

A12 Chelmsford to A120 widening scheme

TR010060

8.8 Statement of Common Ground with The Brice Family

Rule 8 (1)(e)

Planning Act 2008
Infrastructure Planning (Examination Procedure)
Regulations 2010

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Infrastructure Planning

Planning Act 2008

The Infrastructure Planning
(Examination Procedure) Rules 2010

A12 Chelmsford to A120 widening scheme
Development Consent Order 202[]

Statement of Common Ground with Brice Family*

* The party name 'Brice Family' includes S Brice, R A Brice & Partners, P VI Brice, C E Brice and Brice Aggregates Limited (BAL).

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P01.1	02/2023	DRAFT for Deadline 2

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Company Limited and (2) Brice Family.



Signed.....

**Phil Davie
Project Director
on behalf of National Highways
Date: 13/02/2023**



Signed... ..

**TOM FRENCH
Authorised Agent
on behalf of the Brice Family
Date: 13 February 2023**

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A12 Chelmsford to A120 Widening Scheme ("the Application") made by National Highways Company Limited ("National Highways ") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit /or the Planning Inspectorate website.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) National Highways as the Applicant and (2) The Brice Family. The party name 'Brice Family' includes S Brice, R A Brice & Partners, P VI Brice, C E Brice and Brice Aggregates Limited (BAL). BAL's registered office is Colemans Farm, Little Braxted Lane, Rivenhall, Witham, Essex CM8 3EX. Interested Party Reference number for the Brice Family – 20032989.
- 1.2.2 National Highways became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing National Highways made provision for all legal rights and obligations of the Highways Agency, in respect of the Application, to be conferred upon or assumed by National Highways.
- 1.2.3 The Brice Family own several parcels of land. The following plots of their interest are included in the Order (as shown by the Land Plans):

Plot	Acquisition Type	Area
9/13a	Permanent acquisition of all interests in land.	Approximately 1342 square metres of trees and shrubbery; east of London Road, A12 and south-west of Blue Mills, Witham, Braintree. Freehold – EX368348

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9/13b	Land to be used temporarily and new rights to be acquired permanently.	Approximately 33817 square metres of woodland, plantation, trees, shrubbery and drains; east of London Road, A12 and south-west of Blue Mills, Witham, Braintree. Freehold – EX368348
9/13c	Land to be used temporarily.	Approximately 5763 square metres of trees, shrubbery, drain and public footpath (Footpath No. 121_103); east of London Road, A12 and south-west of Little Braxted Hall, Witham, Braintree. Freehold – EX368348
9/13d	Permanent acquisition of all interests in land.	Approximately 104 square metres of trees and shrubbery; east of London Road, A12 and west of Little Braxted Hall, Witham, Braintree. Freehold – EX368348
9/13e	Permanent acquisition of all interests in land.	Approximately 290 square metres of trees and shrubbery; north-west of Fishing Lake and east of London Road, A12, Rivenhall, Braintree. Freehold – EX810840
9/13f	Permanent acquisition of all interests in land.	Approximately 1906 square metres of grassland, trees and shrubbery; north of Fishing Lake and east of London Road, A12, Rivenhall, Braintree. Freehold – EX810840
9/13g	Permanent acquisition of all interests in land.	Approximately 574 square metres of woodland and shrubbery; east of London Road, A12 and south-west of Blue Mills, Witham, Braintree. Freehold – EX368348
9/19a	Land to be used temporarily and new rights to be acquired permanently.	Approximately 1794 square metres of river (River Blackwater) and bed thereof; east of London Road, A12 and south-west of Blue Mills, Witham, Braintree Unregistered.

9/19b	Land to be used temporarily and new rights to be acquired permanently.	Approximately 120 square metres of river (River Blackwater) and bed thereof; east of London Road, A12 and south-west of Blue Mills, Witham, Braintree. Unregistered.
9/22a	Permanent acquisition of all interests in land.	Approximately 428 square metres of trees and shrubbery; north-west of Fishing Lake and east of London Road, A12, Witham, Braintree. Unregistered.
9/22b	Permanent acquisition of all interests in land.	Approximately 147 square metres of trees and shrubbery; north-west of Fishing Lake and east of London Road, A12, Rivenhall, Braintree. Unregistered.
10/7a	Permanent acquisition of all interests in land.	Approximately 274 square metres of trees, shrubbery and track; east of London Road, A12 and west of Colemans Cottage, Rivenhall, Braintree. Unregistered.
10/20a	Permanent acquisition of all interests in land.	Approximately 2934 square metres of agricultural field, trees and shrubbery; east of Burghey Brook Poultry Farm and west of London Road, A12, Rivenhall, Braintree. Freehold – EX810869
10/20b	Land to be used temporarily.	Approximately 68339 square metres of agricultural field and grassland; south of operational railway (Great Eastern Main Line) and west of Whitelands, Rivenhall, Braintree. Freehold – EX810869
10/20c	Permanent acquisition of all interests in land.	Approximately 303 square metres of agricultural field, trees and shrubbery; north of London Road, A12 and east of Whitelands, Rivenhall, Braintree. Freehold – EX810869

10/20d	Land to be used temporarily.	Approximately 1535 square metres of agricultural field; north of London Road, A12 and east of Whitelands, Rivenhall, Braintree. Freehold – EX810869
10/20e	Permanent acquisition of all interests in land.	Approximately 53673 square metres of grassland, track, trees and shrubbery; east of London Road, A12, and west of Colemans Cottages, Rivenhall, Braintree. Freehold – EX810840
10/20f	Land to be used temporarily and new rights to be acquired permanently	Approximately 280 square metres of grassland, track, trees and shrubbery; east of London Road, A12, and west of Colemans Cottages, Rivenhall, Braintree. Freehold- EX810840
10/20g	Permanent acquisition of all interests in land.	Approximately 584 square metres of grassland, trees and shrubbery; east of Eastways Industrial Estate and west of London Road, A12, Witham, Braintree. Freehold – EX810840
10/20h	Land to be used temporarily and new rights to be acquired permanently.	Approximately 45275 square metres of quarry land, grassland, trees, shrubbery and public bridleway (Bridleway No. 105_29); north of Little Braxted Lane and east of London Road, A12, Rivenhall, Braintree. Freehold – EX810840
10/20i	Land to be used temporarily and new rights to be acquired permanently.	Approximately 4908 square metres of agricultural field and grassland; south of operational railway (Great Eastern Main Line) and west of Whitelands, Rivenhall, Braintree. Freehold – EX810869
10/20j	Permanent acquisition of all interests in land.	Approximately 250791 square metres of quarry land, grassland, track, trees, shrubbery and public bridleway (Bridleway No. 105_29); east of London Road, A12, and south of Burghey Brook Cottages, Rivenhall, Braintree.

