunities at the assessment phase have been taken into account and implemented where achievable; • Identify opportunities for improvements for pedestrians, cyclists and equestrians as a result of the developing highway scheme design; and • Provide survey data and design details 	TWG meeting held on 04.02.2021
4.10	The TWG members agree with the proposed provision of two areas of parking to the eastern end of the repurposed A417 for users of the Air Balloon Way, near the Golden Heart Inn and Stockwell Lane, including car parking and horse box spaces, and disabled parking spaces respectively. This seeks to help improve access to recreational routes, provide safe areas of parking, and help relieve pressure on Crickley Hill Country Park and Barrow Wake car parks with associated Crickley Hill and Barrow Wake Site of Special Scientific Interest (SSSI).	TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5. Public Rights of Way Management Plan (Annex F of the Environmental Management Plan)		
5.1	<p>The TWG members generally agree that the PRoW Management Plan sets out sufficient and adequate mitigation and enhancement of WCH routes and PRoW.</p> <p>Where some members disagree with specific elements of the Plan and/or consider further or alternative mitigation and enhancement measures should be included, this is addressed in chapter 5.</p>	TWG meetings held on 27.11.2019 and 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5.2	<p>The TWG members generally agree the proposals set out in the PRoW Management Plan would benefit the WCH and PRoW network in the study area overall.</p> <p>Where some members disagree with specific elements of the Plan and/or consider further or alternative mitigation and enhancement measures should be included, this is addressed in chapter 5.</p>	TWG meetings held on 27.11.2019 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021

Matter reference number	Matter which has been agreed	Date and method of agreement
5.3	The TWG members generally agree with Highways England's attempts to provide access for as many users as possible for existing or new PRow where appropriate, although acknowledging that some members have expressed concerns for reclassifying existing routes and would not agree that where a footpath is reclassified to a bridleway or restricted byway that it is terms an 'upgrade'. This is addressed in chapter 5.	TWG meeting held on 22.07.2020 Focused meetings held on 11.09.2020 and 14.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5.4	The TWG members support and accept the need to consider gradients and safe PRow routes for all throughout, including ensuring access for disabled users utilising the British Standard for Gaps, Gates and Stiles which would be agreed at the detailed design stage. The TWG members agree with Highways England's aim for a maximum gradient of 5% on new walking and cycling routes but accept this may not be possible on all / existing routes (as set out in the ES Appendix 12.2 'Walking, cycling and horse riding including disabled users review at preliminary design' document).	TWG meeting held on 27.11.2019 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5.5	The TWG members broadly agree with the hierarchy for mitigation and understand Highways England and its Contractor would discuss and agree detailed matters during construction (and operation) at the design stage (e.g. to assist with the selection of appropriate surfaces, signage and enclosures). Highways England agree that appropriate diversions, design parameters and materials would be provided for substituted and new PRow, taking into account the proposed type and nature of the proposed PRow.	TWG meeting held on 03.03.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5.6	The TWG members agree that Highways England does not have the powers to create amenities/facilities, for example café and toilet facilities at Barrow Wake car park, for the use of WCH. However, this could instead be explored (and delivered) by the local authority, the landowner or private businesses. Highways England agrees that the demolition of the Air Balloon Public House would result in the loss of existing facilities, as reported within the Environmental Statement as a likely significant effect.	TWG meeting held on 27.11.2019 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5.7	In general, TWG members agree that the PRow Management Plan is seeking to maintain and where possible enhance routes for walkers, cyclists and horse riders including appropriate use of footpaths, bridleways, restricted byways, unclassified roads and the repurposed A417 ('Air Balloon Way'). Specific exceptions where some TWG members object to particular proposals for PRow are addressed in chapter 5.	TWG meeting held on 27.11.2019 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5.8	In general, the Disabled Ramblers and other members representing disabled users agree with the PRow Management Plan in seeking to maintain and where possible enhance accessible routes for all users including use of footpaths, bridleways, restricted byways, unclassified roads and the 'Air Balloon Way'. Specific exceptions are addressed in chapter 5.	TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021

Matter reference number	Matter which has been agreed	Date and method of agreement
5.9	Classifications of substituted and new PRoW have been discussed with GCC Principal PROW Officer who will update their Definitive Maps as necessary, following notification of completion of works by Highways England and its contractor. GCC would then be responsible for maintaining legal access to those PRoW, subject to any discussions and agreements made at the detailed design stage. Highways England further agrees any changes to the List of Streets would be updated by GCC.	TWG meeting held on 22.07.2020 TWG meeting held on 16.09.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5.10	Highways England agrees that post construction, surfaces would be made good and restored/be as per existing. Suitable surfaces for different types and classification of routes will be provided, taking into account relevant guidance, for example from the British Horse Society and others as appropriate, to be coordinated through GCC at the detailed design stage when such details would be agreed. For multipurpose routes (e.g. routes providing private means of access and a footpath) details of surfaces and access restrictions features (e.g. enclosures) will be agreed with Highways England, its contractor, GCC, the landowner and/or third party responsible for maintenance and/or use of that surface and/or route.	TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5.11	Highways England agrees that with its contractor it will provide appropriate signage for re-provided and new PRoW in agreement with GCC, to be discussed and agreed at the detailed design stage.	TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
6. Effects and proposed mitigation for the existing PRoW network		
6.1	The TWG members agree that where are instances of stopping-up, the PRoW Management Plan seeks to minimise or where possible reduce journey distances with diversions, with all reasonable efforts made to avoid or limit as far as practicable diversions especially for walkers who are typically most adversely impacted by diversions. Where some members disagree with specific elements of the Plan and/or consider further or alternative mitigation measures should be included, this is addressed in chapter 5.	TWG meeting held on 22.07.2019 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
6.2	The TWG members agree that the mitigation of the severance of the Cotswold Way National Trail by way of a new Cotswold Way crossing would result in an enhancement compared to its existing situation, by virtue of a grade separated and safer crossing of the A417 for users. The TWG members agree that a restricted byway designation over the crossing is most appropriate, helping connect the Air Balloon Way and provide access to all non-motorised users. Where some members disagree with specific elements of the Cotswold Way crossing and/or consider further or alternative mitigation measures should be included, this is addressed in chapter 5.	TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021

Matter reference number	Matter which has been agreed	Date and method of agreement
6.3	<p>The TWG members agree that the mitigation of the severance of the Gloucestershire Way long distance path by way of a new crossing would result in an appropriate solution when compared to its existing situation, by virtue of a grade separated and safe crossing of the A417 for users. Reasonable steps have been taken to divert the Gloucestershire Way as close to its existing alignment as possible, responding to the constraints and limitations of the scheme. The TWG members generally agree a bridleway designation over the crossing is the most appropriate, helping connect footpath and bridleway connections either end of the crossing.</p> <p>Where some members disagree with specific elements of the Gloucestershire Way crossing and/or consider further or alternative mitigation measures should be included, this is addressed in chapter 5.</p>	<p>TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
6.4	<p>Highways England agrees that further discussions will be required with GCC in order to confirm any construction specific mitigation. This will take place following the appointment of a contractor, during the detailed design stage, and would follow the hierarchy of mitigation as presented within the PRow Management Plan.</p>	<p>TWG meeting held on 04.02.2021</p>
7. New Sections of PRow		
7.1	<p>The TWG members agree that the PRow Management Plan proposes new sections of PRow that would lead to enhancements across the WCH and PRow network when considered alongside existing and proposed diversions of sections of PRow in the study area.</p> <p>Where some members disagree with specific elements of the Plan and/or consider further or alternative measures should be included, this is addressed in chapter 5.</p>	<p>TWG meeting held on 27.11.2019 TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
8. Reclassification of PRow		
8.1	<p>The TWG members agree that the PRow Management Plan proposes appropriate reclassification of three sections of existing PRow, which would lead to an enhancement of the WCH and PRow network by virtue of increasing access to more types of user. Where some members disagree with the reclassification of PRow or suggest other forms of reclassification, this is addressed in chapter 5.</p>	<p>TWG meeting held on 27.11.2019 TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>

Matter reference number	Matter which has been agreed	Date and method of agreement
9. Promotion of Public Access Rights		
9.1	<p>The TWG members generally agree that the PRoW Management Plan proposes sections of new Byways Open to All Traffic and highways connecting to PRoW that will help benefit the PRoW network. Where some members disagree with specific elements of the Plan and/or consider further or alternative measures should be included, this is addressed in chapter 5.</p>	<p>TWG meetings held on 27.11.2019 TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
10. De-trunking of the Existing A417		
10.1	<p>The TWG members generally agree with the principle of stopping-up the existing A417 to motor traffic and re-purposing sections of the existing A417 as the 'Air Balloon Way' to create a motor traffic-free route as a restricted byway between the new area of parking near the Golden Heart Inn to the Cotswold Way crossing and beyond.</p> <p>TWG members agree the Air Balloon Way should comprise a minimum width of 5m, specifically 3m hard top and 2m soft top. Highways England proposes the Air Balloon Way and connection to the Cotswold Way crossing to be this arrangement with further landscaping and planting along the corridor to create a high-quality route for people that can also provide landscape and wildlife benefits. This is considered by most as a significant enhancement to the WCH and PRoW network in the study area, with all reasonable steps taken through the PRoW Management Plan to help increase accessibility to and from this feature of the scheme. Where some members disagree with the stopping-up to all motor traffic (and preferring that local access is retained along a section of the existing A417), this is addressed in chapter 5.</p>	<p>TWG meetings held on: 08.08.2019 14.08.2019 04.09.2019 08.10.2019 10.10.2019 22.07.2020 And within statutory consultation responses received on 08.11.2019 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
10.2	<p>The TWG members agree with the need for replacement Common Land and that the replacement Common Land near Barrow Wake is the preferred solution, with it being contingent with the existing area of Common Land at Barrow Wake. TWG members agree this would benefit from access rights to walkers.</p>	<p>TWG meeting held on 22.07.2020 TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
10.3	<p>The TWG members generally agree with the realignment of the B4070 with new roundabout and segregated restricted byway connection to and from Air Balloon Way, to provide a safe connection for WCH. The TWG members agree with the equestrian holding area on the B4070 to provide a safe crossing. Where some members disagree with specific elements of the Plan and/or consider further or alternative measures should be included, this is addressed in chapter 5.</p>	<p>TWG meeting held on 29.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>

5 Matters outstanding

5.1 Principal matters outstanding

- 5.1.1 There is one principal matter that remains outstanding or not agreed between Highways England and some members of the WCH TWG. In summary this is:
- The need for the scheme to provide at least one additional crossing of the A417 between Bentham Lane and Grove Farm underpass, to restore severed, address obstructed, or improve fragmented PRoWs..
- 5.1.2 It should be acknowledged that some members of the WCH TWG object to or do not agree with wider elements of scheme design beyond the topic of WCH, for example impacts of severance on the landscape, and the demolition of the Air Balloon Public House. Those wider matters are not relevant to and are thus not captured within this SoCG, which considers WCH and PRoW related matters only. Where wider design matters have been raised as part of engagement and consultation with WCH TWG members, these have been shared with the relevant project team members for further consideration and response, for example through the Consultation Report or Environmental Statement that supports the DCO application, and/or with separate meetings as appropriate.

