

M5 Junction 10 Improvements Scheme

Statement of Common Ground
National Highways
TR010063 - APP 8.3

Regulation 5(2)(q)

Planning Act 2008

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

Volume 8
June 2024

Infrastructure Planning Planning Act 2008

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

M5 Junction 10 Improvements Scheme Development Consent Order 202[x]

8.3 Statement of Common Ground National Highways

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010063
Application Document Reference	TR010063/APP/8.3
Author:	M5 Junction 10 Improvements Scheme Project Team

Version	Date	Status of Version
Rev 0	October 2023	DCO Application
Rev 1	June 2024	For Deadline 1 submission

Contents

Chapter	Page
1.2. Purpose of this Document	6
1.3. Structure Statement of Common Ground	6
1.4. Status of SoCG	7
2.1. The Role of Gloucestershire County Council	8
2.2. The Role of National Highways	8
2.3. Summary of consultation	8
3.1. Principal matters agreed	11
4.1. Principal matters outstanding	18

Appendix A. Historical record of SoCG discussion prior to the submission of the DCO [Error! Bookmark not defined.](#)

Tables

Table 2-1 - Consultation with National Highways	9
Table 3-1 - Matters agreed between the Applicant and National Highways	11
Table 4-1 - Matters outstanding between the Applicant and National Highways	19

Glossary

Term	Meaning / Definition
(The) Act	The Planning Act 2008 (as amended)
(The) Applicant	Gloucestershire County Council (Strategic Development team) applying for the DCO
Biodiversity Net Gain (BNG)	Biodiversity Net Gain delivers measurable improvements for Biodiversity by creating or enhancing habitats in association with development
Carter Jonas (CJ)	Land referencing consultant working on behalf of the Applicant
Cheltenham Borough Council (CBC)	CBC is the local planning authority for Cheltenham Borough, and is a statutory consultee for the scheme, as defined under section 42(1)(b) and section 43(b) of the Act
Development Consent Order (DCO)	The consent for the construction, operation and maintenance of Nationally Significant Infrastructure Projects (NSIP) given by the relevant Secretary of State on the recommendation of the Planning Inspectorate under the Planning Act 2008 (as amended).
Environment Agency (EA)	A non-departmental public body with responsibilities relating to the protection and enhancement of the environment in England.
Environmental Impact Assessment (EIA)	A process of evaluating the likely environmental impacts of a proposed development, including inter-related socioeconomic, cultural and human health impacts, both beneficial and adverse.
Environmental Statement (ES)	Reports the findings of the EIA, including at least the information reasonably required to assess the likely significant environmental effects of the development.
Examining Authority (ExA)	The person(s) appointed by the Secretary of State (SoS) to assess the DCO application and make a recommendation to the SoS.
Flood Risk Assessment (FRA)	An assessment of the likelihood of flooding in a particular area so that development needs, and mitigation measures can be considered.
Gloucestershire County Council (GCC)	Gloucestershire County Council. It is therefore a statutory consultee for the Scheme, as defined under section 42(1)(b) and section 43(c) of the Planning Act 2008 ("the Act"). GCC is the local highway authority in Gloucestershire and is the Minerals and Waste Planning Authority (MWPA) for Gloucestershire. GCC also has statutory duties in relation to drainage, flood risk, and heritage assets and archaeology.
Historic England	Publicly funded body that champions and protects England's historic places, also known as the Historic Buildings and Monuments Commission for England.
Host Authority	The local authority, within which the Scheme would be situated, In this case, Cheltenham Borough Council, Gloucestershire County Council and Tewkesbury Borough Council.
Local Planning Authority (LPA)	The county council, metropolitan, or district council, which has statutory responsibilities within its administrative areas.
Nationally Significant Infrastructure Project (NSIP)	A project of a type and scale defined under the Planning Act 2008 and by Order of the Secretary of State (SoS) relating to energy, transport, water, wastewater and waste generally. These projects require a single development consent, which includes consents under different regimes, such as planning permission, listed building consent and scheduled monument consent.

