

# **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

Volume 8

June 2023

## Infrastructure Planning

### Planning Act 2008

### The Infrastructure Planning (Examination Procedure) Rules 2010

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

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### **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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<b>Regulation Reference</b>	Rule 8 (1)(e)
<b>Planning Inspectorate Scheme Reference</b>	TR010060
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<b>Author</b>	A12 Project Team and National Highways

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
1	February 2023	Draft for Deadline 2
2	April 2023	Draft for Deadline 4
3	June 2023	Draft for Deadline 6

**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..........

**Philip Davie**  
**Project Manager**  
**on behalf of National Highways**  
**Date: 12/06/2023**

Signed.....

**Tom French**  
**Authorised Agent**  
**on behalf of the Brice Family**  
**Date:**

For the submission of the Statement of Common Ground for Deadline 4, between **National Highways** and the **Brice Family**, updates have been made in the following sections of the document:

<b>Location</b>	<b>Update made</b>
Record of Engagement	Four meetings held: one design meeting; two monthly meetings; one SoCG meeting. Emails exchanged regarding the land to the north of Whetmead Nature Reserve.
Issues agreed	Addition of 3.1.4 (formerly 1e in "Issues in discussion" in Deadline 2 submission). Addition of 3.1.5, 3.1.6, 3.1.7 and 3.1.8 which were previously 3.2.4, 3.2.14a, 3.2.2. and 3.2.7a respectively.
Issues in discussion	Updates added to 3.2.3, 3.2.8, 3.2.13, 3.2.15 and 3.2.18. Addition of 3.2.8a, 3.2.8b, 3.2.14a.

For the submission of the Statement of Common Ground for Deadline 6, between **National Highways** and the **Brice Family**, updates have been made in the following sections of the document:

<b>Location</b>	<b>Update made</b>
Record of Engagement	Three meetings held: two monthly meetings and one SoCG meeting. Email correspondence regarding agent fee clarification. A sketch was provided showing the Proposed High Pressure Gas Diversion Layout. There were also emails back and forth with SoCG comments and updates.
Issues agreed	Addition of 3.2.2, 3.2.4, 3.2.7a and 3.2.14a (formerly in "Issues in discussion").
Issues in discussion	Removal of 3.2.1, 3.2.6, 3.2.8, 3.2.7 and 3.2.9. Updates added to 3.2.3, 3.2.5, 3.2.8a, 3.2.14 and 3.2.18. Addition of 3.2.7b.

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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

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 subsoil	– 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.

		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

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 - subsoil	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 - subsoil	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 - subsoil	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 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**

<b>Date</b>	<b>Form of correspondence</b>	<b>Key Topic discussed and key outcomes (the topics should align with the Issues tables)</b>
2 <sup>nd</sup> March 2017	Letter/Email from NH	Brice Family response to A12 Scheme Public Consultation.
16 <sup>th</sup> October 2019	Email from NH to Brice Family	Email from NH to Simon Brice. Preferred Route Announcement (PRA) letter attached.
18 <sup>th</sup> October 2019	Meeting between Brice Family and NH	Simon Brice, Oliver Brice, Dan Walker, Ritchie Burcombe, Paul Sprague, Hannah Beaton, Colin Chambers, Mic Brown and Steve Thomas attended.  Key topics discussed: <ul style="list-style-type: none"> <li>• Understanding the Brice Family's Business</li> <li>• Establishing Working Relations</li> <li>• Timescales</li> <li>• Pre-DCO Options</li> <li>• Short Term Considerations / 'Burning Issues'</li> </ul>
11 <sup>th</sup> December 2019	Meeting between Brice Family and NH	Simon Brice, Oliver Brice, Peter Cole, Dan Walker, Ritchie Burcombe, Paul Sprague, Steve Yates, Hannah Beaton and Steve Thomas attended.  Key topics discussed: <ul style="list-style-type: none"> <li>• Survey Access</li> </ul>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> <li>• Brice Family's outstanding and proposed applications/business developments</li> <li>• A12 project progress</li> <li>• Land and Works Agreement</li> <li>• Opportunities</li> <li>• AOB</li> </ul>
9 <sup>th</sup> March 2020	Meeting between Brice Family and NH	<p>Simon Brice, Oliver Brice, Peter Cole, Dan Walker, Paul Sprague, Steve Thomas, Tony Luong, Phillip Alliston and Hannah Beaton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Survey Access</li> <li>• BAL Proposed and Outstanding Planning Applications &amp; Business Developments</li> <li>• Development of Backfill Opportunity</li> <li>• A12 Project Progress</li> <li>• Land &amp; Works Agreement</li> <li>• AOB</li> </ul>
25 <sup>th</sup> June 2020	Letter from NH	Coleman's Farm Quarry – Alternative Restoration Proposal letter
9 <sup>th</sup> July 2020	Microsoft Teams meeting between Brice Family and NH	<p>Oliver Brice, Peter Cole, Jo Baxter, Charles Ashby, Adam Hemingway and Chris Gower attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Survey Access/Licence</li> <li>• Site Visit</li> <li>• Restoration Scheme</li> <li>• AOB</li> </ul>
14 <sup>th</sup> July 2020	Microsoft Teams meeting between Brice Family and NH	<p>Simon Brice, Oliver Brice, Peter Cole, Dan Walker, Jo Baxter, Phillip Alliston, Richard Monaghan, Paul Sprague, Steve Thomas and Hannah Beaton attended.</p> <p>Key topics discussed:</p>