5.2 Matters outstanding

- 5.2.1 Table 5-1 shows those matters which remain under discussion by the parties. It sets out the latest position of each party in relation to each matter outstanding, and the latest update of that position.
- 5.2.2 In response to a request by the Examining Authority (ExA) in the Rule 6 Letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of the Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 5-1 Matters outstanding between WCH TWG and Highways England

Matter reference number	Matter	TWG position	Highways England position	Date of position
1. Principle of Development				
1.1	Landscape-led scheme	<p>The Gloucestershire Ramblers disagree that the scheme is landscape-led and challenge its claim to provide recreational enhancement in its current form should it lead to the loss of footpaths, the Air Balloon Public House and not retain sufficient crossings of the A417. Their position is as follows:</p> <ul style="list-style-type: none"> a) Through motor traffic should be removed from local roads to make them walkable and crossable again, with the landscape remaining much the same. An enhancement to one person or organisation may be seen as a detriment to another. Retain (same or better than present) can be a useful compromise. b) The proposals appear to change the landscape to fit the road scheme rather than try to design the road so as to minimise impact on the landscape. c) For many people the Air Balloon is a key part of the landscape and its presence when the scheme is complete will demonstrate whether the scheme is truly landscape led. d) To minimise visual and noise impact the road should be kept low in the landscape with a sequence of green bridges for all user types and for wildlife flora and fauna interconnect 	<p>The landscape-led approach to this scheme has brought together specialists and stakeholders from a range of disciplines to reach a balanced design solution that responds to the sensitive nature of the Cotswolds AONB. The design process has focused on how best to conserve and enhance the special qualities and landscape character of the AONB. This will be achieved by mitigating the effects of the scheme and integrating it within the landscape. This includes restoring and enhancing landscape features, typical to the area, such as Cotswold stone walling, hedgerow, tree, woodland and grassland planting. It also includes ecological design features such as creating new habitat and wildlife crossings, linking and restoring locally important habitats, as well as providing new habitat for rare and protected local wildlife. The landscape-led approach has allowed design interventions on all aspects of the scheme to reduce its impact on the landscape and visual resource, with the careful location and sensitive design of structures and use of locally appropriate materials. Wider benefits of the scheme include improving access and recreational opportunities and improving access to cultural heritage sites. The PRoW Management Plan is considered to provide sufficient mitigation and appropriate</p>	<p>Focused meetings on 8 and 14.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p>e) The Cotswold and Gloucestershire Way national and regional trails should be kept on-line alongside the landmark and historic Air Balloon Public House.</p> <p>f) If the Birdlip Bypass is to be renamed the Air Balloon Way it should at least reach the Air Balloon Public House.</p> <p>g) To maintain the countryside and avoid severance between villages the present A417 should be repurposed as any other low traffic minor local road usable for walking, cycling and horse riding, as well farm, local and maintenance vehicles whilst avoiding creation of rat-runs nearby.</p>	<p>crossings of the A417 to provide an enhanced WCH and PRow network. Wherever possible, Highways England has worked to avoid the need to demolish property or businesses during scheme design, however the need to demolish the Air Balloon Public House is unavoidable. The consideration of the Air Balloon Public House and its demolition is considered in Chapter 6 Cultural Heritage and Chapter 12 Population and Health of the Environmental Statement. Whilst it is recognised that the Air Balloon Public House is not a Listed Building, detailed historic building recording will be undertaken as part of the mitigation of the scheme.</p> <p>The existing A417 will be detrunked and repurposed with the Air Balloon Way as a recreational route to help contribute to the landscape-led vision for the scheme, with proposed landscape, replacement Common Land, and WCH access improvements.</p>	
2. Project Description				
2.1	Vertical alignment	The Gloucestershire Ramblers disagree with the proposed vertical alignment (in terms of visual and noise impact) and stress that the road should be kept low in the landscape along its length to allow near ground level bridges to retain PRowS where they are crossed by the new A417 and to meet the scheme aims of recreational enhancement and prevent the loss of the landscape such as the landmark Air Balloon Inn.	The Preferred Route Announcement in early 2019 carefully considered the views of stakeholders and set the remit within which Highways England is progressing the preliminary design of the A417 Missing Link. A tunnel or cut and cover solution has been discounted for many reasons including impact on the environment and cost. A technical note has been shared to explain this decision making, on the basis of engineering risk, ecological and environmental impacts, and cost / poor	Focused meetings on 8 and 14.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p>They set out that the downsides of increasing the current gradient from 7% to 8% from Bentham to Grove Farm, including that the reduction in excavation of material for a tunnelled bridge (max 150 metres) compared to a deep cutting has not been quantified within the proposals, nor the landscape and heritage benefits of retention of a historic landmark, nor the noise and visual benefits of tunnelling at the site and at nearby Emma’s Grove. There should be a ready market for bagged up Cotswold Stone excavated during the project.</p>	<p>value for money. Other than an alternative alignment avoiding the Air Balloon Public House entirely, there is no method of construction that could prevent the loss or potential significant damage to the Air Balloon Public House. Further cutting would lead to a significant excess of material that would need to be disposed of off-site given the scheme has already achieved a near balance of material, reusing material where it can. Any additional cutting and excess material would require increased construction traffic, carbon and cost in addition to increased impact on the environment.</p> <p>The PRoW Management Plan is considered to provide sufficient mitigation and appropriate crossings of the A417 to provide an enhanced WCH and PRoW network overall.</p>	
2.2	Crossings of the A417	<p>The Gloucestershire Ramblers disagree that there are sufficient proposed crossings of the A417 as part of the scheme and suggest the scheme should be delivered by first providing sufficient interconnections for both humans and wildlife, and that funds should be used to retain existing crossings. That approach should take precedent over the proposals to stop up the current A417 which should be retained as a low traffic route suitable for walking cycling and horse riding, while retaining access for local people and businesses.</p> <p>They express concerns ES Chapter 12 Population and Human Health lists</p>	<p>Highways England is committed to re-purposing the A417 as part of the scheme by providing a safe and free-flow new route that would allow for the de-trunking of the existing A417. That would facilitate a motor traffic-free route for walking, cycling and horse riding to be enjoyed by all, as well as offering replacement Common Land with landscape and wildlife benefits along its new corridor.</p> <p>Technical notes have been shared to explain decision making about potential additional crossings, discounting them on the basis of engineering risk, ecological and</p>	<p>Focused meetings on 8 and 14.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p>diversions greater than 500m (0.3mile) as a major adverse impact, and set out that there are a number of crossings that should be retained, which are currently not proposed:</p> <ul style="list-style-type: none"> a) At the eastern end of existing Badgeworth Bridleway 125 the opportunity to cross the A417 would be lost. The southern linking Badgeworth footpaths 74,77,78, 80 and 126 would be diverted on to a Private Means of Access to the Bentham underpass to return along Dog Lane, which adds 1 mile. b) The Badgeworth footpath 80 where it is meeting the A417 would no longer provide the opportunity for a crossing, resulting in a 1.25 mile detour via Bentham underpass. c) Badgeworth footpath 86 where it meets the A417 would no longer provide the opportunity for a crossing and objects to its change in use to a bridleway from its current footpath classification. The diversion via Grove Farm is 0.7 miles. d) Unclassified roads (ORPAs) 50853/50944 would be severed and no direct crossing would be provided and the diversion through Shab Hill junction is 0.6 miles. e) Cowley restricted byway 36 would be severed and a diversion would be 0.5 miles. f) ACO15 and unclassified road 50852 are crossing points on the A436 and although these fall outside the red line 	<p>environmental impacts, and cost / poor value for money.</p> <p>The PRoW Management Plan is considered to provide sufficient mitigation and appropriate crossings of the A417 to provide an enhanced WCH and PRoW network overall.</p> <p>Requests for the additional crossings as part of the scheme are addressed at 6.3 and 7.1 below.</p>	

Matter reference number	Matter	TWG position	Highways England position	Date of position
		boundary of the scheme they are already difficult at times and require safe crossings if motor traffic levels on the A436 increase further as a result of the scheme.		
3. Consultation				
3.1	Disagreement between TWG members, approach and weighting of opinions	The Gloucestershire Ramblers disagree with the approach Highways England has taken to engagement in that they consider weighting should be greater towards the views of Ramblers as a walking focused organisation on walking issues as for other organisations within their field. They consider a gain to one organisation may be seen as a loss to another. They set out that a 'maintain and retain' approach should be more consistent with other organisations.	Highways England has taken all reasonable steps to collaborate with individuals and organisations with an interest in WCH and PRoW through the TWG. Highways England has listened and carefully considered all views and has not applied any weighting to one view over another within the TWG. The principles that Highways England has strived to address are clearly set out within the PRoW Management Plan Terms of Reference, and the Plan has been collaboratively developed. Highways England has held specific focused meetings with the Gloucestershire Ramblers to better understand their concerns and suggestions, however, there remain some fundamental differences of opinion as to how the scheme should be designed.	Focused meetings on 8 and 14.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
4. Population and Human Health – Public Rights of Way (Chapter 12 of the ES)				
4.1	Baseline	The Gloucestershire Ramblers and Cheltenham and Tewkesbury Cycling Campaign disagree with the baseline in that it should identify the need to retain crossing points including near Crickley Farm/Fly-Up (near Dog Lane). In particular, where Bridleway 125 and Badgeworth footpaths 83 and 86 meet the current A417, crossings should be retained and improved.	Highways England does not consider there to be safe or appropriate PRoW crossing points in this location that require mitigation as part of the scheme. The previous A417 development created severance and acknowledges that increased motor traffic levels have led to fragmentation with safety concerns evidenced by incidents including a pedestrian fatality. Highways England	Focused meetings on 8 and 14.09.2020 GCC meeting held on 16.09.2020 Position reconsidered and confirmed at or in response to TWG