Term	Meaning / Definition
Natural England (NE)	Executive non-departmental public body responsible for the natural environment.
Planning Inspectorate (PINS)	The Government Agency responsible for operating the planning process for NSIPs. The Planning Inspectorate is responsible for examining DCO applications and making recommendations to the relevant SoS, who will make the decision on whether to grant or to refuse development consent. The SoS for Transport takes the decision on applications for highway NSIPs.
Preferred Route Announcement	Designation of a proposed option as a 'preferred route' by the Department for Transport and provides a form of planning protection from development of land in the vicinity of the M5 Junction 10 improvement scheme
Statement of Community Consultation (SoCC)	Prepared in accordance with Section 47 of the Planning Act 2008, to inform, explain and communicate how the consultation will be undertaken.
(the) Scheme	The proposed M5 Junction 10 improvements development which is the subject of a DCO application.
Tewkesbury Borough Council (TBC)	Tewkesbury Borough Council is the local planning authority for Tewkesbury Borough and a statutory consultee for the Scheme, as defined under section 42(1)(b) and section 43(b) of the Act.
Water Framework directive	The Water Framework Directive (2000/60/EC) which established a framework for European Community action in the field of water policy.

1. Introduction

- 1.1.1. This Statement of Common Ground (SoCG) has been prepared in respect of the application for the M5 Junction 10 Improvements Scheme (“the Scheme”) made by Gloucestershire County Council (GCC) (the Applicant) to the Secretary of State for a Development Consent Order (DCO) under section 37 of the Planning Act 2008.
- 1.1.2. If made, the DCO would grant consent for the construction of improvement works to M5 Junction 10, consisting of a new all-movements junction; the widening of the A4019 east of the junction to the Gallagher Retail Park Junction; and a new link road from the A4019 to the B4634. A small section of the A4019 will also be widened to the west of the proposed junction.

1.2. Purpose of this Document

- 1.2.1. This document is a Statement of Common Ground (SoCG) between GCC (the Applicant) and National Highways in relation to the M5 J10 improvement Scheme (‘the Scheme’).
- 1.2.2. The document identifies the following between the parties:
- Matters which have been agreed; and
 - Matters currently outstanding (subject to negotiation or not agreed)
- 1.2.3. The matters which are referenced in this document are that which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, have been reported on in the Consultation Report or addressed in the Environmental Statement (ES), submitted as part of the Development Consent Order (DCO) application. This SoCG is being progressed alongside responses to the Relevant Representation made by National Highways (RR-026) as well as side agreements.
- 1.2.4. The SoCG will continue to evolve as the application for development consent progresses through the Examination stage.

1.3. Structure Statement of Common Ground

- 1.3.1. The SoCG has been updated to reflect the position of both parties at Deadline 1 on 18 June 2024. Since the 1st iteration of the SoCG was submitted with the DCO application in December 2023, a number of meetings have been held to discuss the initial issues in the SoCG and subsequent comments made in the Highways England Relevant Representation made to the Planning Inspectorate on 22nd March 2024. Therefore, historical discussions in Section 5 have been superseded / updated to reflect the comments made in the Relevant Representation and discussions in meetings.
- 1.3.2. The structure of the SoCG has deviated from that proposed in the 1st iteration SoCG. Therefore, the 2nd iteration of the SoCG has been structured on a topic based approach which as such, removes Section 3 of the 1st iteration SoCG. The issues discussed in this SoCG are grouped by topic as follows:
- Draft DCO articles, schedules, Protected Provisions
 - Environmental Statement (including carbon reporting)
 - Register of Environmental Actions and Commitments (REAC) and Environmental Management Plans
 - Transport (including modelling)
 - Land Plans, Book of Reference, Statement of Reasons
 - Funding
 - Construction

- Operation and maintenance
 - Project Control Framework and Governance
- 1.3.3. Previous Sections 4 and 5 (now Section 3 and 4) are a record of matters agreed and matters outstanding following discussions on the issues raised during the relevant representation process and following the structure set out above. The previous Table 5.1 in Section 5 is now included as an appendix to this SoCG showing historical issues discussed between parties. All issues are included in either Section 3 or 4 to record whether the matter is agreed between parties or the matter remains outstanding.

1.4. Status of SoCG

- 1.4.1. This SoCG is a correct reflection of the position of both parties at the Deadline 1 on 18 June 2024.
- 1.4.2. It is acknowledged that the views and opinions of both parties may change over time and as such this SoCG will continue to evolve as the Examination.

2. Consultation

2.1. The Role of Gloucestershire County Council

- 2.1.1. Gloucestershire County Council (GCC) is the Highway Authority for Gloucestershire, and the Applicant for the M5 Junction 10 Improvements Scheme will be promoted and delivered by GCC with support from National Highways and Homes England.
- 2.1.2. The Strategic Road Network (SRN) comprises the M5 J10 junction and is managed by National Highways. The A4019 is managed by Gloucestershire County Council as the local highway authority.