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		Freehold – EX810840
10/20k	Permanent acquisition of all interests in land.	Approximately 1021 square metres of grassland, trees and shrubbery; east of Eastways Industrial Estate and west of London Road, A12, Witham, Braintree. Freehold – EX810840
10/23a	Permanent acquisition of all interests in land.	Approximately 163 square metres of grassland; north of Little Braxted Lane and east of Burghey Brook Cottages, Rivenhall, Braintree. Unregistered.
10/27a - subsoil	Permanent acquisition of all interests in land.	Approximately 1274 square metres of public highway (Little Braxted Lane), Rivenhall, Braintree. Unregistered.
10/28a - subsoil	Permanent acquisition of all interests in land.	Approximately 34 square metres of public highway (Little Braxted Lane), Rivenhall, Braintree. Unregistered.
11/4a	Land to be used temporarily.	Approximately 6782 square metres of agricultural field; north of London Road, A12 and west of The Fox Inn, Rivenhall, Braintree. Freehold – EX810869
11/4b	Permanent acquisition of all interests in land.	Approximately 1824 square metres of agricultural field, trees and shrubbery; north of London Road, A12 and south of The Fox Inn, Rivenhall, Braintree. Freehold – EX810869
11/4c	Permanent acquisition of all interests in land.	Approximately 5596 square metres of grassland, trees and river (Rivenhall Tributary) and bed thereof; north of Henry Dixon Road and west of London Road, A12, Rivenhall, Braintree. Freehold – EX810869

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11/4d	Permanent acquisition of all interests in land.	Approximately 13 square metres of trees and shrubbery; north of Rivenhall Bridge and west of London Road, A12, Rivenhall, Braintree. Freehold – EX810869
11/4e	Land to be used temporarily.	Approximately 2745 square metres of grassland, trees and public footpath (Footpath No. 105_45); north of Rivenhall Bridge and west of London Road, A12, Rivenhall, Braintree. Freehold – EX810869
11/4f	Permanent acquisition of all interests in land.	Approximately 117989 square metres of agricultural field, grassland, ponds, track, pump house, trees and shrubbery; south of The Matchyns and west of Braxted Road, Rivenhall, Braintree. Freehold – EX810840
11/4g	Permanent acquisition of all interests in land.	Approximately 3246 square metres of agricultural field, trees and shrubbery; north of Braxted Road and south of Rose Cottage, Rivenhall, Braintree. Freehold – EX810820
11/4j	Permanent acquisition of all interests in land.	Approximately 424 square metres of grassland, trees and shrubbery; north of Sewage Treatment Works and south of London Road, A12, Rivenhall, Braintree. Freehold – EX810820
11/4k	Permanent acquisition of all interests in land.	Approximately 64974 square metres of agricultural field, grassland, trees, hedgerow, shrubbery, river (Rivenhall Tributary) and bed thereof, ditch, watercourse, culvert and public footpath (Footpath No. 105_36); east of Service Area and south of London Road, A12, Rivenhall, Braintree. Freehold – EX810820
11/4l	Land to be used temporarily.	Approximately 1135 square metres of agricultural land and trees; south of London Road, A12 and west of Colemans Reservoir, Rivenhall, Braintree.

		Freehold – EX810840
11/4m	Permanent acquisition of all interests in land.	Approximately 254 square metres of grassland, trees, shrubbery and public footpath (Footpath No. 105_45); north of London Road, A12 and east of Henry Dixon Road, Rivenhall, Braintree. Freehold – EX810869
11/4n	Land to be used temporarily and new rights to be acquired permanently.	Approximately 100 square metres of trees, shrubbery and public footpath (Footpath No. 105_45); north of London Road, A12 and east of Henry Dixon Road, Rivenhall, Braintree. Freehold – EX810869
11/8d - Category 2 interest	Permanent acquisition of all interests in land.	Approximately 192333 square metres of agricultural fields, track, river (River Blackwater tributary) and bed thereof, trees, shrubbery, telecommunications mast and public footpaths (Footpath No. 105_43, Footpath No. 105_45, Footpath No. 105_46, and Footpath No. 105_47); north of London Road, A12 and south of operational railway (Great Eastern Main Line), Rivenhall, Braintree. Freehold – EX547286
11/9a - Category 2 interest	Land to be used temporarily and new rights to be acquired permanently.	Approximately 39 square metres of private track and, hardstanding and accessway forming part of residential property (Fair Rest, Braxted Road, Rivenhall, Witham). Freehold – EX847216
11/10a	Permanent acquisition of all interests in land.	Approximately 11 square metres of unnamed accessway leading to residential property (Rose Cottage, Braxted Road, Rivenhall, Witham). Freehold – EX879419
11/16a - subsoil	Permanent acquisition of all interests in land.	Approximately 5082 square metres of public highways (Braxted Road and London Road), verges, footways, trees and shrubbery, Rivenhall, Braintree. Unregistered.
11/18a	Permanent acquisition of	Approximately 124 square metres of grassland and trees; north of Henry Dixon Road and east of London Road, A12, Rivenhall, Braintree.

	all interests in land.	Unregistered.
11/20b - Category 2 interest	Permanent acquisition of all interests in land.	Approximately 24 square metres of unnamed accessway; north of Fair Rest and south of London Road, A12, Rivenhall, Braintree. Unregistered.
12/4a - Category 2 interest	Permanent acquisition of all interests in land.	Approximately 57004 square metres of agricultural field, trees, hedgerow and shrubbery; north of London Road, A12 and south of operational railway (Great Eastern Main Line), Rivenhall, Braintree. Freehold – EX547286
12/16a	Permanent acquisition of all interests in land.	Approximately 9553 square metres of woodland, grassland, trees, shrubbery and public footpath (Footpath No. 246_19); north of Ashman's Farm and south of London Road, A12, Great Braxted, Braintree. Freehold – EX952499
12/23a	Permanent acquisition of all interests in land.	Approximately 201 square metres of river (River Blackwater) and bed thereof; south of London Road, A12 and west of Ashman's Farm, Great Braxted, Braintree. Unregistered.
12/23b	Permanent acquisition of all interests in land.	Approximately 127 square metres of river (River Blackwater) and bed thereof; north-west of Ashman's Farm and south of London Road, A12, Great Braxted, Braintree. Unregistered.
12/23c	Permanent acquisition of all interests in land.	Approximately 73 square metres of river (River Blackwater) and bed thereof and public footpath (Footpath No. 246_19); north-west of Ashman's Farm and south of London Road, A12, Kelvedon, Braintree. Unregistered.
13/5a	Permanent acquisition of all interests in land.	Approximately 2707 square metres of plantation, drain, private track, trees, shrubbery and public footpath (Footpath No. 246_19); north of Ashman's Farm and south of London Road, A12, Great Braxted, Maldon. Freehold – EX952499
13/5b	Land to be used temporarily.	Approximately 217 square metres of plantation, trees and shrubbery; north-east of Ashman's Farm and south of London Road, A12, Great Braxted, Maldon.