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p>The Gloucestershire Ramblers and Cheltenham and Tewkesbury Cycling Campaign stress that the increase in motor traffic levels along this stretch of route has made crossing the A417 difficult and impossible unless there are suitable gaps in motor traffic.</p> <p>The Gloucestershire Ramblers set out that:</p> <ul style="list-style-type: none"> a) Extinguishment of these crossings would result in extra journey distance and cannot be considered a recreational enhancement when the road is converted to dual carriageway. b) Inclusion of suitable bridges or underpasses could be called an enhancement in line with the scheme aims. c) Ecological benefits would be provided due to wildlife connectivity if the crossing were provided. d) Although bridges would be preferable, a suitable underpasses solution such as on the A417 at Gloucester Beeches (or longer ones on the 3+3 lane M5) are usually unlit but a central reservation skylight could be provided. e) It could be of advantage to combine an unlit or naturally lit underpass with use by bats but it's welcome that a separate footpath crossing could also be considered. 	<p>maintains that the Grove Farm underpass will sufficiently address the historic severance of Badgeworth footpath 86 which remains on the Definitive Maps, with an enhanced situation by providing a safe north-south crossing.</p> <p>A technical note has been provided to explain why further crossings will not be provided, on the basis of engineering risk, ecological and environmental impacts, and cost / poor value for money.</p> <p>Responses to suggested additional crossings is provided at 6.3 and 7.1 below.</p>	meeting held on 04.02.2021
4.2	Assessment	The Gloucestershire Ramblers disagree with the assessment findings that the proposals would lead to an improved WCH and PRow network if there is a general loss of footpath	The PRow Management Plan is considered to provide sufficient mitigation and appropriate crossings of the A417 to provide an enhanced WCH and PRow network	Focused meetings on 8 and 14.09.2020

Matter reference number	Matter	TWG position	Highways England position	Date of position
		and other crossings. They consider that safe crossings are required for all existing routes that would be severed by the scheme to avoid diversions that are longer than specified in the Design Manual for Roads and Bridges Standard LA112 in order to meet the scheme aims of recreational enhancement.	overall. It is not considered to be necessary or appropriate to provide crossings of every existing route experiencing severance or fragmentation by this linear scheme on grounds of impact on the environment, landscape, land acquisition, and cost. Where routes are required to be diverted, they would be as short and direct as possible taking into account environmental and accessibility considerations, and in some cases beneficial either by way of shorter routes or providing more, and grade separated / safer crossings of the A417 compared to the existing situation.	Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021
5. Public Rights of Way Management Plan (Annex F of the Environmental Management Plan)				
	Matters set out in sections below			
6. Effects on the PRoW Network				
6.1	Badgeworth Bridleway 125 and proposed footpath diversions along Private Means of Access (Fly Up 417 Bike Park)	The Gloucestershire Ramblers, the Tewkesbury Walking and Cycling Campaign and some members of the GLAF disagree that there are sufficient proposed crossings of the existing A417 and consider it necessary for a crossing to be retained and improved with a bridge to benefit safety to cross from the south side of the A417 to the north side and Dog Lane, to mitigate the stopping up of Badgeworth Bridleway 125 without substitute (and other routes with diversions proposed) (see 7.1 below). The Gloucestershire Ramblers would like to see the diverted PRoW marked alongside the private means of access, rather than over it, to help give separation to users with different types of surfacing.	Badgeworth bridleway 125 is proposed to be stopped up without substitute but with an alternative east-west route being available for cyclists and horse riders via Dog Lane off Bentham Lane, and for walkers diverted onto a new private means of access running through Fly Up 417 Bike Park area. This will help to connect multiple footpaths in this area, and allow safe crossings of the A417 via Bentham Lane to the west of the scheme, or via the proposed Grove Farm underpass to the east via Badgeworth bridleway 87. Highways England does not consider there to be safe or appropriate PRoW crossing points in this location that require mitigation as part of the scheme. The previous A417	Email received 01.04.2020 Focused meetings on 8 and 14.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021

Matter reference number	Matter	TWG position	Highways England position	Date of position
			<p>development created severance and acknowledges that increased motor traffic levels have led to fragmentation with safety concerns evidenced by incidents including a pedestrian fatality.</p> <p>A technical note has been provided to explain why an additional crossing of the A417 will not be provided in this location, on the basis of engineering risk, ecological and environmental impacts, and cost / poor value for money.</p> <p>It is intended for the footpath diversions running along the Fly Up 417 Bike Park Private Means of Access to be a shared route, given the likely very low level of motor traffic using it for access to the facility. Providing a segregated route for walkers alongside the access road would require additional land from the business.</p> <p>Details of surfacing would be discussed and agreed at the detailed design stage between Highways England, its contractor and GCC.</p>	
6.2	<p>Gloucestershire Way Coberley footpath 16 Cowley footpath 3 A new bridleway to connect unclassified road (50852) to new bridleway over Gloucestershire Way crossing</p>	<p>The Gloucestershire Ramblers and some members of the GLAF welcome the proposal for a Gloucestershire Way crossing but disagree with its form. They would prefer it kept flatter and closer to its current alignment and better help connect existing woodland.</p>	<p>The Gloucestershire Way crossing and its connecting sections of footpath and bridleway would provide an appropriate and safe crossing of the A417, avoiding impact on the ancient woodland. A crossing even closer to its existing alignment would require crossing of up to 11 lanes of motor traffic and result in significant impacts on land, ancient woodland, landscape and have significant cost and engineering implications.</p>	<p>TWG meeting held on 03.03.2020 Email received 01.04.2020. Focused meetings on 8 and 14.09.2020 Position reconsidered and confirmed at or in response to TWG</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
				meeting held on 04.02.2021
6.3	<p>Cowley footpath 7</p> <p>New section of unclassified road to connect unclassified roads 50853 and 50944</p> <p>A new footpath to connect unclassified road 50853 with Shab Hill junction side road with public access rights</p>	<p>The Gloucestershire Ramblers disagree that there are sufficient proposed crossings as part of the scheme and have expressed the need for a crossing on a popular Crickley Hill Circular walk to maintain the unclassified road 50853 where it is severed by the proposed A417 and connects to Cowley footpath 7 and unclassified road 50944. They stress that without a crossing the proposed diversion at 50853 would be 0.6 miles and not as commodious to walkers or other users as it would pass through a busy junction. Lowering the proposed road at this location to accommodate a near flat green bridge should benefit the landscape of the AONB.</p>	<p>The Gloucestershire Way crossing and Cowley overbridge provide appropriate mitigation and alternative crossings for users of the unclassified road, with appropriate connections each side of the A417 with new sections of connecting PRoW.</p> <p>A technical note has been shared to help explain decision making with the agreed provision of Byways Open to All Traffic to help address severance and help connect routes to and beyond the Shab Hill junction. An additional bridge at this location would involve significant cost and likely represent poor value for money and with an additional adverse impact on the environment.</p> <p>An underpass in this location would need to be up to approximately 110m in length and the requirement to provide adequate levels would require additional engineering and land acquisition. In addition, the drainage of this underpass would need to be a pumped solution. The provision of an additional structure would increase cost, construction duration and environmental impacts.</p>	<p>TWG meeting held on 22.07.2020</p> <p>Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
6.4	<p>Realigned B4070 and repurposing the old B4070 into north end of Barrow wake car park</p>	<p>Gloucestershire Ramblers disagree with the design of the realigned B4070 and express that this is the new main Birdlip to A417 link and as such should be confirmed as running alongside the current unclassified road 50852 used for WCH to Barrow Wake underpass and car park. Their preference</p>	<p>The design of the scheme presented at the 2019 statutory consultation proposed to join the B4070 to the new A417 via green fields near Barrow Wake and along an existing narrow lane in the vicinity of Birdlip Radio Station. In response, there was some concern raised around the impacts of this</p>	<p>Email and TWG meeting held on 04.02.2021</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p>would be for a separate direct connection to Birdlip so that the Barrow Wake viewpoint and car park can be kept for walkers and other users to enjoy.</p> <p>Gloucestershire Ramblers suggest various proposals to connect the Barrow Wake car park to the Air Balloon Way, Cotswold Way National Trail and Gloucestershire Way should be considered for all users including local traffic.</p>	<p>routing because it would cross the proposed repurposed A417 and would result in the loss of agricultural land.</p> <p>Comments were also received that raised concerns about the issue of anti-social behaviour at Barrow Wake car park and which suggested that the scheme could be an opportunity to help to address this.</p> <p>Having considered this feedback, and undertaking further technical assessment, Highways England has decided to amend the design of the B4070 road to Birdlip by rerouting it via the entrance of Barrow Wake car park and along the existing road to Birdlip. It is proposed to use an existing underpass and Barrow Wake's access road to replace the existing T-junction with a new, safer roundabout. This change would mean that the B4070 would no longer cross the repurposed A417, and the new roundabout would help slow motor traffic, increase the natural surveillance of the area and make Barrow Wake a more welcoming place to visit.</p> <p>With the proposals in place, WCH could use the highway with public access rights to access Barrow Wake from the B4070, or utilise the proposed new restricted byway that would connect the Air Balloon Way with Cowley footpath 44 and the B4070 on a motor traffic free route.</p> <p>Highways England is committed to improving the access with passing places and help people access the Air Balloon Way safely. The current arrangement could</p>	