Gloucestershire County Council as Statutory Consultee

- 2.1.3. The Scheme is situated wholly within the boundaries of GCC. It is therefore a statutory consultee for the Scheme, as defined under section 42(1)(b) and section 43(c) of the Planning Act 2008 (“the Act”).
- 2.1.4. GCC is the local highway authority in Gloucestershire and is the Minerals and Waste Planning Authority (MWPA) for Gloucestershire. GCC also has statutory duties in relation to drainage and flood risk, and heritage assets and archaeology.
- 2.1.5. GCC also has statutory duties relating to Public Rights of Way (PRoW) and therefore will consider provision for walking, cycling and horse riding (WCH) within the Scheme.

2.2. The Role of National Highways

- 2.2.1. The application includes improvements to the Strategic Road Network (“SRN”) controlled by National Highways as well as improvements to the local road network managed by GCC’s Highways Authority. Therefore, National Highways have been a collaborator on aspects of the Scheme related to the SRN. National Highways also perform a separate role as a prescribed consultee under section 42 of the Planning Act 2008. This SoCG contains record of engagement with, and matters raised by National Highways in their role as a prescribed consultee rather than their role as collaborator on the Scheme.
- 2.2.2. GCC has been in consultation with National Highways during the development of the scheme’s design, including the optioneering process, non-statutory and statutory consultation in February 2022, further targeted consultation in June 2023 and S42 and S56 consultations. Consultation has continued throughout preliminary design, pre-application stage, post DCO acceptance stage, Pre-examination including Relevant Representation received by Highways England (APP-147) and into the Examination through a series of meetings. The parties have continued communicating throughout the progression of the Scheme.
- 2.2.3. During statutory and non-statutory consultations, National Highways is a statutory consultee for the Scheme, as defined under section 42(1)(b) and section 43(c) of the Planning Act 2008 (“the Act”).
- 2.2.4. A section 278 agreement (or s278) is a section of the Highways Act 1980 that allows developers to enter into a legal agreement with the local authority to make permanent alterations or improvements to a public highway, as part of a planning approval.

2.3. Summary of consultation

- 2.3.1. The engagement outlined in Table 2-1 - covers consultation with National Highways and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below but are available on request.
- 2.3.2. The consultation with National Highways to date is set in Table 2-1 - .

Table 2-1 - Consultation with National Highways

Date	Method	Parties concerned	Matters Discussed
10/06/2021	Email	National Highways	Update on intended date for preferred route announcement
16/06/2021	Email	National Highways	Update on intended date for preferred route announcement
07/12/2021	Email	National Highways	Sharing of stakeholder pack
10/12/2021	Email	National Highways	Issuing of public consultation documents
10/02/2021	Email	National Highways	Receipt of National Highways representation to statutory consultation
12/05/2021	Email	National Highways	Response provided to National Highways' feedback to statutory consultation
09/01/2022	Email	Atkins, National Highways Environment	Email sent requesting a meeting with National Highways to discuss the SoCG.
07/07/2022	Meeting Virtual	National Highways, GCC project team, Atkins planning team	Meeting held to update National Highways on the progress of the Scheme and to agree their approach to undertaking the SoCG. At this stage National Highways indicated that the initial SoCG draft should be shared with them at the point of receiving the draft DCO.
06/2021 to 10/2023	Meeting series - Virtual	National Highways, GCC project team, Atkins project team	Regular weekly progress meetings to provide updates on progress and discuss key design changes or issues.
06/2021 to 10/2023	Meeting series - Virtual	National Highways, GCC project team, Atkins project team	Fortnightly meetings to discuss key issues.
06/2021 to 10/2023	Meeting series - Virtual	National Highways, GCC project team, GCC management team, Atkins project team	Six weekly programme board meetings to provide project board (NH member) with progress updates and for project board to make key project decisions
03/08/2023	Meeting Virtual	National Highways	Meeting to discuss matter reference 19.1 about National Highways requirements around Carbon Management Plan and reporting.