		Freehold – EX952499
13/10a - subsoil	Permanent acquisition of all interests in land.	Approximately 2307 square metres of public highway (Kelvedon Road), verge, trees, shrubbery and public footpath (Footpath No. 246_19), Great Braxted, Maldon. Unregistered.
11/8d - Part 3 interest	Permanent acquisition of all interests in land.	Approximately 192333 square metres of agricultural fields, track, river (River Blackwater tributary) and bed thereof, trees, shrubbery, telecommunications mast and public footpaths (Footpath No. 105_43, Footpath No. 105_45, Footpath No. 105_46, and Footpath No. 105_47); north of London Road, A12 and south of operational railway (Great Eastern Main Line), Rivenhall, Braintree. Freehold – EX547286
11/9a - Part 3 interest	Land to be used temporarily and new rights to be acquired permanently.	Approximately 39 square metres of private track and, hardstanding and accessway forming part of residential property (Fair Rest, Braxted Road, Rivenhall, Witham). Freehold – EX847216
11/10a - Part 3 interest	Permanent acquisition of all interests in land.	Approximately 11 square metres of unnamed accessway leading to residential property (Rose Cottage, Braxted Road, Rivenhall, Witham). Freehold – EX879419
11/20b - Part 3 interest	Permanent acquisition of all interests in land.	Approximately 24 square metres of unnamed accessway; north of Fair Rest and south of London Road, A12, Rivenhall, Braintree. Unregistered.
12/4a - Part 3 interest	Permanent acquisition of all interests in land.	Approximately 57004 square metres of agricultural field, trees, hedgerow and shrubbery; north of London Road, A12 and south of operational railway (Great Eastern Main Line), Rivenhall, Braintree. Freehold – EX547286

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, “Agreed” indicates a final position, and “Under Discussion” where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. “Agreed” indicates where the issue has been resolved.

1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of significant material importance to the Brice Family and therefore have not been the subject of any discussion between the parties to date. However, it is recognised that other issues may arise through detailed design. As such, those matters can be read as agreed, only to the extent that they are either not of significant material importance or through consultation to date, the issue has not arisen. However, this does not preclude the Brice Family from submitting a substantiated claim for compensation under the Compensation Code relating to matters not covered by in the Issues chapter.

2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and The Brice Family or their agent (Tom French – BTF Partnership) in relation to the Application is outlined in table [2.1].

Table 2.1 Record of Engagement

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
02/03/2017	Letter/Email	Brice Family response to A12 Scheme Public Consultation.
16/10/2019	Email	PRA (Preferred Route Announcement).
18/10/2019	Meeting	Brice Family and A12 Project Team Working Group – Key topics: Survey Access, the Brice Family's outstanding and proposed applications/business developments, A12 project progress, how will we work together – Land and Works Agreement, Opportunities.
11/12/2019	Meeting	Brice Family and A12 Project Team Working Group Key Topics: Understanding the Brice Family's Business, Establishing Working Relations, Timescales, Pre-DCO Options, Short Term Considerations / 'Burning Issues'.
09/03/2020	Meeting	Brice Family and A12 Project Team Working Group – Key topics: BAL Proposed and Outstanding Planning Applications & Business Developments, Development of Backfill Opportunity, A12 Project Progress, Land & Works Agreement.
14/07/2020	Meeting	Brice Family and A12 Project Team Working Group – Key topics: Update on A12 Progress (design for J22), Business update from BAL, Restoration & Extension proposals.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
13/01/2021	Meeting	Brice Family and A12 Project Team - Key topics: Survey Access, the Brice Family Proposed and Outstanding Planning Applications & Business Developments, A12 Project Progress, BAL Backfill and Extension Proposals.
12/02/2021	Letter	RFI (Request for Information).
14/04/2021	Meeting	Brice Family and A12 Project Team Working Group - Key topics: Backfill Agreement, Scheme Update.
04/05/2021	Letter	Brice Family comments on scheme proposal prior to Statutory Consultation.
20/05/2021	Meeting	Brice Family and A12 Project Team Working Group: Key topics - project timings, Communication, Environment and Ecology, Red Line Boundary.
18/06/2021	Letter	Statutory Consultation June 2021 - S42 letter.
25/06/2021	Letter	Design updates.
22/07/2021	Letter	Agricultural questionnaire.
13/08/2021	Email	Brice Family Response to Preliminary Design Consultation.
05/11/2021	Supplementary Consultation	Letter and Plan.
10/11/2021	Meeting	DF4 update- Key topics: Property Contacts, Latest drawings, Environmental Mitigation, Utilities, Programme Dates.
07/12/2021	Meeting	Meeting on Ecology: Discussions on land for Ecology and proposed locations.
09/12/2021	Meeting	Meeting on the Programme - Main Topics: Programme dates, Planning Application, Cadent Gas.
11/01/2022	Meeting	Monthly Update meeting - Key topics: Backfill agreement, Processing Plant relocation, Scheme Design Update and Survey Access.
15/02/2022	Meeting	Monthly Update meeting - Key topics: Scheme Update, Planning Applications, Backfill agreement, Legal Agreement, Cadent Gas,