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> <li>• Update on A12 Progress (design for Junction 22, speed limit, levelling, access)</li> <li>• Business update from BAL</li> <li>• Restoration &amp; Extension proposals</li> <li>• AOB</li> </ul>
13 <sup>th</sup> January 2021	Microsoft Teams meeting between Brice Family and NH	<p>Simon Brice, Oliver Brice, Peter Cole, Dan Walker, Jo Baxter, Eleanor Foody, Paul Sprague, Martin Baughurst, Phillip Alliston, Hannah Beaton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Survey Access</li> <li>• Brice Family Proposed and Outstanding Planning Applications &amp; Business Developments</li> <li>• A12 Project Progress</li> <li>• A12 works</li> <li>• Backfill and Extension Proposals</li> <li>• AOB</li> </ul>
12 <sup>th</sup> February 2021	Letter from NH	Request for Information (RFI) letter.
1 <sup>st</sup> April 2021	Letter from Brice Family	Completed RFI letter returned.
14 <sup>th</sup> April 2021	Microsoft Teams meeting between Brice Family and NH	<p>Oliver Brice, Dan Walker, Alan Cobb, Jo Baxter, Robert Baker, Agnieszka Kalinowska, Paul Sprague, Lee Lyons, Giri Sathasivam, Chui Loung Man and Phillip Alliston attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Backfill Agreement BAL Specification queries <ul style="list-style-type: none"> <li>-Angle of Shear Resistance</li> <li>-Material Classes</li> <li>-Liability</li> </ul> </li> <li>• AOB</li> </ul>
4 <sup>th</sup> May 2021	Letter from Brice Family	Letter from Strutt & Parker to National Highways.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<p>Brice Family comments on scheme proposal prior to Statutory Consultation.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Background</li> <li>• Design Queries – Environmental/Mitigation land, Access to Quarry, Red Line Extension, Balancing Pond, Access off Roundabout, Grassland, Alternative Location, Compound, Irrigation Pipe</li> <li>• Business and Access Continuity – Quarry, Farm, Commercial Lets</li> <li>• Sharing of Information to Mitigate Impact</li> <li>• Conclusions and Next Steps</li> </ul>
20 <sup>th</sup> May 2021	Microsoft Teams meeting between Brice Family and NH	<p>Design Fix 2 meeting.</p> <p>Simon Brice, Oliver Brice, Peter Cole, Kevin Argent, Dan walker, Jo Baxter, Philip Baker, Helen Mullin, Stephen Mills, Asit Modi, Paul Sprague, Phillip Alliston and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Scheme Overview</li> <li>• Consultation</li> <li>• Communication</li> <li>• Environment and Ecology (quantity of ecological mitigation land and pond placement, retention, species)</li> <li>• Red Line Boundary</li> <li>• Hedgerows</li> <li>• Gravel Restoration</li> <li>• Drainage</li> <li>• Compound area and access</li> <li>• AOB</li> </ul>
18 <sup>th</sup> June 2021	Letter from NH	Section 42 letter.
25 <sup>th</sup> June 2021	Letter from NH	Letter from National Highways to Strutt & Parker.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		Letter of response. Brice Land Interests and Appleford Farm and Parkgate Farm letter.
22 <sup>nd</sup> July 2021	Letter from NH	Agricultural questionnaire.
13 <sup>th</sup> August 2021	Email from Brice Family to NH	Email from Tom French to NH. Brice Family Response to Preliminary Design Consultation.
5 <sup>th</sup> November 2021	Letter from NH	Supplementary Consultation – Section 42 - letter and current Land Plan attached.
10 <sup>th</sup> November 2021	Microsoft Teams meeting between Brice Family and NH	Design Fix 4 update meeting. Simon Brice, Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Chris Alves-Greenland, Phillip Alliston and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> <li>• Property Contacts</li> <li>• Latest drawings</li> <li>• Environmental Mitigation (reducing land take, land next to reservoir, borrow pits)</li> <li>• Utilities</li> <li>• Programme Dates</li> </ul>
16 <sup>th</sup> November 2021	Microsoft Teams meeting between Brice Family and NH	Backfill Agreement discussion. Oliver Brice, Alan Cobb, Tom French, Joe Hearnden, Graeme Provan, Jo Baxter, Robert Baker, Phillip Alliston and Louisa Garvey attended. Key topics discussed: <ul style="list-style-type: none"> <li>• Liability</li> <li>• Timescale</li> <li>• Planning Application for Extension</li> <li>• Costing Base</li> <li>• Processing Plant Relocation</li> <li>• Surveys/Piezometer Monitoring</li> <li>• Environmental Mitigation</li> <li>• Cadent Gas Main</li> </ul>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
18 <sup>th</sup> November 2021	Email from Brice Family to NH	Email from Oliver Brice to Jo Baxter and Paul Sprague. Backfill agreement comments provided.
7 <sup>th</sup> December 2021	Microsoft Teams meeting between Brice Family and NH	Ecology meeting. Simon Brice, Oliver Brice, Joe Hearnden, Jo Baxter, Alexandra Jeal, Helen Alderman, Phillip Alliston and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> <li>• Discussions on land for Ecology and proposed locations (concerns for the quarry)</li> <li>• Cadent Gas Main</li> <li>• Soil Storage Relocation</li> <li>• Fencing</li> <li>• Access Pond – alternative location</li> </ul>
9 <sup>th</sup> December 2021	Meeting between Brice Family and NH	Simon Brice, Oliver Brice, Ricardo Almansi, Jarod Williams, Lee Lyons and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> <li>• Programme dates</li> <li>• Planning Application</li> <li>• Cadent Gas Main</li> </ul>
11 <sup>th</sup> January 2022	Microsoft Teams meeting – January Monthly Meeting	Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Paul Sprague, Phillip Alliston and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> <li>• Backfill Agreement</li> <li>• Planning Application</li> <li>• Actions from previous meeting</li> <li>• Processing Plant Relocation</li> <li>• Design</li> <li>• Survey Access</li> <li>• AOB</li> </ul>
21 <sup>st</sup> January 2022	Email from Brice Family to NH	Email from Oliver Brice to Jo Baxter.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		Plant site options attached and costing spreadsheet shared. Breakdown of costs provided. Next steps.