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			legally be used by motor vehicles along a narrow path joining the existing A417 pavement, which is considered to be unsafe. Motor vehicles would not be permitted to use the Air Balloon Way.	
7. Proposed Mitigation				
7.1	Badgeworth bridleway 125 Badgeworth footpath 78 Badgeworth footpath 77 Badgeworth footpath 74 Badgeworth footpath 126 Badgeworth footpath 80 Badgeworth footpath 84	<p>Gloucestershire Ramblers together with the Tewkesbury Walking and Cycling Campaign disagree that there are sufficient proposed crossings of the existing A417 as part of the scheme and consider it necessary for a crossing to be retained and improved with a green bridge over the A417 to cross from the south side of the A417 to the north side of Dog Lane and Badgeworth footpath 91.</p> <p>The Cheltenham and Tewkesbury Cycling Campaign have provided evidence (email 22 January 2021) indicating that the three signed crossings provided for PRoW 77, 78, 80, 125 and 126 with Dog Lane and 91, 84 with Dog Lane and 127 (via A417 footway), and 86 with the A417 footway and 127 exist and are currently in use, and are asking that one good crossing be provided, in mitigation of the three listed that will be closed, between the foot of the escarpment and the Bentham underpass, to link Dog Lane/new link replacing the A417 footway to the north and the new Private Means of Access replacing and reconnecting sections of PRoW 74/77/126/84 to the south.</p> <p>The Gloucestershire Local Access Forum (GLAF) both express a preference for an additional crossing in this location, and/or in</p>	<p>Badgeworth bridleway 125 and short sections of footpath are proposed to be stopped up and diverted on a new private means of access running through Fly Up 417 Bike Park area helping connect multiple footpaths in this area and allow safe crossing of the A417 via Bentham Lane to the west of the scheme, or via the proposed Grove Farm underpass to the east via Badgeworth bridleway 87. An alternative east-west route is available via Dog Lane and Cold Slad with a new section of connecting bridleway, joined to the referenced PRoW by Bentham Lane, Grove Farm underpass and the Cotswold Way crossing.</p> <p>Highways England does not consider there to be safe or appropriate PRoW crossing points in this location that require mitigation as part of the scheme. The previous A417 development created severance and acknowledges that increased motor traffic levels have led to fragmentation with safety concerns evidenced by incidents including a pedestrian fatality. Highways England maintains that the Grove Farm underpass will sufficiently mitigate the historic severance of Badgeworth footpath 86 which remains on the Definitive Maps.</p>	<p>Email received 01.04.2020 Focused meetings on 8 and 14.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p>the vicinity of Badgeworth footpath 86 (see 7.2 below).</p> <p>The Gloucestershire Ramblers suggest in this location the land is already elevated at the north side for footpath 80 and could allow for a foot bridge to land and there is space to the south of the new road too.</p> <p>Footpath 84 is at a distance to suggest retaining a crossing, with a green bridge which could also benefit wildlife. For example, underpasses of the 2+2 dual carriageway at Bentham & Cowley Junction have a length of approximately 30 metres.</p>	<p>A technical note has been provided to explain why further crossings will not be provided, on the basis of engineering risk, ecological and environmental impacts, and cost / poor value for money.</p>	
7.2	Badgeworth footpath 86	<p>Gloucestershire Ramblers together with the Tewkesbury Walking and Cycling Campaign disagree with the stopping up of Badgeworth footpath 86 south of the proposed earthworks and consider it desirable for the retention of a crossing to be provided for Badgeworth footpath 86 to cross onto Dog Lane where it currently meets the A417.</p> <p>They stress that the footpath is signed and agrees with the definitive map, and that motor traffic levels have increased to make crossing virtually impossible so requires a suitable crossing of the proposed dual carriageway to meet the scheme aims of recreational enhancement. Extinguishment of the crossing would need a diversion with severe adverse impact. A proposal to reclassify a footpath as a bridleway would not be generally welcome by walkers. Nearby Badgeworth Bridleway 87 is already available as a riding route.</p>	<p>Highways England does not consider there to be a safe or appropriate PRoW crossing point in this location that requires mitigation as part of the scheme. The previous A417 development created severance and acknowledges that increased motor traffic levels have led to fragmentation with safety concerns evidenced by incidents including a pedestrian fatality. Highways England maintains that the Grove Farm underpass will sufficiently mitigate the historic severance of Badgeworth footpath 86 which remains on the Definitive Maps. GCC agree with this position.</p> <p>The scheme also includes a new section of bridleway to connect Badgeworth footpath 86 (to be reclassified as a bridleway) to Badgeworth bridleway 87 and beyond, including via the new Grove Farm underpass.</p> <p>A technical note has been provided to explain why a further crossing will not be</p>	<p>Email received 01.04.2020</p> <p>Focused meetings on 8 and 14.09.2020</p> <p>Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p>The Tewkesbury Walking and Cycling Campaign have expressed they would support the entire scheme if a new underpass offset from the bat underpass would provide a dedicated crossing point for pedestrians in the vicinity of Badgeworth Footpath 86 provided that access is provided from this crossing to footpaths 77/74/80/84 on the south side of the A417. The Gloucestershire Local Access Forum (GLAF) express a desire for an additional crossing in this location.</p>	<p>provided, on the basis of cost / poor value for money.</p>	
7.3	Cowley footpath 22	<p>Gloucestershire Ramblers disagree with the design proposal to stop up and divert Cowley footpath 22 onto the proposed Stockwell Farm overbridge. As an alternative option, the Gloucestershire Ramblers consider it desirable to lower the new road and the Stockwell overbridge in such way to avoid the stopping up and diversion of Cowley footpath 22. Gloucestershire Ramblers object to Highways England's proposal to stop-up Cowley footpath 22 where it joins Cowley footpath 40 and divert it to the east of the proposed A417 as they consider this realignment to be severe and avoidable.</p>	<p>The proposed scheme results in the severance of Cowley footpath 22 and mitigation is proposed via a new overbridge to re-provide the route on a similar alignment with greater access rights via a restricted byway. This is an appropriate solution and enhancement to the PRoW network. The short section of Cowley footpath 22 to be stopped-up is unavoidable, with the current scheme proposing a new Cowley junction that partially severs it. A slight diversion is proposed with increased access rights with Cowley footpath 22 to be reclassified as a restricted byway. This is considered to be an appropriate solution and enhancement to the PRoW network, connecting into other sections of restricted byways in this area.</p>	<p>Email received 01.04.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
7.4	Cowley restricted byway 36	<p>Gloucestershire Ramblers disagree with the proposed stopping up of Cowley restricted byway 36 and its proposed diversion along a road. An alternative scheme design is</p>	<p>The proposed A417 completely severs Cowley restricted byway 36 and therefore the need to stop it up is unavoidable.</p>	<p>Email received 01.04.2020. Position reconsidered and</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
		suggested to maintain the crossing since the proposed new road is already low here.	The scheme proposes an appropriate diversion across the new Cowley Lane overbridge, providing a safe grade separated solution with provision for WCH.	confirmed at or in response to TWG meeting held on 04.02.2021
8. New Sections of PRow				
8.1	<p>A new restricted byway to carry the National Trail across the A417 where it would join its existing route</p> <p>A new bridleway to connect Cold Slad Lane and the Cotswolds Way National Trail to Leckhampton Hill</p>	<p>Gloucestershire Ramblers disagree with the proposed design and would prefer that the route of the National Trail is kept on its present alignment maintaining use for all users on a mixed use green bridge alongside the landmark Air Balloon Public House (retaining its facilities) in line with the scheme's aims of landscape led, recreational enhancement. Low cost tunnelling methods have been used in other AONBs and the HS2 scheme. Whereas tunnelling of length less than 150 metres would be deemed a bridge and could keep the gradient to 7%, a 1km tunnel from Grove Farm under the SSSI to Shab Hill would have a gradient of 6% and may not need a crawler lane.</p> <p>Gloucestershire Ramblers is concerned that the footway along the side of the Air Balloon roundabout is replaced with a proposed bridleway on the opposite side of the road joining Ullenwood roundabout. A safe and suitable crossing should be provided.</p> <p>The National Trust and Gloucestershire Wildlife Trust have expressed concerns about the impact of creating these routes that could encourage the use of cycling and horse riding, as well as mountain biking in</p>	<p>A tunnel or cut and cover solution has been discounted for many reasons including impact on the environment and cost. A technical note has been shared to explain this decision making, on the basis of engineering risk, ecological and environmental impacts, and cost / poor value for money. Other than an alternative alignment avoiding the Air Balloon Public House entirely, there is no method of construction that could prevent the loss or potential significant damage to the Air Balloon Public House.</p> <p>As a result of feedback received during the 2019 consultation, ongoing discussions with stakeholders and emerging survey data, there will no longer be a green bridge located on Crickley Hill as part of this scheme. While it would have provided benefits to the area, concerns were raised about its location, purpose, scale and visual impact, and its effect on veteran trees and a Site of Special Scientific Interest (SSSI).</p> <p>The purpose of the new bridleway link is to connect Cold Slad and Leckhampton Hill without having to navigate the proposed Ullenwood roundabout, thus avoiding safety concerns raised by our WCH Lead Assessor, which would otherwise be introduced should we now remove the link.</p>	<p>Meeting held on 3.09.2020</p> <p>Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
		Crickley Hill Country Park and adversely affect the SSSI.	<p>The current solution with the new bridleway situated to the west of Ullenwood roundabout means that horse riders and cyclists would merge onto the carriageway at the Crickley Hill access instead of directly onto the Leckhampton Hill carriageway. This is the preferred solution from a highways safety, cost and land requirement perspective.</p> <p>An assessment of potential impact of recreational activity on the SSSI is provided in ES Chapter 8 and does not conclude any likely significant effects with appropriate mitigation measures identified, for example promoted trails, signage and enclosures to be agreed at detailed design.</p>	
8.2	<p>A new section of byway open to all traffic to connect unclassified roads 50853 and 50944;</p> <p>New steps joining new Cowley Lane overbridge to connect Cowley footpath 44 (west) and Cowley restricted byway 26 (east); and Cowley restricted byway 26</p>	<p>Whilst not objecting to a BOAT, Gloucestershire Ramblers disagree with the proposed implementation because they would like to see Highways England lower the new A417 in the landscape so that a bridge can be provided for 50853 to connect to 50944. Lowering the new A417 in the landscape would mean that steps are not required and other diversions here are not necessary. A green bridge in line with the current unclassified road 40859 could retain a Lime tree avenue and retain habitats and the ACY26 veteran hedgerow, all integrated with the landscape.</p>	<p>Lowering the alignment would lead to a large increase in cutting depths and an associated increase in excavated volumes requiring disposal off site. This would also increase carbon impacts and cost considerably.</p> <p>The existing tree line will be retained as much as possible with new lime trees planted to flank the new bridge. Highways England has produced an Environmental Management Plan as part of the DCO application, which includes details of the mitigation and enhancement measures, such as planting and habitat restoration. The commitments set out in the Environmental Management Plan are secured through a requirement in the draft DCO submitted with the DCO application.</p>	Email dated 4.02.2021

Matter reference number	Matter	TWG position	Highways England position	Date of position
			The proposed Stockwell and Cowley overbridges will be planted with hedgerows, which will help connect habitats and integrate them into the landscape.	
8.3	A new bridleway along Cowley [Wood] Lane between proposed Cowley footpath 40 and Cowley footpath 39 (along new Private Means of Access); and a new restricted byway between proposed A417 south of new Cowley junction and Cowley Footpath 40	Gloucestershire Ramblers disagree with the proposed stopping up of Cowley Wood Lane to general motor traffic. An aim of the new road should be to remove rat-running of through traffic from local roads and in pressing to retain the nature of the countryside they do not seek closure of local roads and would prefer Highways England to retain Cowley Wood Lane for local traffic including WCH.	The design of the scheme presented at the 2019 statutory consultation included provision at Cowley junction for access between Cowley and the A417 via Cowley Wood Lane. However, many comments were received in response to the consultation that highlighted concerns that there would be an increase in motor traffic and 'rat running' on Cowley Wood Lane, which is a narrow, single-lane road. Additionally, it was raised that an increase in motor traffic would cause disruption in Cowley village. As a result, Highways England reassessed the need for this access and decided to amend the design of the junction to prevent vehicles from access Cowley Wood Lane. Access would, however, be retained along Cowley Wood Lane for local properties (with any potential enclosures to be subject to discussion and agreement at the detailed design stage), as well as a route for walkers, cyclists and horse riders, including disabled users.	Email dated 4.02.2021
8.4	Coberley Bridleway 10 and the road linking back from the Air Balloon roundabout towards the Leckhampton Hill road past the National Star College	The British Horse Society consider the scheme should provide an equestrian connection to make adjustments to the design of the proposed rebuilt C377 road that leads from the Crickley Park entrance road towards Cheltenham by providing a	The land required is outside of the DCO boundary and would require additional land acquisition (it is Gloucestershire Wildlife Trust owned land in this area). Because the suggested link would not be mitigating an adverse impact otherwise caused by the	Email 23.08.2021 Relevant Representation 20.08.2021