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		Processing Plant relocation, Environmental Design.
10/03/2022	Meeting	Monthly Update meeting -Key Topics: Survey Access, Design, DCO Programme, Planning Application Programme, Backfill agreement, Cadent Gas, Processing Plant relocation, Position Statement.
05/04/2022	Meeting	Brice April Update Meeting - Key Topics: Gas Main Diversion, Backfill Agreement, Gas Main Easements.
14/04/2022	Letter	Early negotiation letter.
19/04/2022	Meeting	Catch up meeting - Key Topics: Surveys, Ecology redesign, Planning Application, Backfill Agreement, Processing plant relocation, Position statement.
17/05/2022	Meeting	May monthly meeting - Key Topics: Scheme update, DCO submission, Brice update, Backfill agreement, Processing Plant Relocation, Position Statement, Early Agreement letter, Site Visit 20 th June, AOB.
20/06/2022	Site visit and meeting at Colemans farm	Key Topics: Processing Plant Relocation, Early Works Access, Red Line Boundary and Land Plans, Surveys, Other Matters (General Update).
21/06/2022	June Monthly Meeting	Key Topics: Backfill Agreement, Processing Plant Relocation, Position Statement, Plan Changes, Cadent Gas Main, AOB – agricultural vehicle use of the A12.
19/07/2022	July Monthly Meeting	Key Topics: Survey access licence, Backfill Agreement, Processing Plant Relocation, Position Statement/SoCG, Outstanding Actions, Cadent Gas, DCO Submission.
11/08/2022	August Monthly Meeting	Key Topics: Project Update, Backfill Agreement, Processing Plant, Position Statement, Survey access, Early Land Negotiations, AOB.
20/09/2022	September Monthly Meeting	Key Topics: Project Update, Survey Access, Backfill agreement, Processing Plant Relocation, Position Statement, AOB –Rose Cottage & Cadent Gas.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
13/10/2022	October Monthly Meeting	Key Topics: Scheme update Backfill agreement, Processing Plant Relocation, Position Statement, Cadent Gas Main, Actions from Last Meeting, AOB.
25/10/2022	Relevant Representation	1.Environmental/Ecological Mitigation Land - excessive and impact on future use of adjoining land/quarry operations 2. Access to Quarry Site - no detail as to how access will be maintained during scheme construction 3. Operation of Quarry during and post scheme 4. Restoration of Quarry 5. Excessive Land take 6. Accommodation works and detailed design - ability to consider mitigation unknown until details available 7. Access through Rivenhall End for farming operations 8. Restriction of new A12 section for agricultural machinery 9. Access onto A12 from Appleford Farm 10. Irrigation of Rivenhall Oaks Gold Centre (owned by BF). 11. Colemans Reservoir Fishery - potential impact from scheme 12. Commercial and Farming Operations Impact.
08/11/2022	Email	Relocating the Batching Plant - explanation from the District Valuer.
09/11/2022	Email	Draft Heads of Terms for Relocating Processing Plant.
15/11/2022	November Monthly Meeting	Key Topics; DCO update, Survey Works, Detailed Design & Position Statement, Backfill Agreement, Processing Plant Relocation, Cadent Gas Main, Actions from Last meeting, AOB.
14/12/2022	December Monthly Meeting	Key Topics: Backfill Agreement, Scheme Update, Surveys, SoCG, Processing Plant, Cadent Gas Main.
17/01/2023	January Monthly Meeting	Key Topics: Scheme Update, Design Timetable, Irrigation Pipe, Backfill Agreement, Processing Plant, SoCG, Cadent Gas Main, AOB.

- 2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) The Brice Family or their Agent in relation to the issues addressed in this SoCG.

DRAFT

3 Issues

3.1 Issues agreed

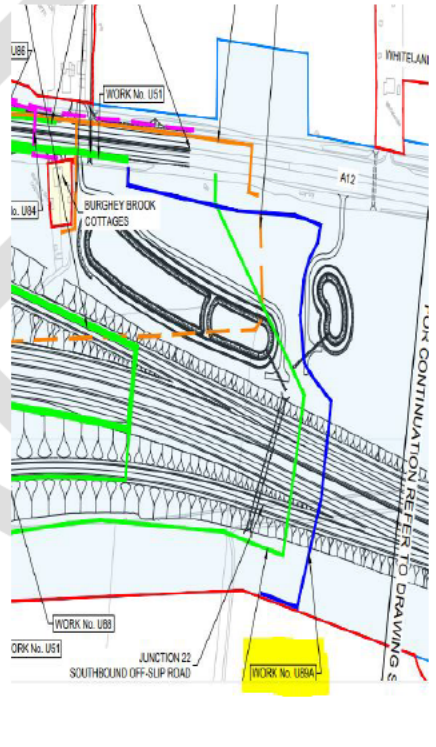
Table 3.1 Issues agreed.

Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
1.	Colemans Reservoir Fishery – 14/11		Colemans Reservoir is used as a leading coarse fishery with numerous large specimen fish contained within its waters. Any land take of the reservoir would irreparably compromise this fishery business.	Development plans have been realigned and no longer impact this reservoir with permanent land take. Following consultation, a strip of land between Colemans Reservoir Fishery and the proposed drainage pond was changed from 'Permanent acquisition of all interests in land' to 'land to be used temporarily'. The land parcel in question is plot 11/4I as shown on Sheet 11 of 21 of the Land Plans [AS-009]. This ensures a land buffer between the Colemans Reservoir Fishery and the proposed drainage pond.	Agreed	Feb 2023
2.	Further Engagement		Concerns on the impact of the scheme on the Estate and the need for further engagement	Ongoing monthly meetings are now taking place with the Brice Family throughout the development of the scheme and where feedback and concerns	Agreed	Feb 2023

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Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
				have been reflected in the design of the project. The project continues to work closely with the Brice Family to ensure National Highways fully understand the site operations and the programme, to ensure that business continuity can be achieved both during and post construction. Relevant detailed information will continue to be shared as and when it becomes available.		
3.	Irrigation of Rivenhall Oaks Golf Centre		Rivenhall Oaks Golf Centre uses irrigation water from Colemans Reservoir, supplied via a private irrigation pipe running under the A12 and Eastern Mainline Railway. The continued supply of irrigation water is vital to business continuity at the golf courses.	<p>The Applicant has included Work No. U89A in the draft DCO [AS-020] as shown on sheet 10 of the Works Plans Utility Diversions [AS-003] showing the provision of the irrigation link.</p> <p>The work comprises the diversion of a buried water main of approximately 600 metres in length between Burghey Brook Cottages and a point to the west of Coleman's Reservoir, Witham;</p>	Agreed	Feb 2023

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Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
				 <p>The diagram is a technical site plan for a highway widening project. It shows the layout of A12, including a junction (JUNCTION 22) and a southbound off-slip road. Key features include 'BURGHEY BROOK COTTAGES' and 'WHITELAN'. Several work areas are delineated with colored lines: U81 (pink), U84 (orange), U88 (blue), and U84A (yellow). A large 'DRAFT' watermark is overlaid on the entire page.</p>		

3.2 Issues in discussion

Table 3.2 Issues in discussion.