15 <sup>th</sup> February 2022	Microsoft Teams meeting – February Monthly Meeting	<p>Simon Brice, Oliver Brice, Jo Baxter, Paul Sprague, Phillip Alliston and Megan Doherty attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Scheme Update</li> <li>• Planning Applications</li> <li>• Backfill Agreement</li> <li>• Legal Agreement</li> <li>• Cadent Gas Main</li> <li>• Processing Plant Relocation</li> <li>• Environmental Design</li> <li>• AOB</li> </ul>
10 <sup>th</sup> March 2022	Microsoft Teams meeting – March Monthly Meeting	<p>Oliver Brice, Tom French, Joe Hearnden, Richard Baafi, Paul Sprague, Jo Baxter, Phillip Alliston and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Survey Access</li> <li>• Design</li> <li>• Drainage Ponds – cross contamination concerns</li> <li>• DCO Programme</li> <li>• Planning Application Programme</li> <li>• Backfill agreement</li> <li>• Cadent Gas Main</li> <li>• Processing Plant Relocation</li> <li>• Position Statement</li> </ul>
5 <sup>th</sup> April 2022	Microsoft Teams meeting – April Monthly Meeting	<p>Simon Brice, Oliver Brice, Tom French, Jo Baxter, Paul Sprague, Lee Lyons, Jarod Williams, Gareth Miles, Phillip Alliston and Laura Crumpton attended.</p> <p>Key Topics:</p>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> <li>• Gas Main Diversion</li> <li>• Backfill Agreement</li> <li>• Gas Main Easements</li> </ul>
14 <sup>th</sup> April 2022	Letter from NH	Early Negotiations letter.
19 <sup>th</sup> April 2022	Microsoft Teams meeting – April Monthly Meeting	<p>Simon Brice, Oliver Brice, Tom French, Joe Hearnden, Paul Sprague, Jo Baxter and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Surveys</li> <li>• Ecology Redesign</li> <li>• Planning Application</li> <li>• Backfill Agreement</li> <li>• Processing Plant Relocation</li> <li>• Position Statement</li> <li>• AOB</li> </ul>
13 <sup>th</sup> May 2022	Letter from NH	Supplementary Consultation letter.
17 <sup>th</sup> May 2022	Microsoft Teams meeting – May Monthly Meeting	<p>Simon Brice, Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Paul Sprague and Megan Doherty attended.</p> <p>Key Topics discussed:</p> <ul style="list-style-type: none"> <li>• Scheme update</li> <li>• DCO submission</li> <li>• Brice update</li> <li>• Backfill agreement</li> <li>• Processing Plant Relocation</li> <li>• Position Statement</li> <li>• Early Agreement letter</li> <li>• Site Visit 20<sup>th</sup> June</li> <li>• AOB</li> </ul>
20 <sup>th</sup> June 2022	Site visit and meeting at Colemans farm	<p>Simon Brice, Oliver Brice, Tom French, Jonathan Purkiss, Nick Merriman, Paul Sprague, Jo Baxter, Phillip Alliston and Dan Walker attended.</p> <p>Key Topics discussed:</p>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> <li>• Processing Plant Relocation</li> <li>• Early Works Access</li> <li>• Red Line Boundary and Land Plans</li> <li>• Surveys,</li> <li>• AOB – General Update</li> </ul>
21 <sup>st</sup> June 2022	Microsoft Teams meeting - June Monthly Meeting	<p>Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Paul Sprague, Phillip Alliston and Laura Crumpton attended.</p> <p>Key Topics discussed:</p> <ul style="list-style-type: none"> <li>• Backfill Agreement</li> <li>• Processing Plant Relocation</li> <li>• Surveys – Utility and Intrusive</li> <li>• Position Statement/SoCG</li> <li>• Plan Changes</li> <li>• Cadent Gas Main</li> <li>• AOB – agricultural vehicle use of the A12</li> </ul>
24 <sup>th</sup> June 2022	Email from NH to Brice Family	<p>Email from Paul Sprague to Simon Brice and Oliver Brice.</p> <p>Answers provided to land questions - area to east of Braxted Road (11/4g), 11/4j, 12/16a.</p>
19 <sup>th</sup> July 2022	Microsoft Teams meeting - July Monthly Meeting	<p>Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Maxine Ahern, Paul Sprague, Phillip Alliston and Laura Crumpton attended.</p> <p>Key Topics discussed:</p> <ul style="list-style-type: none"> <li>• Survey access licence</li> <li>• Backfill Agreement</li> <li>• Processing Plant Relocation</li> <li>• Position Statement/SoCG</li> <li>• Outstanding Actions</li> <li>• Cadent Gas Main</li> <li>• DCO Submission</li> </ul>
3 <sup>rd</sup> August 2022	Email from NH to Brice Family	Email from Paul Sprague to Tom French.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		Details provided about (Agricultural) Slow Moving vehicles on the proposed A12.
11 <sup>th</sup> August 2022	Microsoft Teams meeting - August Monthly Meeting	<p>Simon Brice, Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Maxine Ahern, Phillip Alliston and Megan Doherty attended.</p> <p>Key Topics discussed:</p> <ul style="list-style-type: none"> <li>• Project Update</li> <li>• Backfill Agreement</li> <li>• Processing Plant</li> <li>• Position Statement</li> <li>• Survey access/ Licence Agreement</li> <li>• Early Land Negotiations</li> <li>• AOB</li> </ul>
22 <sup>nd</sup> August 2022	Email from NH to Brice Family	Email from Phillip Alliston to Tom French. Sample easement from Cadent Gas provided.
16 <sup>th</sup> September 2022	Email from Brice Family to NH	Email from Oliver Brice to Jo Baxter. Report evaluating the options for the possible relocation and change in raw materials supplies for the ready mixed concrete operation at Brice Aggregates Coleman's Quarry attached.
20 <sup>th</sup> September 2022	Microsoft Teams meeting - September Monthly Meeting	<p>Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Maxine Ahern, Phillip Alliston and Megan Doherty attended.</p> <p>Key Topics discussed:</p> <ul style="list-style-type: none"> <li>• Project Update</li> <li>• Survey Access</li> <li>• Backfill agreement – Planning Application update, Commercial Negotiations, Programme</li> <li>• Processing Plant Relocation – Pre-Application Activity, Heads of Terms</li> <li>• Position Statement</li> <li>• AOB – Rose Cottage &amp; Cadent Gas Main</li> </ul>