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p><u>separate surface for all WCH users adjacent to (but separated from) the road, and for this then to be continued all of the way up to Coberley BW10. This could easily be done 95% within the red-line DCO boundary, avoiding the Country Park, and would greatly improve safety for users along this dangerous fast, cramped and increasingly busy road that already has serious visibility issues.</u></p> <p>A suggestion has been submitted to extend the proposed bridleway to connect Leckhampton Hill to Cold Slad Lane (See ref 19 in Annex F Public Rights of Way Management Plan (PRoW) of ES Appendix 2.1 EMP (Document Reference 6.4, APP-323). the PRoW Management Plan, Document Reference 6.4 Appendix 2.1 – EMP Annex F, APP-323) from Ullenwood Junction along to the Crickley Hill Access Road as far as Coberley bridleway 10 further along Leckhampton Hill Road. This would provide a key safe route for WCH users (the only alternative for cyclists and equestrians being the road) between the A417 Missing Link project and Cheltenham/Leckhampton Hill.</p>	<p>scheme, land acquisition cannot be justified. There are also ongoing concerns about potential impacts of WCH on the Country Park and Site of Special Scientific Interest raised by other members of the WCH TWG, and this proposal would likely cause objection from those environmental organisations. On balance, the suggested additional route is not considered to be justifiable as part of the A417 scheme.</p>	
<p>9. Reclassification of PRoW</p>				
<p>9.1</p>	<p>Badgeworth footpath 86</p>	<p>Gloucestershire Ramblers disagree with the proposed reclassification up of Badgeworth footpath 86 to a bridleway to connect into a new section of bridleway joining Badgeworth bridleway 87 and the proposed Grove Farm underpass to the east.</p> <p>The Gloucestershire Ramblers confirm that walkers generally do not consider changing</p>	<p>The scheme includes a new section of bridleway to connect Badgeworth footpath 86 (to be reclassified as a bridleway) to Badgeworth bridleway 87 and beyond, including via the new Grove Farm underpass with bridleway connectivity to an unclassified road, which could also be used by a wider group of users such as cyclists. It</p>	<p>Email received 01.04.2020 Focused meetings on 8 and 14.09.2020 Position reconsidered and</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p>a footpath to a bridleway as an upgrade or an enhancement.</p> <p>Badgeworth Bridleway 87 already runs in parallel with this proposed route, so the change in use is not necessary.</p>	<p>is considered that this would help connect PRoW and increase access to a wider group of users, helping enhance the network in the area.</p>	<p>confirmed at or in response to TWG meeting held on 04.02.2021</p>
9.2	Cowley footpath 22	<p>Gloucestershire Ramblers disagree with the proposals for Cowley footpath 22 to be reclassified as a restricted byway between Cowley footpath 40 and the new Stockwell Farm overbridge, and express it would be to the detriment of walkers. There is already a popular WCH route via Cowley Bridleway 45 and the Cowley underpass.</p>	<p>Highways England proposes to reclassify Cowley footpath 22 as restricted byway in order to connect into other sections of existing and proposed restricted byway in this area, to provide an appropriate trail for a wide range of non-motorised users connecting Cowley to the Gloucestershire Way crossing, Air Balloon Way and beyond with opportunities for trails. This seeks to improve access to a wider range of users in the area.</p>	<p>Email received 01.04.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
9.3	Reclassification of Cowley footpath 21 to restricted byway over its entire length	<p>Gloucestershire Ramblers disagree with the reclassification of Cowley footpath 21 to restricted byway as they consider it not to be necessary and generally a change in use of footpaths is considered a detriment to walkers. There is already a popular WCH route via Cowley Bridleway 45 and Cowley underpass.</p>	<p>Highways England has sought to improve access rights where possible on the PRoW network. This includes reclassifying Cowley footpath 21 as bridleway (not restricted byway) to provide an appropriate connection between the adjoining bridleway over Stockwell Farm overbridge, restricted byways to the east of Stockwell Farm overbridge, and the re-purposed A417. This provides with opportunities for trails for a wider group of non-motorised users and seeks to improve access to a wider range of users in the area.</p>	<p>Email received 01.04.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>
9.4	Connectivity around Shab Hill	<p>The British Horse Society have expressed concerns about the enduring security of any assumed rights of way along tracks that are neither recorded on GCC's definitive map or are unclassified roads. As part of these concerns they consider that the use of the</p>	<p>The route that is referenced runs through Stockwell Farm and beyond, and is maintained by the Local Highway Authority, registered as a highway, which means if any third party wished to stop up the highway in future, GCC could consider an application</p>	<p>Email 28.08.2021 Relevant Representation 20.08.2021</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
		<p>50944 unclassified road by Stockwell to carry WCH along the west of the new road could be a bad idea. A suggestion has been put forward for a change of status to a BOAT, <u>or as an alternative resolution, to create a WCH Right of Way running along the foot of the new A417 embankment to join the Cowley Lane at the bridge over the new A417. This second proposal would also giving-give</u> the occupiers of Stockwell Farm a more private and secure environment.</p>	<p>as a specific matter at that time. Given the clear importance of this route locally now and in the future with the A417 scheme in place, a successful application to stop it up would seem unlikely. This matter has been discussed with GCC Principal PROW Officer.</p> <p>There could be merit in the unclassified road 50944 becoming a BOAT to provide it with PRoW status, but that would not necessarily change its use or maintenance, and in any case would be outside the scope of the A417 scheme given the limitations of the DCO boundary for the duration of the unclassified road.</p> <p>Highways England has carefully considered the suggested addition to the PRoW network within the DCO boundary. That land is proposed to be taken temporarily as part of the A417 scheme, whereas to create a PRoW along it. Highways England would need to justify permanent land take. A change would require additional statutory landowner consultation. Compulsory land acquisition tests are unlikely to be met given the existing routes in place, and the additional loss of that land to the landowner would also involve increased compensation required through ongoing and sensitive negotiations. Given the nature of the change proposed, this is unlikely to offer value for money.</p> <p>The land is also currently agricultural land, and the change would involve loss of that agricultural land to be calculated and</p>	

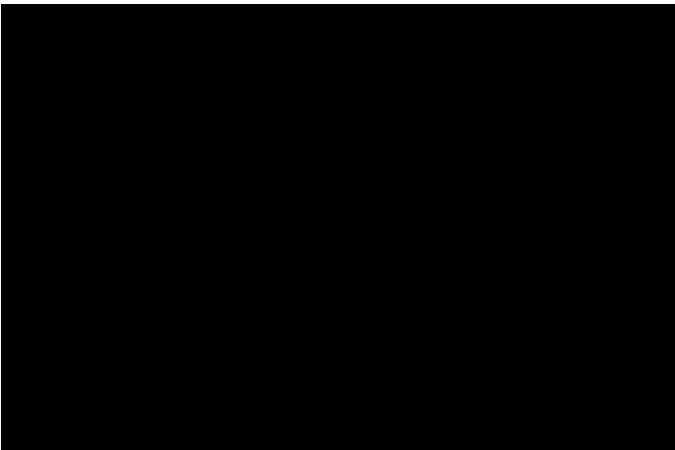
Matter reference number	Matter	TWG position	Highways England position	Date of position
			assessed in the Environmental Statement, likely leading to an adverse impact being identified. In conclusion, Highways England are not able to accommodate the request at this time but hope the response provided offers some reassurance about the future of the existing network, in addition to the proposals seeking to enhance it where possible.	
10. Promotion of Public Access Rights				
10.1	No matters identified			
11. De-trunking of the Existing A417				
11.1	De-trunking and classification of existing A417	<p>While disagreeing with severance for various users within the scheme, Gloucestershire Ramblers disagree with the proposals but would agree with alternatively de-trunking with reclassification to a quiet B or C class road of the existing A417 between the Air Balloon roundabout and Cowley Junction to retain local access and allow all groups of users to enjoy it with the benefit of huge loss of through-traffic. There is also already a parallel walking cycling and horse riding route available through Birdlip on the stopped up old Cirencester roman road. On completion of the scheme a hierarchy of roads should be in place to separate local and through traffic.</p> <p>It would not be considered an enhancement to the operation of the countryside for the road to be converted to a Restricted Byway and closed completely to local, business and farm vehicles.</p>	<p>Highways England is committed to re-purposing the A417 as part of the scheme by providing a safe and free-flow new route that would allow for the de-trunking of the existing A417. That would facilitate a motor traffic-free route for walking, cycling and horse riding to be enjoyed by all, as well as offering replacement Common Land with landscape and wildlife benefits along its new corridor.</p> <p>The proposed scheme seeks to address the identified problems on the strategic road network, as well as improve travel conditions for users of local roads and PRow interfacing with the scheme. The scheme seeks to enhance connectivity for WCH and the repurposing of the existing A417 is a key element to help achieve this as well as meet other scheme objectives.</p> <p>A small section of the existing A417 between Cowley junction and Stockwell would be retained for vehicular access to</p>	<p>Email received 01.04.2020 Focused meetings on 8 and 14.09.2020 Position reconsidered and confirmed at or in response to TWG meeting held on 04.02.2021</p>

Matter reference number	Matter	TWG position	Highways England position	Date of position
			provide access for local residents and to access parking facilities that would be provided for users of the Air Balloon Way.	