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
1.	Land take		<p>Environmental and Ecological Mitigation Land (number 2 on the plan screen shot)</p>  <p>a) Why does the red line extend out here?</p> <p>b) Will this area be used as a compound area?</p> <p>c) Is this an area to divert utilities?</p> <p>d) If none of the above can the red line boundary be reduced back to the road boundary, as this land take appears unnecessary?</p> <p>e) The plan shows the pond with drain in front of Colemans Farmhouse going into the ditch in front of the farmhouse. The ditch does flood from time to time, when</p>	<p>The Applicant met with the Brice Family on 20 May, 10 November and 7 December 2021 where the concerns and location of land required for environmental mitigation purposes were discussed.</p> <p>The engagement with the Brice Family led to revised designs, which were shared in a meeting on 10 March 2022, with the ecological area from the land immediately east of Little Braxted Lane relocated partially to the west of Little Braxted Lane and partially north of proposed A12 within land to be acquired for attenuation ponds.</p> <p>The Applicant believes that all of the land included within Order Limits is required for the proposed scheme. Through engagement, taking into account feedback and as design work has progressed, landscape mitigation has been almost halved on the Brice Family's land since the publication of the Preferred Route Announcement.</p>	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			<p>the river is at full bank flow, this could increase flooding from the ditch and cause the house to flood. Have National Highway done a flood risk assessment with regards to this and what have the Environment Agency said?</p>	 <p>The Applicant is investigating the flooding issue.</p>		
2.	Environmental Offsetting		<p>As part of the gravel reinstatement, BAL have to provide environmental offsetting on the reinstated land.</p> <ul style="list-style-type: none"> • Have National Highways considered this within their design? • Have National Highways incorporated compensatory provision for quarry restoration habitats lost due to the A12 land take elsewhere along the route? <p>This is likely to be an ask of Essex County Council also for whom the provision of “priority habitats” through quarry restoration is a key policy goal in minerals and waste planning.</p> <p>All biodiversity enhancement and habitat creation which BAL would have created</p>	<p>The Defra 3 biodiversity metric is being applied to the proposed scheme, with the aim of maximising biodiversity value. The proposed scheme is exceeding 10% net gain. Further details of the methodology can be found within Appendix 9.14: Biodiversity Net Gain report [TR010060/APP/6.3].” This is achieved without taking additional land via compulsory acquisition.</p> <p>The Applicant is seeking confirmation about biodiversity enhancement and habitat creation. The Applicant is achieving greater than 10% biodiversity enhancement but is not taking land by compulsory acquisition to achieve it.</p>	Under discussion	Feb 2023

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			under their planning consents on the A12 land should be re-provided elsewhere by the Applicant within the scheme.			
3.	Balancing Ponds		<p>Main concerns:</p> <ul style="list-style-type: none"> • Why is there a need for balancing ponds on the Brice Family's land? • What alternative locations have been considered for all the balancing ponds on the Brice Family's land? • Are National Highways able to evidence the requirement for the number, location and size of balancing ponds? What alternative locations have been considered and can the size of these be reduced further to mitigate impact? • Survey data in its raw form to be able to analyse the proposals and suggest sensible alternatives to consider. Please may you provide this? • Can the freehold be retained if there is a requirement for any balancing ponds on the Brice Family's land? • A number of waterbodies are to be provided by the Brice Family as part of the quarry restoration. Has the presence 	<p>The updated drainage design was discussed in a meeting/call on 10th November 2021 and the latest plans with the revised proposals for attenuation pond locations were presented. This discussion has indicated that there are no further concerns/issues raised with regards to the proposed attenuation pond locations but remain subject to detailed design.</p> <p>The issue with hydrology is subject to final design details. When this becomes available, the Applicant will discuss further with the Brice Family.</p>	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			<p>of these been included in the hydrology modelling and considered in setting the need for balancing pond on the Brice Family's land?</p> <p>The area of proposed permanent acquisition of land for balancing ponds beyond the carriageway footprint is of concern and contrary to the Brice Family's agricultural interests and quarry restoration.</p>			
4.	Environmental/ Ecological Mitigation Land		Excessive and impact on future use of adjoining land/quarry options.	Following discussions with the Brice Family, changes have been made to the proposed scheme to move the ecological area from the land immediately east of Little Braxted Lane. This area has been relocated partially to the west of Little Braxted Lane and partially north of proposed A12 in land to be acquired for attenuation ponds. This position remains subject to Detailed Design of the Scheme and confirmation that the location of these areas does not have a detrimental impact on the Quarrying operations.	Under discussion	Feb 2023
5.	Red Line Boundary		The Brice Family note that the current DCO order limits (the red line boundary) will be reduced and refined. Requested land use plans and subsequent accommodation works design. Temporary occupation of land for utility diversions will also require temporary	<p>All land plans are now available on PINS website.</p> <p>The Applicant has met with the Brice Family on over twenty occasions since 2019 to discuss the land required for the proposed scheme. As the proposed scheme design has progressed, the amount of land proposed to be acquired has</p>	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			<p>accommodation works, but final design on the permanent accommodation works is necessary in order to mitigate the impact of the project post construction</p> <p>The Brices expect that Order Limit alterations are likely as utility diversion routing emerges and as the detailed design progresses. In particular there is a corridor to the south of the quarry weighbridge which has been included in the DCO boundary for utility diversions but it is understood by the Brice Family that this will no longer be required.</p>	<p>been significantly reduced. For instance, landscape mitigation has almost halved due to more knowledge on the utility diversions in the area. Through feedback and engagement since publication of the Preferred Route Announcement, there have been significant changes and reductions in the order limits to meet the Brice Family's requirements as much as reasonably practicable.</p> <p>The Applicant is still awaiting Cadent detailed design regarding utility diversion and the Applicant will discuss further with the Brice Family once further information is available.</p>		
6.	Farming Operations		<p>Continued farming of the land will be made more difficult due to how the proposed scheme intersects the Land when considered in relation to the existing A12, which already crosses the farm. The Brice Family appreciate there will be a discussion about accommodation works to attempt to mitigate the impact, but to date nothing has been proposed.</p>	<p>The Applicant met with the Brice Family on 15th November 2022 and explained the proposed scheme is three months into the process of detailed design. This is ahead of most projects as often detailed design is done after the Secretary of State's decision. The Applicant will keep the Brice Family informed through the parties' continuing monthly meetings as to when the detailed design can be shared. The current programme is that the relevant additional details should be available in early 2023.</p> <p>Some impacts are expected on the access of the farm during construction for the new junction 22. The Applicant continues to work closely with the Brice Family to fully understand the site operations and programme and to minimise impacts on business continuity. The construction</p>	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				phasing is being developed to maintain access to the Brice Family's business operations during normal operating hours. Order limits at this location and land use plan have taken into consideration these requirements.		
7.	Agricultural Vehicle use of the A12		Simon Brice owns land at Parkgate Farm, CM8 3PS, north of the A12. This extends to approximately 700 acres and is outlined on the plan as shown in Appendix B. Therefore, the continued use of Braxted Road for agricultural machinery going through Rivenhall End is absolutely essential for the functioning of the farming business.	In the vicinity of the proposed junction 22, heading from Witham towards Kelvedon, (including from Little Braxted Lane and from Braxted Road) the de-trunked section of the existing A12 and the new B1024 Link Road would form an alternative route for slow moving vehicles prohibited from the proposed A12. Heading eastwards through Witham, noting existing width and/or weight restrictions through Witham town centre, on Freebournes Road and on Maldon Road, the existing road network would provide the alternative routes for slow moving vehicles. The farm access for Appleford Farm is from the realigned Braxted Road directly through to the de-trunked A12 from the Rivenhall End West Roundabout as illustrated on Sheet 11 of 21 in the General Arrangement Plans -Part 4 [AS-012]. The proposed scheme involves the upgrading of the existing A12 between junction 21 (Witham south) and junction 25 (Mark Tey) to GD300 Level 3 standard. This upgrade would mean there would be restrictions on the types of vehicles that are authorised to use it, similar to restrictions on	Under discussion	Feb 2023