Date	Method	Parties concerned	Matters Discussed
06/2021 to 10/2023	Emails	National Highways	Relevant PCF products issued initially for review and then for approval following updates to address NH comments
01/2024 to date	Meeting series virtual	National Highways, GCC PM,	Weekly meetings. Items discussed include governance, key matters and project management.
05/03/2024	Meeting Virtual	National Highways, GCC PM, AtkinsRéalis Project Team, Burges Salmon	SoCG Working Group held to discuss NH comments on the dDCO in the comments tracker spreadsheet.
06/03/2024	Meeting Virtual	National Highways, GCC PM, AtkinsRéalis Project Team (including Project Management and Planning team)	SoCG Working Group held to discuss the data-modelling that to be shared with NH, and to inform NH of when information is likely to be available.
08/03/2024	Meeting Virtual	National Highways, GCC PM, AtkinsRéalis project team (including Project Management, Environment and Planning)	SoCG Working Group to discuss environmental matters raised by NH in the draft SoCG.
12/03/2024 – to date	Meeting series Virtual	National Highways, GCC, AtkinsRéalis PM	Fortnightly SoCG catch up meetings (SoCG working group).
29/04/2024	Meeting Virtual	National Highways, Burges Salmon, GCC, Carter Jonas, AtkinsRéalis PM	Discussion on land acquisition.
09/05/2024	Meeting Virtual	National Highways, GCC, AtkinsRéalis PM, AtkinsRéalis Planning and Traffic Modelling	To discuss National Highways review of traffic models issued on 26 March including Paramics modelling. Further meeting to be held following AtkinsRéalis review of National Highways Technical Note on modelling.
13/05/2024	Meeting Virtual	National Highways, Burges Salmon, GCC, Carter Jonas, AtkinsRéalis PM	Lands workshop to discuss high level principles to acquiring land through Compulsory Acquisition. Further actions agreed to be discussed at further meeting to be arranged.

3. Matters Agreed

3.1. Matters agreed

3.1.1. Table 3-1 - M shows those matters which have been agreed, including the topic, the issue and position and the date and method by which it was agreed.

Table 3-1 - Matters agreed between the Applicant and National Highways

Topic	Matter which has been discussed / agreed	Position	Date and Method of Agreement
1. Draft Development Consent Order (dDCO)			
2. Environment Statement including carbon reporting			
2.1 Carbon Reporting	National Highways request GCC consultation in respect to carbon reporting for the construction period since this will be the responsibility with Gloucester County Council.	Noted and agreed.	Agreed at SoCG working group 08/03/2024
2.2 Land Management	National Highways requests confirmation of any changes to land management and/or the short list of development included in the cumulative assessments over the last 2-4 years is provided by Gloucestershire County Council. National Highways also requests further information in relation to the justification of the approach to the assessment and why this hasn't been updated reporting to reference a more up to date baseline.	The request from NH clarified as to be regarding the details of the RFFPs (reasonably foreseeable future projects) and their assessment within the Environmental Statement (ES). The list of RFFPs was last updated in August 2023 and the current ES has been assessed against this list. This is presented in Chapter 15 (Cumulative Effects Assessment) of the ES, as submitted to PINS.	Agreed at SoCG working group 08/03/2024
2.3 Mitigation	National Highways requests further information from Gloucestershire County Council is provided in relation to references in the Environmental Statement where other projects provide mitigation to the expected impacts of the M5 J10 scheme (e.g., noise impacts and air quality) and request that these associated developments are referenced in the do-min scenario for the Environmental	The associated developments referred to were Coombe Hill Junction Improvements, and Arle Court Park and Ride. Chapter 1 of the ES (Section 1.1) describes how these two schemes have been managed, and that they are not included as part of the ES for the M5 J10 Improvements Scheme (as set out in the Transport Assessment APP-138).	Agreed at SoCG working group 08/03/2024