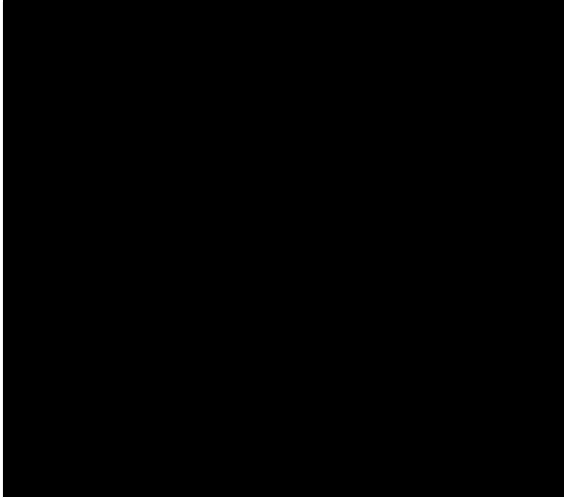
Appendices

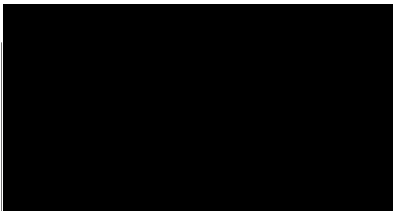
Appendix A Signing Sheet

For signing	
On Behalf of	Highways England
Signed	
Name	
Position	
Date	
For signing	
On Behalf of:	1. Active Gloucestershire
Signed, Name, Position and Date	Signed Name Position Date
On Behalf of:	2. British Horse Society (BHS)
Signed, Name, Position and Date	Signed Name Position Date

<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>3. Campaign to Protect Rural England (CPRE) Gloucestershire</p> <p>Signed</p> <p>Name</p> <p>Position</p> <p>Date</p>
<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>4. Cheltenham and Tewkesbury Cycle Campaign</p> <p>Signed</p>  <p>Name</p> <p>Position</p> <p>Date</p>
	<p>5. Cotswold District Council N/A – Cotswold District Council has confirmed that it is not appropriate for it to sign this SoCG because PRow are the responsibility of Gloucestershire County Council</p> <p>6. Cotswolds Conservation Board N/A – please see separate Statement of Common Ground</p> <p>7. Cotswold Trail and Access Partnership N/A – The Cotswold Trail and Access Partnership were represented by a member of the Gloucestershire Local Access Forum (GLAF) who coordinated feedback and inputs to the group as appropriate</p>

<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>8. Cycling UK</p> <p>Signed</p> <p>Name</p> <p>Position</p> <p>Date</p>
<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>9. Gloucestershire County Council Principal PROW Officer</p> <p>Signed</p> <p>Name</p> <p>Position</p> <p>Date</p> <p>Please also see separate Statement of Common Ground with Gloucestershire County Council as part of the Joint Councils</p>
<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>10. Gloucestershire County Council Transport Officer</p> <p>Signed</p> <p>Name</p> <p>Position</p> <p>Date</p> <p>Please also see separate Statement of Common Ground with Gloucestershire County Council as part of the Joint Councils</p>

<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>11. Gloucestershire County Council ThinkTravel Coordinator</p> <p>Signed</p> <p>Name</p> <p>Position</p> <p>Date</p>
<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>12. Gloucestershire Local Access Forum (GLAF)</p> <p>Signed</p>  <p>Name</p> <p>Position</p> <p>Date</p>
<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>13. Gloucestershire Ramblers</p> <p>Signed</p> <p>Name</p> <p>Position</p> <p>Date</p>

	<p>14. Gloucestershire Wildlife Trust N/A – please see separate Statement of Common Ground</p> <p>15. National Trust N/A – please see separate Statement of Common Ground</p> <p>16. Natural England (including national trails) N/A – please see separate Statement of Common Ground</p> <p>17. Sustrans N/A – this organisation has not participated in the WCH TWG since 25/10/2019 due to resourcing constraints</p>
<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>18. The Disabled Ramblers</p> <p>Signed </p> <p>Name Nic West</p> <p>Position Member</p> <p>Date 15/04/2021</p>
<p>On Behalf of:</p> <p>Signed, Name, Position and Date</p>	<p>19. Trail Riders Fellowship</p> <p>Signed</p> <p>Name</p> <p>Position</p> <p>Date</p>

Appendix B Terms of reference

B.1 Walking, cycling and horse riding Technical Working Group (WCH TWG)

B.1.1 Terms of Reference of TWG membership

Role of Technical Working Group

B.1.1.1 The Walking, Cycling and Horse riding (WCH) Technical Working Group (TWG) will serve to establish and maintain an open and productive dialogue between the A417 project team and counterparts in key stakeholder groups. The WCH TWG will provide an environment for discussion regarding the approach to the assessment of impacts, appropriate mitigation and design opportunities related to the scheme and its impacts on WCH routes, during the construction and operation of the A417 Missing Link project.

B.1.1.2 Members will work together to:

- Express their views and, where appropriate, influence the approach taken by the project team
- Identify concerns about the scheme and its impacts, and where possible propose potential solutions to address those concerns
- Share information about the project's progress and key milestones
- Understand and where possible agree the Environmental Impact Assessment
- Where appropriate, produce a Statement of Common Ground

Activities

B.1.1.3 The principal activities for the WCH TWG will be to consider current and upcoming aspects of the scheme. Topics expected to arise are likely to include the following:

- Proposed study area
- Proposed methodology
- Proposed baseline
- Assessment of likely effects
- PRow Management Plan

Meetings

B.1.1.4 Meetings shall take place approximately every two months, or as otherwise agreed by the group's members, subject to review of frequency and need.

Standard agenda items

B.1.1.5 While individual agendas will be developed for meetings, the following are proposed as standard agenda items:

- Project update
- Review of last meeting / actions
- Progress on assessment
- PRow Management Plan
- Statement of Common Ground
- AOB

Outputs

B.1.1.6 The main outputs from the meetings will be:

- Decision register and actions
- Feedback to the project on specific topics
- Feedback to the Strategic Stakeholder Panel
- Any other outputs as agreed

Membership

B.1.1.7 The membership of the group is:

- Highways England & Highways England Project Team
- Active Gloucestershire (Tom Beasley)
- British Horse Society (BHS) (Ralph Hampton, Philip Hackett, Ros Davies)
- Campaign to Protect Rural England (CPRE) Gloucestershire (Nick Dummett)
- Cheltenham and Tewkesbury Cycle Campaign (George Allcock)
- Cotswold District Council (Sophia Price)
- Cotswolds Conservation Board (CCB) (Rebecca Jones)
- Cotswold Trail and Access Partnership (Richard Holmes)³
- Cycling UK (George Allcock)
- GCC Principal PROW Officer (Alan Bently)
- GCC transport officer (Emma Shibli)
- GCC ThinkTravel Coordinator (Jo Atkins)
- Gloucestershire Local Access Forum (GLAF) (Alison Williams, Richard Holmes, Charlie Morriss)
- Gloucestershire Ramblers (Bernard Gill, Penny Fernando, Michelle Holden)
- Gloucestershire Wildlife Trust (Gareth Parry)
- National Trust (Lisa Edinburgh, Sarah Cook)
- Natural England (Hayley Fleming, Andrew Barker, Tess Jackson)
- Sustrans (Paoula Spivach, Iain Stewart)
- The Disabled Ramblers (Nicola West)
- Trail Riders Fellowship (Charlie Morriss)

Administration

B.1.1.8 The project team will provide administrative support to the group.

B.1.1.9 The agenda and any relevant information for each meeting will be issued one week in advance of the future meeting.

B.1.1.10 A decision register and actions (including draft SoCG) will be captured from each meeting and distributed no later than two weeks after each meeting.

³ The Cotswold Trail and Access Partnership were represented by a member of the Gloucestershire Local Access Forum (GLAF) who coordinated feedback and inputs to the group as appropriate

Appendix I Draft Statement of Common Ground with Cellnex UK

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between National Highways and Cellnex UK Limited in relation to the A417 Missing Link scheme.
- 1.1.2 The document identifies the following between the two parties:
- Matters which have been agreed; and
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.3 The matters which are referenced in this document are those which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES) submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 The SoCG will continue to evolve as the application for development consent progresses through the examination stage.
- 1.1.5 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the examination.
- 1.1.6 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) Guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of Cellnex UK Limited in the application and sets out the consultation undertaken with Cellnex UK Limited since Preferred Route Announcement in March 2019.
 - Section 3 summarises the topics considered within the SoCG.
 - Section 4 lists those matters which have been agreed, including the date that the matter was agreed.
 - Section 5 lists those matters which remain outstanding, incorporating a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position, including any further meetings planned regarding the matter.
- 1.2.2 Appendix A includes the signing sheet.

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

1.3 Status of this SoCG

- 1.3.1 This SoCG is a correct reflection of the position of both parties at the Examination Deadline ~~13 (14 December 2021)~~ 2 February 2024.
- 1.3.2 It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the pre-application and examination stages.

2 Consultation

2.1 Role of Cellnex UK Limited

- 2.1.1 Cellnex UK Limited is an operator of wireless telecommunications and broadcasting infrastructure. Cellnex UK Limited merged with Arqiva in July 2020 taking over more than 7,000 sites previously operated by Arqiva.
- 2.1.2 Cellnex UK Limited is the largest supplier of sites available for sharing by other operators, for example, the Mobile Network Operators (MNOs), Airwave and other emergency/breakdown service network operators, the RNLI, the Coastguard and Maritime Services, Mountain Rescue and a range of central and local government departments and agencies. It operates around 9,000 active shared wireless infrastructure sites (neutral host) utilised by all the MNOs for the deployment of existing and future generations of mobile connectivity and particularly 5G. Additionally, Cellnex UK Limited has access to other tall buildings and structures not yet developed for electronic communications use.
- 2.1.3 Two broadcast sites are located close to the proposed route of the A417 and those provide coverage for mobile phone/handheld devices for various communication operators. The masts located at Birdlip Shab Hill (253120) installation which consists of a 64m high lattice mast and various ground-based equipment cabins, and buildings and a site known as Brimpsfield (155183) which is a 15m high monopole and ground-based equipment cabinet located on land at Stockwell Farm.
- 2.1.4 Both mast locations are located in close proximity to, though outside of the DCO boundary of the A417 Missing Link Scheme.
- 2.1.5 This SoCG deals with issues that are relevant to Cellnex UK Limited in its capacity as an affected party with an interest in land under section 42(1)(d) of the Planning Act 2008 (the Act).

2.2 Summary of consultation

- 2.2.1 Arqiva Limited who previously operated the two mast locations have been consulted by National Highways in October 2019 as part of efforts to agree statutory undertaker utility diversions.
- 2.2.2 The engagement outlined in Table 2-1 covers formal consultation with Cellnex UK Limited, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below but are available on request.

Table 2-1 Consultation with Cellnex UK Limited

Date	Method	Parties involved	Matters discussed
9 October 2019	Public Consultation drop in event	National Highways, Arqiva Limited	The following matters were discussed: <ul style="list-style-type: none"> • A417 Missing Link proposals discussed and reviewed • Meeting requested to better understand potential disruption to mast operation
5 November 2019	Meeting	National Highways, Arqiva Limited	The following matters were discussed: <ul style="list-style-type: none"> • Access required 24hrs a day 365 days a year • Power supply • Height of proposed scheme and structures
18 October 2021	Meeting	Cellnex UK Limited, National Highways	The following matters were discussed: <ul style="list-style-type: none"> • Description of the scheme and presentation of proposals • Request for detailed plans show the height of the road and structures in-between Cowley roundabout and Shab Hill Junction • Utility diversion details • Access requirements • Height of transmission points • Need for analysis for fixed links • SoCG details
15 November 2021	Email Correspondence	Cellnex UK Limited, National Highways	Impacts of the scheme
1 December 2021	Email Correspondence	Cellnex UK Limited, National Highways	Details of utility diversions
<u>14 December 2021</u>	<u>Deadline 1 submissions</u>	<u>Cellnex UK Limited</u>	<u>Cellnex UK Limited submitted its Written Representation (REP1-024) in response to Examination Deadline 1</u>

3 Matters agreed

3.1.1 Table 3-1 shows those matters which have been agreed by the parties, including that matter's reference number, and the date and method by which it was agreed.