Statement of Common Ground with The Brice Family

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				<p>motorways. Thus, those slow-moving vehicles that travel between the A12 junction 21 (Witham south) and junction 25 (Marks Tey), that are not capable of attaining a speed of 25mph on the level under its own power, when unladen and not drawing a trailer, would be banned from using the new A12 and as such they would require an alternative route. In terms of alternative routes, the Applicant is satisfied that a reasonable alternative exists.</p> <p>During construction, to minimise any disruption to the commercial and farming businesses, the Applicant will ensure that accesses are maintained during daytime operational hours whenever practicable. However, occasionally for safety or other physical reasons, this may not always be possible, and the Applicant would liaise with the Brice Family to ensure that adequate notice is provided and, where practicable, an alternative access for the businesses is made available.</p> <p>During construction, traffic would be kept on the Braxted Road until the new Braxted Road and overbridge is built. Further details on the traffic management in this location can be found in the Outline Construction Traffic Management Plan from page 19 [APP-272].</p>		

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
8.	Farm accesses		<p>The Brice Family request access at all times on the Appleford side including the land north of the A12 behind Henry Dixon Hall, the willow plantation and Durwards Park Field (next to the Fire offices). The Brice Family would like to retain current access or for the Applicant to provide new access.</p> <p>Current farming operations rely on transit between Parkgate Farm (CM8 3PS) and Appleford Farm (CM8 3EZ) which are the two main yards the business operates from. Integral to this is the ability of large agricultural machinery to travel through Rivenhall End and Rivenhall Village. It is vital that this link is maintained through the scheme and post construction to avoid severance of the farming operation into two sub size parcels.</p> <p>A c.10,000 sqft agricultural building is planned to be constructed in spring 2023 to support R. A. Brice & Partners farming operation at the site, Ease of use of this building despite the Scheme by the Brices is important to the efficiency and viability of the farming enterprise.</p>	<p>At the March 2022 monthly meeting an access off the roundabout was identified on a drawing and there will be further engagement and design work to ensure the appropriate access is created.</p> <p>National Highways have made the commitment that the farming business will be able to continue to occupy and work the land north of the A12 during and after the A12 Scheme.</p> <p>The farm access for Appleford Farm is from the realigned Braxted Road directly through to the detrunked A12 from the Rivenhall End West Roundabout as illustrated on Sheet 11 of 21 in the General Arrangement Plans -Part 4 [AS-012].</p> <p>The questions around farm access on the Appleford side and the requirement that farming operations need access using vehicles of all classes is currently awaiting further update and the Applicant will engage in discussions with the Brice Family when this information becomes available.</p>	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			<p>The Brice Family farming operations need access using vehicles of all classes.</p> <p>The impact of the Scheme on the use and occupation of the three residential dwellings situated at Appleford Farm must be minimised</p>			
9.	Access in General		<p>Access through Rivenhall End for Farming Operations; Restriction of new A12 section for agricultural machinery; Access onto A12 from Appleford Farm.</p> <p>The project should ensure that there is no impact and access is available at all times. The Applicant must ensure that adequate notice is provided and alternative access for businesses is always available.</p> <p>Due to the proposed restriction of slow and agricultural traffic from use of the new A12, Oak Road must remain open onto the old, de-trunked A12 until the new A12 is complete with bridge-over.</p>	<p>Some impacts are expected on the access of the quarry during construction for the new junction 22. The Applicant continues to work closely with the Brice Family to fully understand the site operations and programme and to minimise impacts on business continuity. The construction phasing is being developed to maintain access to the Brice Family business operations during normal operating hours. Order limits at this location and land use plans have taken into consideration these requirements.</p> <p>The Applicant can confirm that all vehicles of a size legally permitted to be on the road can pass through Rivenhall End so farming operations should not be materially affected.</p> <p>During construction, to minimise any disruption to the commercial and farming businesses, the Applicant will ensure that accesses are maintained during daytime operational hours whenever practicable. However, occasionally for</p>	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				<p>safety or other physical reasons, this may not always be possible, and the Applicant would liaise with BAL (and other Brice businesses as relevant) to ensure that adequate notice is provided, and where practicable an alternative access for the businesses is available.</p> <p>The farm access for Appleford Farm is from the realigned Braxted Road directly through to the de-trunked A12 from the Rivenhall End West Roundabout as illustrated on Sheet 11 of 21 in the General Arrangement Plans -Part 4 [AS-012].</p> <p>The proposed scheme involves the upgrading of the existing A12 between junction 21 (Witham south) and junction 25 (Marks Tey) to GD300 Level 3 standard. This upgrade would mean there would be restrictions on the types of vehicles that are authorised to use it, similar to restrictions on motorways. Thus, those slow-moving vehicles that travel between the A12 junction 21 (Witham south) and junction 25 (Marks Tey), that are not capable of attaining a speed of 25mph on the level under its own power, when unladen and not drawing a trailer, would be banned from using the new A12 and as such they would require an alternative route.</p> <p>In terms of alternative routes, the Applicant is satisfied that a reasonable alternative exists. In</p>		

Statement of Common Ground with The Brice Family

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				<p>the vicinity of the proposed junction 22, heading from Witham towards Kelvedon, (including from Little Braxted Lane and from Braxted Road) the de-trunked section of the existing A12 and the new B1024 Link Road would form an alternative route for slow moving vehicles prohibited from the proposed A12. Heading eastwards through Witham, noting existing width and/or weight restrictions through Witham town centre, on Freebournes Road and on Maldon Road, the existing road network would provide the alternative routes for slow moving vehicles.</p> <p>During construction, traffic would be kept on the Braxted Road until the new Braxted Road and overbridge is built. Further details on the traffic management in this location can be found in the Outline Construction Traffic Management Plan from page 19 [APP-272].</p> <p>The Applicant cannot guarantee that there will be no impact on access, but will aim to minimise disruption and provide access where practicable.</p> <p>The Applicant is investigating the issue regarding Oak Road and will engage in discussions with the Brice Family when further information is made available.</p>		