Topic	Matter which has been discussed / agreed	Position	Date and Method of Agreement
	Impact Assessment if they are works to be carried out in advance.		
2.4 Flood Assessments	National Highways requests information regarding any agreements within the Environmental Assessment on the approach to modelling the Flood Risk Assessment. In particular, further evidence is requested in relation to advice given by the Environmental Agency and Lead Local Flood Authorities on the climate change allowances used and whether these represent a precautionary position (the FRA seems to suggest the EA advised they could use a lower % for climate change allowance for the link road compared to the upper central allowance used (53%).	Climate change allowances are assigned based on vulnerability of the receptors. A categorisation of essential infrastructure means a climate change allowance of 53% applies. Early discussions with the Environment Agency around the Link Road suggested that this may not be categorised as essential infrastructure. If it is not essential infrastructure, then a lower allowance for climate change could be assigned. The FRA indicates this, but then assessed flood risk with a single climate change allowance (the higher 53% figure) on a precautionary basis. The assessment undertaken is described in Appendix 8.1 (Flood Risk Assessment).	Agreed at SoCG working group 08/03/2024
2.5 Noise	National Highways requests that further information is provided by Gloucestershire County Council in relation to any agreements with National Highways on any indicated night closures.	The Applicant agrees to this.	Agreed at SoCG working group 08/03/2024
2.6 Noise barriers	National Highways request confirmation from Gloucestershire County Council that M5 J10 has been represented in the baseline scenario in relation the Noise Policy Statement for England with specific reference to noise barriers as it appears that the compliance has been modelled upon a separate project completed in advance of proposed development.	The assessment undertaken for M5 J10 assumes that Arle Court and Coombe Hill schemes will be completed in advance of the construction of M5 J10 (as set out in the Transport Assessment APP-138).	Agreed at SoCG working group 08/03/2024
2.7 Biodiversity net gain	National Highways request that the biodiversity net gain unit loss/gain related to the Strategic Road Network is clarified by Gloucestershire County Council. National Highways also request that Gloucestershire County Council confirm and agree any maintenance obligations which are reliant on National Highways due to being the	The BNG assessment undertaken is for the Scheme as a whole. There is no separate calculation for the SRN. The BNG Scores reported in the DCO are: - Terrestrial habitats +11.59% - Hedgerows +15.96% - Rivers and Streams +34.19%	Agreed at SoCG working group 08/03/2024

Topic	Matter which has been discussed / agreed	Position	Date and Method of Agreement
	guardian of the Strategic Road Network which may support a project wider BNG position.	<p>- Ditches +23.38%</p> <p>The BNG assessment (and subsequent reporting) are based on the Scheme's landscaping and planting design. These have been developed in line with NH's requirements (for the SRN areas), and GCC's planting and maintenance of road verges requirements for the non-SRN elements. These details are presented in the LEMP (Annex B5 of the EMP 1st iteration). All management and maintenance requirements will be agreed with NH.</p>	
3. Register of Environmental Actions and Commitments			
3.1 para 1.2.1	National Highways require that the wording needs to cover the Construction Exclusion Zones (CEZ) around retained tree areas.	Agreed, request to change the wording in the REAC.	
3.2 G1	<p>National Highways require that the 3rd iteration EMP (Handover EMP) must be developed and completed 'in draft' by the end of construction and planting on site. The final version is required for handover at the end of the establishment / aftercare period.</p> <p>For end of construction the 3rd iteration EMP must be issued to National Highways and acknowledged by this team as an acceptable draft.</p> <p>The 3rd iteration EMP must comprise the draft handover report and draft handover plans. These are required to enable a joint inspection at the completion of planting and will trigger the start of the establishment / aftercare period if the condition of landscape planting is agreed to be acceptable by National Highways. The HEMP plans must be readable when printed at A3 size.</p> <p>Approval of the 3rd iteration EMP, all versions (draft at the end of construction, interim drafts during the</p>	The Applicant is in agreement with National Highways request.	

Topic	Matter which has been discussed / agreed	Position	Date and Method of Agreement
	establishment period, and the final version at handover), will require acceptance by National Highways.		
3.3 reference B5	National Highways require that the EMP and REAC recognise national biosecurity issues, not just those identified within the curtilage of the Scheme.	Agreed, and this can be carried through to the EMP at the 2 nd iteration .	
3.4 reference B6	National Highways require that the Applicant provide the Arboricultural Impact Assessment for National Highways review and reference.	This is a DCO Application document APP-116 (Part 1) and APP-117 (Part 2)).	
3.7	National Highways require that any of the construction-related undertakings of actions and commitments are to the responsibility of the Applicant. National Highways require that any operational commitments in relation to the Register of Environmental Actions and Commitments are to the agreement of National Highways.	On the basis that these are commitments then they will be for the Applicant to deliver under the contract (through detailed design, where applicable, initially and then in the construction phase).	
4. Land Plans, Book of Reference, Statement of Reasons			
Currently no matters agreed			
5. Transport (including traffic modelling)			
6. Funding			
7. Construction			
7.1 Handover	National Highways require Gloucestershire County Council to adhere to National Highways handover process as presented in the Project Control Framework to	The Applicant can adhere to this.	