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
18 <sup>th</sup> October 2022	Microsoft Teams meeting - October Monthly Meeting	<p>Oliver Brice, Joe Hearnden, Tom French, Jo Baxter, Maxine Ahern, Graeme Provan, Paul Sprague, Phillip Alliston and Laura Crumpton attended.</p> <p>Key Topics discussed:</p> <ul style="list-style-type: none"> <li>• Scheme update</li> <li>• Backfill agreement</li> <li>• Processing Plant Relocation</li> <li>• Position Statement</li> <li>• Cadent Gas Main</li> <li>• Actions from Previous Meeting</li> <li>• AOB</li> </ul>
8 <sup>th</sup> November 2022	Email from NH to Brice	<p>Email from Jo Baxter to Simon Brice, Oliver Brice and Tom French.</p> <p>Explanation provided from the Valuation Office Agency (VOA) regarding the Relocation of the Batching Plant.</p>
9 <sup>th</sup> November 2022	Email from NH to Brice Family	<p>Email from Jo Baxter to Oliver Brice and Tom French.</p> <p>Draft Heads of Terms for Relocating Processing Plant.</p>
15 <sup>th</sup> November 2022	Microsoft Teams meeting - November Monthly Meeting	<p>Simon Brice, Oliver Brice, Joe Hearnden, Jo Baxter, Maxine Ahern, Paul Sprague, Phillip Alliston and Laura Crumpton attended.</p> <p>Key Topics discussed:</p> <ul style="list-style-type: none"> <li>• DCO update</li> <li>• Survey Works</li> <li>• Detailed Design &amp; Position Statement</li> <li>• Backfill Agreement</li> <li>• Processing Plant Relocation</li> <li>• Cadent Gas Main</li> <li>• Actions from Previous Meeting</li> <li>• AOB</li> </ul>
17 <sup>th</sup> November 2022	Email from Brice Family to NH	Email from Oliver Brice to Jo Baxter and Paul Sprague.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		Colemans Infill Programme and Backfill Agreement. Updated programme of working and restoration of the Colemans Quarry land within the red line boundary provided. Comments provided regarding the Backfill Agreement.
14 <sup>th</sup> December 2022	Microsoft Teams meeting - December Monthly Meeting	Simon Brice, Oliver Brice, Tom Hearnden, Jo Baxter, Paul Sprague, Phillip Alliston and Laura Crumpton attended. Key Topics discussed: <ul style="list-style-type: none"> <li>• Backfill Agreement</li> <li>• Scheme Update</li> <li>• Surveys</li> <li>• SoCG</li> <li>• Processing Plant</li> <li>• Cadent Gas Main</li> </ul>
17 <sup>th</sup> January 2023	Microsoft Teams meeting - January Monthly Meeting	Simon Brice, Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Maxine Ahern, Paul Sprague, Phillip Alliston and Laura Crumpton attended. Key Topics discussed: <ul style="list-style-type: none"> <li>• Scheme Update</li> <li>• Design Timetable</li> <li>• Irrigation Pipe</li> <li>• Backfill Agreement</li> <li>• Processing Plant</li> <li>• SoCG</li> <li>• Cadent Gas Main</li> <li>• AOB</li> </ul>
2 <sup>nd</sup> February 2023	Microsoft Teams meeting – SoCG meeting	Tom French, Joe Hearnden, Jo Baxter, Phillip Alliston and Isabel Doyle attended.
10 <sup>th</sup> February 2023	Microsoft Teams meeting – SoCG meeting	Tom French, Joe Hearnden, Phillip Alliston and Isabel Doyle attended.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
21 <sup>st</sup> February 2023	Microsoft Teams meeting – February Monthly Meeting	<p>Simon Brice, Oliver Brice, Tom French, Jo Baxter, Maxine Ahern, Paul Sprague, Phillip Alliston and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Scheme Update</li> <li>• Backfill Agreement</li> <li>• Processing Plant Relocation</li> <li>• SoCG</li> <li>• Cadent Gas Main</li> </ul>