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
10.	Commercial shoot		<p>The Project will have a detrimental impact on the commercial game shoot that operates over Simon Brice's and BAL' land intere t both during urvey; construction; and post completion of the Project. Further consultation is required.</p> <p>The commercial shoot involves a shoot over all Simon Brice's /BAL's land back from the A12 across the river to Ashmans farm, this includes Colemans and Appleford. The shoot holds 20 – 25 sold-days, between September – 1st February. Excludes the quarry land being worked, for health and safety reasons. The undug quarry land is shot over.</p> <p>Simon Brice/ BAL will lose two or three drives due to the A12 which could affect the viability of the shoot.</p> <p>Access required to Colemans on both ends, Appleford and back to Ashmans, go around it on a shoot trailer.</p>	National Highways thank the consultee for the information provided. This will be taken into account whilst the detailed design is developed.	Under discussion	Feb 2023
11.	Commercial Lets Access		<p>Are National Highways able to confirm that the Commercial businesses at Appleford Farm will be able to access the A12 from Braxted Road (including HGV access) during and after the A12 Scheme?</p> <p>There are a number of commercial lets at Appleford Farm which consist of mixed</p>	During construction, traffic would be kept on the Braxted Road until the new Braxted Road, and overbridge is built. Further details on the traffic management in this location can be found in the Outline Construction Traffic Management Plan from page 19 [APP-272]. Access for agricultural vehicles will be maintained as much as reasonably practical. At this moment in time, the	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			<p>office, storage and distribution use across 7 units, uses include sorting and distribution for a large parcel delivery franchise. A part of the requirement of these businesses, continued access to the A12 is fundamental to allow them to continue to trade onsite. The site accommodates approximately seven lorry movements a day as well as various cars and vans during the normal working day</p>	<p>details around the sequence and methodology of works are still to be defined. Further information around these topics will be discussed with the landowner as the Applicant progresses through detailed design.</p> <p>The Applicant can confirm that all vehicles of a size legally permitted to be on the road can pass through Rivenhall End, so farming operations should not be materially affected during construction. To minimise any disruption to the commercial and farming businesses, the Applicant will ensure that accesses are maintained during daytime operational hours whenever practicable. However, occasionally for safety or other physical reasons, this may not always be possible, and the Applicant would liaise with the Brice Family to ensure that adequate notice is provided, and where practicable an alternative access for the businesses is available.</p> <p>The Applicant's construction phasing is being developed to ensure access to the Brice Family's business operations can be maintained during normal operating hours and National Highways will continue to work together and provide detailed information when it becomes available. To that end, monthly meetings are now held with the landowner to discuss ongoing concerns</p>		

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
12.	Commercial Lets Disruption		The Brice Family are concerned that during the works there could be a significant impact upon businesses. This could be an impact which result in job losses and, from a landlord point of view, loss of rent and/or occupancy. Appleford Industrial Uses currently support approximately 30 jobs across circa 24,000 square feet of commercial space.	<p>Access will be maintained where practicable. Any compensation issues will be dealt with by the District Valuer.</p> <p>To minimise any disruption to the commercial and farming businesses, the Applicant will ensure that accesses are maintained during daytime operational hours whenever practicable. However, occasionally for safety or other physical reasons, this may not always be possible, and the Applicant would liaise with the Brice Family to ensure that adequate notice is provided, and where practicable an alternative access for the businesses is available.</p>	Under discussion	Feb 2023
13.	Restoration of Quarry		Whilst discussions have been progressing well and collaboratively regarding a revised restoration of Coleman's Quarry, it is inevitable that some of the land available for the provision of Biodiversity Priority Habitats will be lost to the A12 land take. It is expected that there will be the flexibility to provide these habitats along the scheme corridor or within scheme borrow pits.	The land proposed for the restoration of Coleman's Farm Quarry, including some of the Biodiversity Action Plan habitat within BAL's restoration plans falls within the Order Limits for the proposed scheme. Landscape planting for the proposed scheme has been designed to mitigate these losses through the creation of replacement habitats, and the proposed scheme aims to maximise biodiversity delivery where practical. The latest application was heard by Essex CC Development and Regulation Committee on 27th January (application no ESS/36/21/BTE; ESS/51/21/BTE and ESS/98/21/BTE - see link to report https://cmis.essex.gov.uk/essexcmis5/Calendar)	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				fMeetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/5046/Committee/37/SelectedTab/Documents/Default.aspx We understand the applications were approved, but not yet evidenced on Essex CC website.		
14.	Access to the Quarry		<p>The Brice Family request further detail as to how the access will be maintained during the scheme construction. The Brice Family require additional clarification and detail on the design and specification of the proposed access to include but not limited to horizontal and vertical alignment; road width; drainage design; cross fall; pavement design including surface course; binding course; base; sub-base; security; construction process and period; and together with the interface with “new walkers” provision. Details are also required as to the boundary point at which the access will leave the adopted highway. The continued access of HGVs from the quarry site onto the trunk road network is critical to business continuity.</p> <p>The Brice Family have provided National Highways with an estimate of the capital values and likely claim for compensation if the A12 Scheme intersects the quarry</p>	<p>As part of the Statutory consultation materials, preliminary design details of the horizontal and vertical alignment of proposed roads were made available. In addition, the Applicant met with the Brice Family on 15 November 2022 and explained the proposed scheme is three months into the process of detailed design. This is ahead of most projects as often detailed design is done after the Secretary of State’s decision. The Applicant will keep the Brice Family informed through the parties’ continuing monthly meetings as to when the detailed design can be shared. The current programme is that the relevant additional details should be available in early 2023.</p> <p>Some impacts are expected on the access of the quarry during construction for the new junction 22. The Applicant continues to work closely with the Brice Family to fully understand the site operations and programme and to minimise impacts on business continuity. The construction phasing is being developed to maintain access to BAL’s operations during normal operating hours.</p>	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			<p>operations. The Brice Family have offered to provide National Highways with an up-to-date estimate of the loss and compensation if BAL is not able to trade during and post construction. The Brice Family hope for National Highways' construction programme to accommodate the quarry operations. Are National Highways able to confirm if the quarry will be able to operate during construction and if there will be any temporary impact which needs to be mitigated against?</p> <p>The Brice Family have requested access at all times to ensure continued business operations.</p>	<p>Order limits at this location and land use plans have taken into consideration these requirements.</p> <p>The Applicant has been working with BAL to ensure that minerals are extracted ahead of time.</p> <p>The Applicant will ensure that accesses are maintained during daytime operational hours whenever practicable. However, occasionally for safety or other physical reasons, this may not always be possible, and the Applicant would liaise with BAL to ensure that adequate notice is provided, and where practicable an alternative access for the businesses is available.</p> <p>Some impacts are expected on the access of the quarry during construction for the new junction 22. The Applicant continues to work closely with BAL to fully understand the site operations and programme and to minimise impacts on business continuity. The construction phasing is being developed to maintain access to BAL's operations during normal operating hours. Order limits at this location and land use plans have taken into consideration these requirements. The Applicant has been working with the Brice Family to ensure that minerals are extracted ahead of the construction of the new</p>		