Table 3-1 Matters agreed between Cellnex UK Limited and National Highways

Matter reference number	Matter which has been agreed	Date and method of agreement
1.1	Cellnex UK Limited agree that coverage and microwave transmission line-of-site will not be impacted by the proposed scheme once built.	Email Correspondence 15 November 2021
1.2	Cellnex UK Limited agree that there are no utility diversions for the mast located on Stockwell Farm. The information provided showing the utility diversions for the mast at Shab Hill Radio Station is sufficient to demonstrate that fibre and electricity supplies will be maintained.	Email Correspondence 1 December 2021

4 Matters outstanding

4.1 Principal matters outstanding

4.1.1 The principal matters outstanding between Cellnex UK Limited and National Highways are:

- Impacts during construction, specifically the need to ensure that the scheme will not interfere with the operation of the masts.

4.2 Matters Outstanding

4.2.1 Table 4-1 shows those matters which remain under discussion by the parties. It sets out the latest position of each party in relation to each matter outstanding, and the latest date of that position.

4.2.2 In response to a request by the ExA in the Rule 6 letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 4-1 Matters outstanding between Cellnex UK Limited and National Highways

Ref.	Matter	Cellnex UK Limited position	National Highways position	Date of the position
1.1	Impacts during construction	Construction activities should not impact on broadcast coverage or microwave transmission line-of-sight of the masts at Shab Hill and Stockwell.	National Highways will continue to engage with Cellnex UK Limited during the detailed design stage to establish safe working areas and heights that will not interfere with the operation of the masts in accordance with their needs and requirements.	December 2021

Appendices

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	Cellnex UK Limited
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	National Highways
Name	
Position	
Date	

Appendix J Draft Statement of Common Ground with Coberley Parish Council

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between National Highways and Coberley Parish Council in relation to the A417 Missing Link scheme.
- 1.1.2 The document identifies the following between the two parties:
- Matters which have been agreed; and
 - Matters currently outstanding (subject to negotiation or not agreed).
- 1.1.3 The matters which are referenced in this document are those which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES) submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 The SoCG will continue to evolve as the application for development consent progresses through the examination stage.
- 1.1.5 It is the intention of both parties that an updated, signed version of the SoCG will be provided during the examination.
- 1.1.6 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) Guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of Coberley Parish Council in the application and sets out the consultation undertaken with Coberley Parish Council since Preferred Route Announcement in March 2019.
 - Section 3 summarises the topics considered within the SoCG.
 - Section 4 lists those matters which have been agreed, including the date that the matter was agreed.
 - Section 5 lists those matters which remain outstanding, incorporating a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position, including any further meetings planned regarding the matter.
- 1.2.2 Appendix A includes the signing sheet.

1.3 Status of this SoCG

- 1.3.1 This SoCG is a correct reflection of the position of both parties at the Examination Deadline ~~4-3 (14-2 December February 2024-2)~~.

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

- 1.3.2 It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the application for development consent progresses through the pre-application and examination stages.

2 Consultation

2.1 Role of Coberley Parish Council

- 2.1.1 The Parish Council exists to represent the interests of the whole Coberley community. The current Council is non-party political and is made up of Parish Councillors who are local residents. Parish Councillors are elected by the electors of the parish, under section 16(2) of the Local Government Act 1972.
- 2.1.2 The Parish Council's main roles are to ensure that the delivery of services to meet local needs is maintained (and ideally enhanced) and that the quality of life in the community and the environment of the Parish are improved.
- 2.1.3 This SoCG deals with issues that are relevant to Coberley Parish Council in its capacity under section 42(1)(a) of the Planning Act 2008 ('the Act').

2.2 Summary of consultation

- 2.2.1 The engagement outlined in Table 2-1 covers formal consultation with Coberley Parish Council, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below but are available on request.

Table 2-1 Consultation with Coberley Parish Council

Date	Method	Parties concerned	Matters discussed
September to November 2019	Consultation pre-meeting (briefing)	National England Coberley Parish Council	Communications associated with statutory consultation exercise
25 October 2019	Consultation response	Coberley Parish Council	Response to statutory consultation
17 September 2020	Consultation pre-meeting (briefing)	National Highways Coberley Parish Council	Communications associated with statutory consultation exercise
9 November 2020	Consultation response	Coberley Parish Council	Response to statutory consultation
11 November 2020	Email	Coberley Parish Council to National Highways	Attached response to statutory consultation
12 November 2021	Letter via email	National Highways to Coberley Parish Council	Response to Relevant Representation and the request from PINS for additional Statements of Common Ground with the organisations listed in Annex E of the Rule 6 Letter including Coberley Parish Council
8 December 2021	Letter via email (response to letter sent 12 November 2021)	Coberley Parish Council to National Highways	Concerns about response to issues raised in Relevant Representation and request to enter into a Statement of Common Ground
8 December 2021	Email (response to letter received 8 December 2021)	National Highways to Coberley Parish Council	Draft SoCG for comment in advance of Deadline 1
9 December 2021	Teams Meeting	National Highways Coberley Parish Council Birdlip and Cowley Parish Council Daglingworth Parish Council Badgeworth Parish Council Brimpsfield Parish Council Leckhampton and Warden Hill Parish Council	Project update briefing in advance of Deadline 1

<u>1 February 2022</u>	<u>SoCG meeting</u>	<u>Coberley Parish Council</u> <u>National Highways</u>	<u>Project update and discussion with specialists about the matters outstanding. Agreement to share meeting minutes and seek to update SoCG for Deadline 5 and explain progress in the Statement of Commonality.</u>
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3 Topics covered in this SoCG

3.1.1 The following table is a summary of the topics which are considered within this SoCG.

Table 3-1 Summary of the Topics considered within this SoCG

Overarching topic	Topic number	Topic
Relevant ES Chapter	1.	Air Quality (Chapter 5 of the ES) and Noise and Vibration (Chapter 12 of the ES)
	2.	Road Drainage and the Water Environment (Chapter 14 of the ES) and Landscape and Visual Effects (Chapter 7 of the ES)
Other topics	3.	Traffic and Transport

4 Matters agreed

4.1.1 Table 4-1 shows those matters which have been agreed by the parties, including that matters reference number, and the date and method by which it was agreed.

Table 4-1 Matters agreed between Coberley Parish Council and National Highways

Matter reference number	Matter which has been agreed	Date and method of agreement
1. Air Quality (Chapter 5 of the ES) and Noise and Vibration (Chapter 12 of the ES)		
	No matters identified.	
2. Road Drainage and the Water Environment (Chapter 14 of the ES) and Landscape and Visual Effects (Chapter 7 of the ES)		
	No matters identified.	
3. Traffic and Transport		
	No matters identified.	

5 Matters outstanding

5.1 Principal matters outstanding

5.1.1 The principal matters outstanding between Coberley Parish Council and National Highways are:

- Noise and air pollution due to the new road being nearer to the villages of Coberley, Cowley and Ullenwood;
- Attenuation around the Ullenwood Junction and associated impacts on the water environment and landscape; and
- Traffic impacts at and associated with the proposed new Ullenwood Junction, A436 and its roundabout and crossroads, and Leckhampton Hill Road.

5.2 Matters Outstanding

5.2.1 Shows those matters which remain under discussion by the parties. It sets out the latest position of each party in relation to each matter outstanding, and the latest date of that position.

5.2.2 In response to a request by the ExA in the Rule 6 letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the likelihood of the matter to remain in disagreement by the end of Examination. The colour coding is set out as follows:

	Matter likely to be resolved or will be resolved subject to agreement to further discussion at detailed design stage
	Matter of medium likelihood to be resolved
	Matter unlikely to be resolved

Table 5-1 Matters outstanding between Coberley Parish Council and National Highways

Ref.	Matter	Coberley Parish Council position	National Highways position	Date of the position
1 Air Quality (Chapter 5 of the ES) and Noise and Vibration (Chapter 12 of the ES)				
1.1	Noise and air pollution due to the new road being nearer to the villages of Coberley, Cowley and Ullenwood	Concern about potential noise (and air) pollution due to the new road being nearer to the villages of Coberley, Cowley and Ullenwood. CPC requests that full studies are carried out on potential noise and air quality impact and that National Highways sets out proposals to mitigate noise pollution through the topography of the scheme (cuttings), road surfacing, landscaping (substantial tree-planting).	<p><u>Noise and vibration</u></p> <p>The operational noise impacts of the proposed scheme have been fully assessed and are reported in ES Chapter 11 Noise and Vibration (Document Reference 6.2, APP-042).</p> <p>Noise changes have been assessed as having a minor adverse impact at properties at the centre of Cowley village. At the eastern part of the village there would be a noise decrease (minor impact) due to reduced traffic on local roads to the east. Noise changes at Coberley and Ullenwood have been assessed as having a minor impact (small increases and decreases at different locations).</p> <p>During operation, to mitigate noise impacts and as part of a landscape approach, National Highways will use landscaped bunding to reduce the effect of the road on the landscape and the existing noise levels. This would include an earth bund with 1.2m stone wall at Stockwell Overbridge to Cowley Overbridge along the north and southbound carriageways. Also, the mitigation would include an earth bund with 1.2m stone wall at Cowley Lane (currently an unclassified road with public access rights) to Cowley junction along the southbound carriageway and at Cowley junction eastern loop. Whilst these will benefit the areas closest to the scheme, there will be diminishing benefits at larger distances including Cowley.</p> <p>With regard to the use of trees to act as acoustic screening to minimise noise, this approach is</p>	Letter, 8 December 2021