24 <sup>th</sup> February 2023	Email from NH to Brice Family	<p>Email from Phillip Alliston to Tom French.</p> <p>Land near Whetmead Nature Reserve. Enquired whether the Brice Family would consider selling the land to the north of the Whetmead Nature Reserve as the project is looking to transfer land to Witham Town Council to replace open space land lost to the scheme.</p>
27 <sup>th</sup> February 2023	Email from Brice Family to NH	<p>Email from Tom French/Simon Brice to Phillip Alliston.</p> <p>The Brice Family confirmed they are not looking to sell any land.</p>
21 <sup>st</sup> March 2023	Microsoft Teams meeting	<p>Design meeting.</p> <p>Simon Brice, Oliver Brice, Jo Baxter, Maxine Ahern, Chris Black, Patrick Cunniffe, Paul Sprague, Tom French, Joe Hearnden, Daniel Smee, Andrew Proctor, Phillip Alliston and Isabel Doyle attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Design Update</li> <li>• Stage 5 Schedule</li> <li>• Flood Risk</li> <li>• Ecology</li> <li>• Restoration plan</li> <li>• Farm and Property Accesses</li> <li>• Quarry Entrance</li> <li>• AOB</li> </ul>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
21 <sup>st</sup> March 2023	Microsoft Teams meeting – March Monthly Meeting	<p>Simon Brice, Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Maxine Ahern, Paul Sprague, Phillip Alliston and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Scheme and DCO update</li> <li>• Advanced Works</li> <li>• Backfill</li> <li>• Processing Plant Relocation – Planning Application, Heads of Terms</li> <li>• SoCG</li> <li>• Cadent Gas Main</li> <li>• Actions from Previous Meeting</li> </ul>
24 <sup>th</sup> March 2023	Microsoft Teams meeting – SoCG meeting	Tom French, Phillip Alliston and Isabel Doyle attended.
19 <sup>th</sup> April 2023	Microsoft Teams meeting – April Monthly Meeting	<p>Simon Brice, Oliver Brice, Tom French, Joe Hearnden, Jo Baxter, Paul Sprague, Phillip Alliston and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> <li>• Scheme update</li> <li>• Design update</li> <li>• Backfill</li> <li>• Processing Plant Relocation – Planning Application update</li> <li>• SoCG</li> <li>• Cadent Gas Main</li> <li>• Outstanding Actions</li> </ul>
19 <sup>th</sup> April 2023	Email from NH to Brice Family	<p>Email from Paul Sprague to Tom French.</p> <p>Proposed High Pressure Gas Diversion Layout sketch provided.</p>
16 <sup>th</sup> May 2023	Microsoft Teams meeting – May Monthly Meeting	<p>Simon Brice, Oliver Brice, Tom French, Joe Hearnden. Jo Baxter, Paul Sprague, Phillip Alliston and Laura Crumpton attended.</p> <p>Key topics discussed:</p>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> <li>• Scheme Update</li> <li>• Backfill</li> <li>• Processing Plant Relocation</li> <li>• SoCG (Phasing, Timings, Road Closures, Security, Permanent Farm Access, Slow Moving Vehicles, Access for Lorries)</li> <li>• Cadent Gas Main</li> <li>• Outstanding Actions</li> <li>• AOB (Payment, Footpath, Bridge, Personnel Change)</li> </ul>
17 <sup>th</sup> May 2023	Email from NH to Brice Family	Email from Jo Baxter to Tom French. Fee clarification.
22 <sup>nd</sup> May 2023	Microsoft Teams meeting – SoCG meeting	Tom French, Joe Hearnden, Phillip Alliston and Laura Crumpton attended.
22 <sup>nd</sup> May 2023	Email from NH to Brice Family	Email from Phillip Alliston to Tom French. Updated SoCG attached.
26 <sup>th</sup> May 2023	Email from Brice Family to NH	Email from Tom French to Phillip Alliston. Updated SoCG attached with landowner comments.