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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				<p>junction 22 to limit the financial impact on the quarry operations.</p> <p>Any work in relation to estimates on impact on businesses with be dealt with by the District Valuer.</p> <p>The issue on access at all times is currently being reviewed by the Applicant. Updates will be provided when available.</p>		
15.	Operation of Quarry – during and post scheme to include both the Processing and Batching Plant		The Brice Family acknowledge discussions regarding this matter are ongoing but reiterate the importance of being able to establish a new aggregate processing yard and weighbridge / access where existing facilities will be within the A12 land take boundary. The successful resolution of this matter is critical to business continuity.	The Applicant has been engaging with Brice Aggregates Ltd (BAL) to agree the relocation of the processing plant and batching plant and minimise impacts on BAL and their operations, as far as reasonably practicable. The Applicant has been working with the Brice Family to ensure that minerals are extracted ahead of the construction of the new junction 22 to limit the financial impact on the quarry operations. The Applicant and the Brice Family have been holding regular monthly meetings since January 2022 and Heads of Terms for relocation of the processing plant were sent to BAL by the Applicant in November 2022. The Applicant met with BAL on 17 th January 2023, where BAL advised that they hope to respond to the Heads of terms in February 2023. In terms of the planning the timetable as BAL indicated at the meeting on 17 th January 2023, is that they will submit a planning application (with National	Under discussion	Feb 2023

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				Highways' support for the plant relocation) to the County minerals planning authority shortly. The application is anticipated to be submitted by the middle of February 2023.		
16.	Compound		<ul style="list-style-type: none"> How are National Highways planning to access this? Will there be a slip road off the existing A12 heading north bound? Alternatively, will there be an access off the roundabout? <p>Simon Brice wishes to retain ownership and is prepared to enter into suitable agreement with National Highways to facilitate this.</p>	<p>Access to the Junction 22 compound will be off the A12 Northbound carriageway, where a new on/off slip will be created to provide access from / to the existing A12. There will not be an access from the proposed roundabout.</p> <p>Future land use is subject to Cadent's gas main diversion design, as the design is still unknown at this stage.</p> <p>National Highways will always endeavour to secure the land it requires by negotiation where this can be agreed on reasonable terms.</p>	Under discussion; awaiting detailed design and negotiations with the District Valuer.	Feb 2023
17.	Grassland		The Brice Family asked whether the freehold can be retained.	Acquiring the land is progressing through ongoing negotiations. However, where National Highways need to locate an asset such as an attenuation pond, they will require the freehold of that land.	Under discussion	
18.	Rose Cottage – plot 11/10a		<p>Main concerns:</p> <ul style="list-style-type: none"> Taking this land will affect the visibility splay for the access to Rose Cottage, concern raised on the safety of the access out on to the main road. Concern on the visibility splay for 	The permanent acquisition of plot 11/10/a is to allow for the southern end of the Rose Cottage driveway to be slightly re-profiled and tied-in to the Realigned Access Road, which will connect Braxted Road with the properties south of the proposed A12. It will also allow for some hedge planting, see screen shot below.	Under discussion	

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			<p>the heavy vehicle movements that use the farm buildings behind Rose Cottage.</p> <ul style="list-style-type: none"> Access to Rose Cottage, page 28, ref 15, need to better understand the front drive access and linking to the southern properties. 	<p>The proposed hedgerow planting will be positioned to ensure adequate visibility is achieved for vehicles turning out of Rose Cottage. It is worth noting that there will be reduced vehicle movements on the Realigned Access Road, as it will not be a through route in the proposed scheme, instead, traffic will travel along the realigned Braxted Road and over the new Braxted Road Overbridge.</p>  <p>The diagram is a site plan showing the proposed road layout. Key features include: <ul style="list-style-type: none"> HENRY DIXON ROAD (TO BE STOPPED UP): A road at the top right that is to be discontinued. FAIR REST: A building or structure near the top center. WITHAM: A location marked on the right side. ATTENUATION POND: Two ponds, one in the center and one at the bottom. REALIGNED ACCESS I: A road branching off from the main route. BRAXTED ROAD OVERBRIDGE: A bridge structure crossing over the main road. REALIGNED BRAXTED ROAD: The main road route shown in red and pink. </p>		

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Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				Further design details are expected to be available in March 2023 at Scheme Fix 2. Updates will be provided when available.		
19.	Colemans Reservoir Fishery		<p>Main concerns:</p> <ul style="list-style-type: none"> • Pollution as a result of temporary land take • Temporary loss of some swims • Ability for members to walk around the reservoir (included as part of annual membership) 	<p>The Applicant continues to work closely with the Brice Family to fully understand the site operations and programme and to minimise impacts on business continuity.</p> <p>Any work in relation to estimates on impact on businesses with be dealt with by the District Valuer.</p>	Under discussion	Feb 2023

Acronyms

Abbreviation	Term
BAL	Brice Aggregates Limited
BF	Brice Family
DCO	Development Consent Order
J19-23	Junctions 19-23
SOCG	Statement of Common Ground
AOB	Any Other Business
PINS	Planning Inspectorate
HGVs	Heavy Goods Vehicles
Essex CC	Essex County Council

Glossary

Term	Definition

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References

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For each of those areas that are in dispute, it would be beneficial if each party would put their estimation as to the likelihood that disagreement will remain by the end of the Annex F

F2 Examination. This should be done on a ‘Low’, ‘Medium’ and ‘High’ traffic light model. This will allow the ExA to assess those areas where oral discussions may be most beneficial.

	Low
	Medium
	High

Issue/ Matters under discussion	RAG Status Estimation	RAG Status Estimation
	National Highways	Brice Family
Land Take		
Environmental Offsetting		
Balancing Ponds		
Environmental/Ecological Mitigation Land		
Red Line Boundary		
Farming Operations		
Agricultural Vehicle use of the A12		
Farm Accesses		
Access in General		
Commercial Shoot		
Commercial Lets Access		
Commercial Lets Disruption		
Restoration of Quarry		

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Access to Quarry		
Operation of Quarry – during and post scheme to include both the Processing and Batching Plant		
Compound		
Grassland		
Rose Cottage – plot 11/10a		
Colemans Reservoir Fishery		

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