Ref.	Matter	Coberley Parish Council position	National Highways position	Date of the position
			<p>generally not effective in providing substantive, consistent noise mitigation.</p> <p><u>Following a meeting on 1 February 2022, National Highways is endeavouring to share further information with Coberley Parish Council with regards to the anticipated air quality effects and associated mitigation. Progressive discussions have been held to help clarify relevant Environmental Management Plan commitments and planned monitoring arrangements alongside appropriate mitigation measures.</u></p> <p><u>Air quality</u></p> <p><u>We aim to provide an updated position for Examination Deadline 5 (9 March 2022). In addition, further discussion has been had around noise impacts and a further meeting is being arranged to present and discuss the available noise mapping data as part of the DCO application documents in order to assist understanding. Progressive discussions have been held to help clarify relevant Environmental Management Plan commitments and planned monitoring arrangements alongside appropriate mitigation measures. Again, we aim to provide an updated position for Examination Deadline 5 (9 March 2022).</u></p>	
2 Road Drainage and the Water Environment (Chapter 14 of the ES) and Landscape and Visual Effects (Chapter 7 of the ES)				
2.1	Attenuation around the Ullenwood Junction	Proposed installation of attenuation tanks around the Ullenwood Junction raises concerns at visual impact on the landscape of the area. Also concern regarding potential flooding near this new roundabout, due to water flowing down the new link road from	<p>The highway drainage design would include basins to manage the quality and quantity of surface water run-off from the new roads.</p> <p>The basins at Ullenwood junction will be integrated sympathetically into the landscape and will be slightly lower than the adjacent roads.</p>	Letter, 8 December 2021

Ref.	Matter	Coberley Parish Council position	National Highways position	Date of the position
		the Shab Hill Junction. Confirmation required that these attenuation tanks will mitigate any such problems.	<p>The basins will ensure no increase on surface water peak flows and volumes downstream and hence flood risk for events up to the 1:100-year return period with an allowance included for climate change.</p> <p>There are soakaways at the Cricket Club and the junction with Leckhampton Hill that serve the existing A417 Birdlip Hill and roundabout. These are known to exceed capacity during heavy rainfall and discharge dirty road run-off and silt to the adjacent land. The proposed scheme will address these existing capacity and contamination issues.</p> <p><u>Following a meeting on 1 February 2022, National Highways is endeavouring to share further information with Coberley Parish Council with regards to the proposed attenuation basins and drainage summary. Discussions have been progressive and we aim to provide an updated position for Examination Deadline 5 (9 March 2022).</u></p>	
3 Traffic and Transport				
3.1	The proposed new Ullenwood Junction / A436 roundabout	<p>Management of traffic flow and volumes at this roundabout:</p> <p>Concerns that congestion, back-up and hazards will continue at this new roundabout, affecting both the A436 in a westerly direction and the Leckhampton Hill Road, in a south-westerly direction. Although the roundabout will be free of the through-traffic on the A417, it will still be subject to the considerable, and growing, daily commuter traffic to/from Cheltenham and to/from Oxford/London direction.</p>	<p>The existing Air Balloon roundabout would be removed as part of the scheme. The new Ullenwood junction would be constructed and combined with the A436/Leckhampton Hill priority junction to form a four-arm 50m ICD roundabout with a link to the A417 via the A436 Link Road and Cold Slad Lane.</p> <p>As part of the design of the scheme and the traffic analysis, modelling of the proposed new junctions has been undertaken. This work has been undertaken to ensure that the new junctions are able to cope with the predicted peak hour</p>	Letter, 8 December 2021

Ref.	Matter	Coberley Parish Council position	National Highways position	Date of the position
		<p>Flow from the A417 exit road into this roundabout is likely to be travelling faster, and more uninterrupted, than at present and hence, more hazardous to the traffic entering the roundabout from Leckhampton Hill Road</p> <p>CPC requests that a detailed study be carried out on projected traffic volumes and flows at the roundabout and that mitigating solutions are designed in.</p>	<p>traffic flows in the design year. A future design year has been assessed for this scheme in 2041 to indicate the likely future impacts on traffic, and the assessment was undertaken for the AM and PM peak hours.</p> <p>Where the results from assessments show that there are issues, then these are fed back to the design team and the junctions are modified in order to improve the capacity and thus ensure the junctions operate within capacity. This has been the case for this scheme and details on the operational modelling are in Appendix J of the ComMA (Document Reference 7.6, APP-422).</p> <p>The modelling results indicate that the proposed Ullenwood junction is forecast to operate within capacity in the 2041 scheme design year, with some limited queuing on the A436 Link Road in the morning peak hour and on the A436 approach in the evening peak hour.</p> <p><u>Following a meeting on 1 February 2022, National Highways is endeavouring to share further information with Coberley Parish Council with regards to the traffic data and modelling that underpins National Highways' position. Discussions have been progressive, although there remain points of difference around perceived and modelled forecast traffic impacts. We aim to provide an updated position for Examination Deadline 5 (9 March 2022).</u></p>	
3.2	Leckhampton Hill Road	Leckhampton Hill Road (Believe this is now classified as C/377) [is] a small country road, not designed to cope with the heavy commuter traffic which it currently experiences. (It includes hazardous crossroads with Ullenwood Manor Road and	The traffic modelling undertaken by National Highways forecasts that traffic on Leckhampton Hill would increase as a result of the scheme. However, the forecast traffic flows are below the existing capacity of the road. The traffic modelling forecasts that the scheme would not	Letter, 8 December 2021

Ref.	Matter	Coberley Parish Council position	National Highways position	Date of the position
		<p>Greenway Lane, access to the popular Crickley Hill Country Park, a 27-dwelling property development at Ullenwood Court. Where this road enters the urban area of Cheltenham on Leckhampton Road, there is a busy junction with Old Bath Road, a new housing development at Leckhampton Views, two busy roundabouts at the Church Road/Charlton Lane and Norwood Inn. The whole route is lined with residential properties, with car parking on both sides of the road. It is not suitable for current, let alone, increased commuter traffic.</p>	<p>have a significant impact on speeds north of the Ullenwood Manor junction.</p> <p>The traffic modelling forecasts no significant impact on congestion at the junctions on Leckhampton Hill.</p> <p>The traffic modelling methodology and results are reported in the Case for the Scheme (Document Reference 7.1, APP-417) and the Transport Report (Document Reference 7.10, APP-426) with more details available in section 10 of the Combined Modelling and Appraisal (ComMA) report (Document Reference 7.6, APP-422).</p> <p><u>Following a meeting on 1 February 2022, National Highways is endeavouring to share further information with Coberley Parish Council with regards to the traffic data and modelling that underpins National Highways' position. Discussions have been progressive, although there remain points of difference around perceived and modelled forecast traffic impacts. We aim to provide an updated position for Examination Deadline 5 (9 March 2022).</u></p>	
3.3	Speeds on the A436	<p>Likely increased speeds on the A436, due to freer flowing traffic, will create greater hazards for dwellings, other premises and the Cowley/Ullenwood crossroads on the A436. CPC requests that the current speed limit of 50 mph is reduced to 40 mph, particularly between east of Oxford Cottages and the new Ullenwood Junction roundabout.</p>	<p>National Highways has undertaken traffic modelling to assess the impact the scheme has on the Strategic Road Network and the local roads. A summary of the forecasting methodology can be found in section 5 (without scheme (Do-Minimum)) and 7 (with scheme (Do-Something)) of the Transport Report (Document Reference 7.10, APP-426).</p> <p>More details on the forecasting methodology are contained in section 10 of the Combined Modelling and Appraisal (ComMA) Report (Document Reference 7.6, APP-422).</p>	Letter, 8 December 2021

Ref.	Matter	Coberley Parish Council position	National Highways position	Date of the position
			<p>The traffic modelling forecasts there would be a decrease in traffic on the A436 as vehicles would redistribute to the A417 following improvements to the road.</p> <p>The traffic modelling forecasts there would be changes in speed as a result of the scheme, but increases in speed are limited to less than 3km/h.</p> <p>National Highways is in discussion with Gloucestershire County Council over the scheme and works required as part of detrunking the existing A417. These discussions include the potential requirement for measures such as traffic calming and changes in speed limit.</p> <p>The latest position on these discussions is set out in the Joint Councils Statement of Common Ground (see Statement of Commonality, Document Reference 7.3, APP-419).</p> <p><u>Following a meeting on 1 February 2022, National Highways is endeavouring to share further information with Coberley Parish Council with regards to the traffic and accident data/assessment that underpins National Highways' position. Discussions have been progressive, although there remain points of difference around perceived and modelled forecast traffic impacts. We aim to provide an updated position for Examination Deadline 5 (9 March 2022).</u></p>	
3.4	Ullenwood/Cowley crossroads on A436	Already a dangerous junction with poor visibility, there will be increased hazard, due to increased speeds and increase in traffic volumes over long term. With the proposed enhancement of the walking, cycling and horse-riding (WCH) facilities as part of the overall scheme, CPC envisages that there	The traffic modelling forecasts that there would be a decrease in traffic on the A436 as vehicles would redistribute to the A417 following improvements to the road. The traffic modelling forecasts there would be changes in speed as a result of the scheme, but increases in speed are limited to less than 3km/h.	Letter, 8 December 2021

Ref.	Matter	Coberley Parish Council position	National Highways position	Date of the position
		<p>will be increased WCH traffic crossing the A436 at this crossroads. Measures must be put in place to slow traffic at this crossroads and to ensure safe crossing for WCH traffic and for motorised traffic either crossing or turning onto the A436. (reduced speed limit, traffic light control or a roundabout). CPC requests that thorough investigation of this crossroads junction is carried out and appropriate mitigating solutions implemented.</p>	<p>National Highways is in discussion with Gloucestershire County Council over the scheme and works required as part of detrunking the existing A417. These discussions include the potential requirement for measures such as traffic calming and changes in speed limit. The latest position on these discussions is set out in the Joint Councils Statement of Common Ground (see Statement of Commonality, Document Reference 7.3, APP-419). WCH user patterns at this location (Ullenwood Manor Road / A436 junction) are outside the scope of this scheme.</p> <p>National Highways is committed to ongoing engagement throughout the detailed design stage with Coberley Parish Council. The traffic modelling methodology and results is reported in the Transport Report (Document Reference 7.10, APP-426) and the Combined Modelling and Appraisal (ComMA) report (Document Reference 7.6, APP-422).</p> <p><u>Following a meeting on 1 February 2022, National Highways is endeavouring to share further information with Coberley Parish Council with regards to the traffic and accident data/assessment that underpins National Highways' position. Discussions have been progressive, although there remain points of difference around perceived and modelled forecast traffic impacts. We aim to provide an updated position for Examination Deadline 5 (9 March 2022).</u></p>	

Ref.	Matter	Coberley Parish Council position	National Highways position	Date of the position
			<u>Coberley Parish Council have requested that National Highways engage with GCC on this matter and whilst outside of the DCO boundary, National Highways is willing to share the concerns of Coberley Parish Council with GCC.</u>	

Appendices

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	Coberley Parish Council
Name	
Position	
Date	

For signing	
Signed	
On Behalf of	National Highways
Name	
Position	
Date	