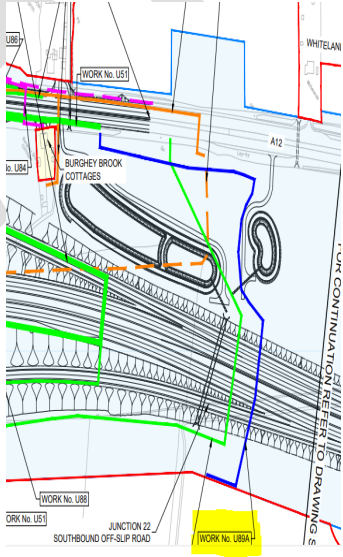
2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) The Brice Family or their Agent in relation to the issues addressed in this SoCG.

### 3 Issues

#### 3.1 Issues agreed

**Table 3.1 Issues agreed.**

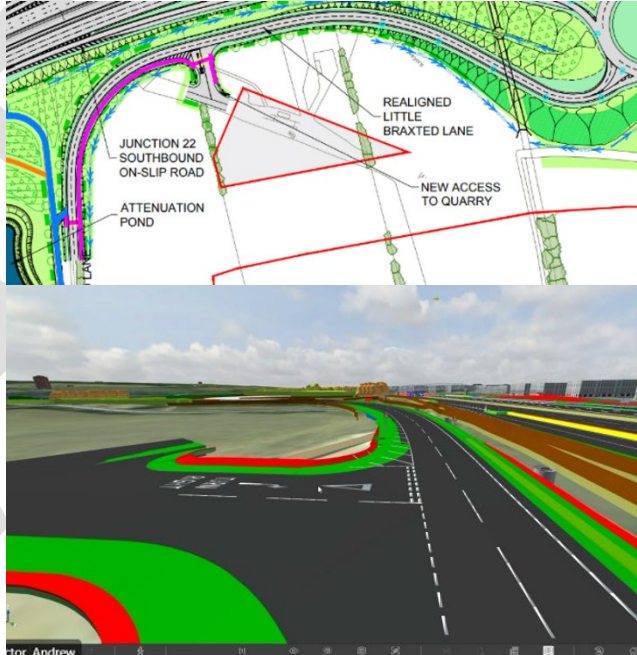
Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
3.1.1.	Colemans Reservoir Fishery		Colemans Reservoir is used as a leading coarse fishery with numerous large specimen fish contained within its waters. Any land take of the reservoir would irreparably compromise this 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
3.1.2.	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 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.	Agreed	Feb 2023

Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
3.1.3.	Irrigation of Rivenhall Oaks Golf Centre		<p>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>	<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

Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
3.1.4.	Location of Balancing Pond outside Colemans Farmhouse		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 the river is at full bank flow. This could increase flooding from the ditch and cause the house to flood. The Brice Family wanted confirmation that National Highways have done a flood risk assessment with regards to this and whether the Environment Agency had any comments.	The drainage ponds have now been relocated to the land to the west and the outfall flows will be attenuated such that discharge rates into the watercourse should be slightly lower than existing runoff from equivalent catchment areas. The design has been catered to not increase flow.	Agreed	Apr 2023
3.1.5.	Environmental/Ecological Mitigation Land		Impact on future use of adjoining land/quarry options.	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	Agreed	May 2023



Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
				<p>does not have a detrimental impact on the Quarrying operations.</p> <p>The Applicant confirmed to the Brice Family that reptiles will be in this area and that they are likely to exist in these areas currently and will naturally migrate to hedge rows and landscaping proposed, so they will be fairly contained.</p> <p>There are no proposals for Great Crested Newts in this area; the Applicant is using a district level licence with Natural England for offsite habitats for these.</p>		
3.1.6.	Quarry Entrance – Design for permanent access.		The Brice Family have concerns whether the straight bell mouth to two way Little Braxted Lane has sufficient splay for HGVs. There is no filter lane to turn into it as traffic will turn onto the roundabout.	<p>The proposed speed limit for this road is 40mph, as detailed in the DCO 2.3.1 Traffic Regulation Measures Speed Limits. The fence line has been pushed back to help with visibility lines. The visibility lines have been tied into the proposed speed limit.</p> <p>National Highways can confirm that sight lines and visibility splays provided have been designed in accordance with the relevant standard, The Essex Design Guide, for the proposed design speed. This should ensure the access is safe and fit for use by the Brice Family.</p> <p>A footway and an uncontrolled crossing is planned in this location as shown on the</p>	Agreed	May 2023

Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
				<p>General Arrangement Plans and is progressing through the detailed design process.</p> 		
3.1.7.	Environmental Offsetting – 10% Biodiversity Net Gain		<p>As part of the gravel reinstatement, BAL have to provide environmental offsetting on the reinstated land.</p> <p>All biodiversity enhancement and</p>	<p>The Applicant can confirm it has taken into account the Brice restoration plan when calculating Biodiversity Net Gain (BNG) and our forecast gain therefore compensates for losses on Brice land. At DCO submission, calculations were based on the plan which was consented at the time. The Applicant has recently</p>	Agreed	May 2023


Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
			habitat creation which BAL would have created under their planning consents on the A12 land should be re-provided elsewhere by the Applicant within the scheme.	recalculated based on the recently consented Brice plan, and actually the BNG scores come out better (without changing the existing design), because the revised plan has lower scoring habitats within the A12 footprint.		
3.1.8.	Farming Operations – Permanent Impact		<p>Simon Brice owns land at Parkgate Farm, CM8 3PS, north of the A12. The continued use of Braxted Road for agricultural machinery going through Rivenhall End is absolutely essential for the functioning of the farming business.</p> <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.</p>	<p>Discussions on permanent farm access took place on 23<sup>rd</sup> May at the monthly engagement meeting with the Brice's. National Highways asked if there were any other permanent concerns for the farming operations. Simon Brice confirmed the proposals are acceptable if there are no changes.</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]. 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.</p> <p>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</p>	Agreed	May 2023

Ref	Issue	Doc Reference	Brice Family Position	National Highways Position	Status	Date
				<p>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>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. The Applicant is satisfied that a reasonable alternative exists and has been engaging in discussions with the Brice Family around accommodation works.</p>		

### 3.2 Issues in discussion

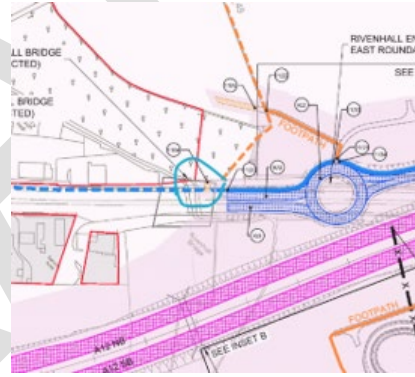
**Table 3.2 Issues in discussion.**

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
3.2. 3.	Balancing Ponds		<p>Main concerns:</p> <ul style="list-style-type: none"> <li>• Can the freehold be retained if there is a requirement for any balancing ponds on the Brice Family's land?</li> <li>• A number of waterbodies are to be provided by the Brice Family as part of the quarry restoration. Has the presence of these been included in the hydrology modelling and considered in setting the need for balancing ponds on the Brice Family's land?</li> </ul> <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>	<p>The updated drainage design was discussed in a meeting/call on 10<sup>th</sup> 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. The drainage ponds will not have any interface with Quarry restoration due to nature of the water quality that would be collected for road runoff. From the hydrology point of view, these restoration works sits downstream of the scheme so they should not be a part of our assessment.</p> <p>The outfall flows from drainage ponds will be attenuated such that discharge rates into the watercourse should be slightly lower than existing runoff from catchment areas. The design has been catered to not increase flow.</p> <p>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.</p>	Under discussion	June 2023

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
3.2.5.	Land Take and Red Line Boundary on Environmental/ Ecological Mitigation Areas		<p>The Brice Family note that the current DCO order limits (the red line boundary) will be reduced and refined.</p> <p>The Brice Family 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. The Brice Family requested a final design of the permanent accommodation works.</p>	<p>The Applicant has met with the Brice Family on over twenty five 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 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 believes that all of the land included within Order Limits is required for the proposed scheme.</p>  <p>The Applicant is still awaiting confirmation of Cadent detailed design regarding utility diversions and the Applicant will discuss further</p>	Under discussion	June 2023



Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				with the Brice Family once further information is available.		
3.2.7b	Agricultural Vehicles – Access to Farm during construction period		<p>To ensure continuity of farming operations, agricultural vehicles must have access at all times during construction.</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>During construction, to minimise any disruption to the commercial and farming businesses, the Applicant will ensure that accesses are maintained during daytime operational hours where 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> <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 phasing is being developed to maintain access to the Brice Family's business operations during normal operating hours. Order limits at this</p>	Under discussion	May 2023

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				<p>location and land use plans have taken into consideration these requirements.</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>		
3.2.8a.	Access to Willow planted land off Henry Dixon Road		<p>Access to the willow plantation is needed for timber extraction. If access is not possible then National Highways will need to acquire that land also.</p> <p>The Brice Family request confirmation that access for vehicles used for timber extraction will be capable of having the access provided and that the Brice Family will have all legal rights necessary to enter the willow plantation from the adopted highway.</p>	<p>Brice will have an access off the old A12 which will become a local road. PMA's are shown on the Streets and Rights of Way plans.</p> 	Under Discussion	Apr 2023
3.2.8b.	Farm Access – Access from Rivenhall Roundabout		<p>The access must be suitable for a combine, tractors and trailers with 15t of grain. The Brice Family would like the gate to be set back to accommodate a tractor and trailer. The exact size is to be confirmed but it is anticipated to be similar to a 16.5m articulated HGV.</p>	<p>A drop section is proposed in the middle of the roundabout with a different pavement construction. The gate is proposed to be moved so as to not impede on the roundabout. The Applicant will ensure the access can accommodate large agricultural vehicles and the gate will be pushed back accordingly to cater for a tractor and trailer.</p>	Under discussion	Apr 2023



Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
3.2.10.	Commercial shoot		<p>The Project will have a detrimental impact on the commercial game shoot that operates over Simon Brice's and BAL's land interest both: during survey; 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 – 1<sup>st</sup> 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>	This will be taken into account whilst the detailed design is developed.	Under discussion	Feb 2023
3.2.11a.	Commercial Lets Access – Temporary		<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 the A12 Scheme?</p> <p>There are a number of commercial lets at Appleford Farm which consist of mixed office, storage and distribution use</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	May 2023

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			<p>across seven units, uses include sorting and distribution for a large parcel delivery franchise. As part of the requirements 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 commercial 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>		

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
3.2.12.	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 results 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
3.2.13.	Biodiversity Priority Habitats – Quarry Restoration		Whilst discussions have been progressing well and collaboratively regarding a revised restoration of Colemans 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 <a href="https://cmis.essex.gov.uk/essexcmis5/Calendaro">https://cmis.essex.gov.uk/essexcmis5/Calendaro</a>	Under discussion	May 2023


Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				<p>fMeetings/tabid/73/ctl/ViewMeetingPublic/mid/410/Meeting/5046/Committee/37/SelectedTab/Documents/Default.aspx.</p> <p>ESS/98/21/BTE Granted subject to S.106 – for increase on HGV, re-phasing and inert materials recycling facility in advance of the A12 scheme.</p> <p>Ess/51/21/BTE Granted subject to S.106 – for the importation of raised sand and gravel from a proposed western extension to the site; the importation of inert materials.</p> <p>ESS/36/21/BTE Granted subject to S.106 – for the Proposed western extension to the current site using existing approved facilities.</p> <p>The Applicant has factored in the Quarry Restoration Plan as of when the DCO was submitted (August 2022). Now new consent has been granted, the Applicant is looking to work with the Brice Family to see if any revisions to DCO documents or programme are required.</p>		
3.2.14.	Access to main Highway - Temporary		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	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	<u>Under Discussion</u>	May 2023

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			<p>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 requested access at all times to ensure continued business operations and that any temporary impact will be mitigated.</p>	<p>maintain access to BAL’s operations during normal operating hours.</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>The issue on access at all times is currently being reviewed by the Applicant. Updates will be provided when available.</p>		
3.2.15.	Operation of Quarry – during and post scheme to include both the Processing and Batching Plant		<p>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.</p>	<p>The Applicant has been engaging with 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</p>	Under discussion	May 2023

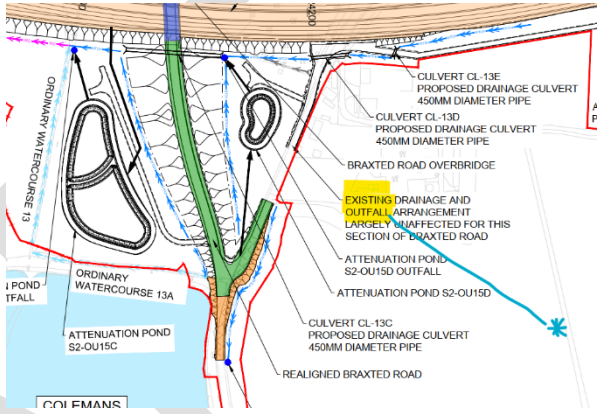
Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				Family have been holding regular monthly meetings since January 2022 and Heads of Terms for relocation of the processing plant were sent to BAL by the Applicant in November 2022. The Applicant met with BAL on 17 <sup>th</sup> January 2023, where BAL advised that they hope to respond to the Heads of terms in February 2023. An application has been submitted for the relocation of the on-site processing plant, Ready Mix Concrete plans and ancillary features on 28 <sup>th</sup> April 2023. A Screening Opinion was submitted for this application (ESS/45/22/BTE/SO) which determined that the proposed application requires EIA. Pre-application activities such as public consultation and survey work have been carried out.		
3.2.16.	Compound		<ul style="list-style-type: none"> <li>How are National Highways planning to access this?</li> <li>Will there be a slip road off the existing A12 heading north bound? Alternatively, will there be an access off the roundabout?</li> </ul> <p>Simon Brice wishes to retain ownership and is prepared to enter into suitable</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>	Under discussion; awaiting detailed design and negotiations with the District Valuer.	Feb 2023

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
			agreement with National Highways to facilitate this.	National Highways will always endeavour to secure the land it requires by negotiation where this can be agreed on reasonable terms.		
3.2.17.	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	Feb 2023
3.2.18.	Rose Cottage – plot 11/10a		<p>Taking this land will affect the visibility splay for the access to Rose Cottage. There are concerns about the safety of the access out on to the main road. There are concerns on the visibility splay for the heavy vehicle movements that use the farm buildings behind Rose Cottage.</p> <p>The Brice Family need a better understanding of the front drive access to Rose Cottage and the link to the southern properties.</p>	<p>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.</p> <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>	Under discussion	May 2023



Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				 <p data-bbox="1144 922 1776 1054">The detail is not yet finalised but the tie end vertically is now proposed before the Rose Cottage Access which will result in no change to the driveway itself.</p> <p data-bbox="1144 1074 1776 1137">There is now a stub proposed rather than a through route and traffic will be much lighter.</p>		



Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				 <p>The intention of the design is to provide drainage to the road that goes up and over the A12, and the changes to the road where that ties into the existing Braxted Road (shown green and orange above). These roads will be designed to the DMRB standard for drainage.</p> <p>The road between the green section and the proposed A12 (between the proposed pond and Fair Rest) will be retained as existing, drainage serving this area will be drained as it is, or it will be collected and conveyed into a new drainage system.</p>		

Ref	Issue	Doc Ref	Brice Family Position	National Highways Position	Status	Date
				Runoff from the proposed road and embankments will be collected in the proposed drainage system.		

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**Acronyms**

<b>Abbreviation</b>	<b>Term</b>
AOB	Any Other Business
BAL	Brice Aggregates Limited
BF	Brice Family
DCO	Development Consent Order
DMRB	Design Manual for Roads and Bridges
Essex CC	Essex County Council
HGVs	Heavy Goods Vehicles
J19-23	Junctions 19-23
PINS	Planning Inspectorate
SOCG	Statement of Common Ground

## 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
Balancing Ponds		
Land Take and Red Line Boundary on Environmental/Ecological Mitigation Areas *		
Agricultural Vehicles – Access to Farm during construction period		
Access to Willow planted land off Henry Dixon Road		
Farm Access – Access from Rivenhall Roundabout *		
Access in General		
Commercial Shoot *		
Commercial Lets Access - Temporary		
Commercial Lets Disruption		
Biodiversity Priority Habitats – Quarry Restoration		
Access to Main Highway - Temporary		

Statement of Common Ground with The Brice Family

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

The \* indicates that the issue is awaiting Detailed Design and is likely to be agreed once Detailed Design is available.

Note: 'Operation of Quarry – during and post scheme to include both the Processing and Batching Plant' is awaiting a decision from Essex County Council 'Land Take and Red Line Boundary on Environmental/Ecological Mitigation Areas' and 'Compound' are awaiting detailed design from Statutory Undertakers (Cadent) before they can be progressed.

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