Topic	Matter which has been discussed / agreed	Position	Date and Method of Agreement
	<p>allow for the scheme to be operated and maintained by the National Highways.</p> <p>National Highways will require documentation including but not limited to as-built drawings, completed PCF product documentation, assets data and quality records.</p>		
7.2 Traffic management	National Highways request that all Traffic Management will be subject to the agreement of National Highways to mitigate any impacts to the Strategic Road Network.	As it stands, this request to too general. It goes without saying that the Applicant will need to gain approval for all TM on the SRN. The slip roads will be closed for 9 and 15 months (according to the DCO submission) and TM on the A4019 and B4634 during this time will not affect the SRN. The Applicant propose to share our TM proposals with NH and seek approval/acceptance where they are deemed to impact the SRN only, e.g. any works on the M5, including the slip road closures and diversion routes	
7.3 Technical Assurance	National Highways will require funding for a Works Examiner to inspect and supervise the construction of National Highways assets. Confirmation is sought from GCC.	The Applicant can adhere to this.	
7.4 Value Engineering	National Highways would like to confirm that any value engineered solutions on the Strategic Road Network in relation to the detailed design throughout construction are agreed with National Highways to ensure that proposed solutions are within the Operations Directorate capacity for management.	The DCO already requires this.	
7.5 Closures	National Highways requests confirmation from Gloucestershire County Council to confirm the slip road closure strategy as the summary indicates to a closure of the slip roads onto the M5 for a period of 19 months. This is so that any impacts to the Strategic Road Network and	DF3 TMP has been reviewed and approved as part of the stage 3 PCF process. This included NH alternate routes for M5 closures, both from J9 and J11 which have been adopted by the Project. The TA and ES submitted with the DCO application also assesses the impacts of the slip road closures.	

Topic	Matter which has been discussed / agreed	Position	Date and Method of Agreement
	Local Road Network are fully assessed and mitigated as far as reasonably practicable.	As an additional comment, the slip road closures are described in Chapter 2.	
8. Operation and Maintenance			
8.1 Reservoir	National Highways request consultation throughout the detailed design of the reservoir and surrounding assets to ensure that the proposed solutions are within the Operations Directorate capacity for management for assets to be maintained by National Highways.	The Applicant can adhere to this.	
8.2 Detailed Design	National Highways would like to reconfirm that the proposed development on the Strategic Road Network will need to be designed as per Safety, Engineering and Standards and Operations Directorate requirements to allow for safe and efficient maintenance upon scheme completion.	The Applicant can adhere to this.	
8.4 Slip Roads	National Highways request that Gloucestershire County Council provides a GG104 risk assessment in relation to the design of slip roads and associated traffic modelling analysis specific to the slip roads to outline the proposals potential impact to road user and operational safety.	<p>The design of the Scheme has been undertaken in full accordance with guidance and standards contained in the Design Manual for Roads and Bridges (DMRB). Design development of the Scheme has followed the National Highways (NH) Project control Framework (PCF), with all applicable PCF documents having been approved by NH. This is acknowledged by NH in comment reference 8.1 of this Statement of Common Ground (SoCG). A Safety Report for the Scheme has been submitted to, and signed-off by, NH in accordance with the NH PCF process. The Safety Report includes risk assessments in accordance with GG104 of the DMRB. The proposed designs for all the M5 junction 10 slip roads require departures from standard. These have been uploaded onto NH's Departure Approval System (DAS) and NH's Safety, Engineering & Standards (SES) have confirmed provisional agreement to the departures.</p> <p>The design of the Scheme has also been subject to an independent road safety audit (RSA) and an Audit Response</p>	

Topic	Matter which has been discussed / agreed	Position	Date and Method of Agreement
		<p>has been prepared by the Scheme design team. These have been issued to, and signed-off by, NH (SES) in accordance with the PCF process and will be issued to the Examining Authority (ExA) by 22/03/24.</p> <p>The M5 junction 10 slip roads are included in both the Strategic and Operational traffic models."</p>	
8.5 Operations Technical Leadership Group	<p>National Highways request confirmation from Gloucestershire County Council that the project will attend the Operations Technical Leadership Group as required to ensure that best practice is applied throughout scheme design.</p> <p>National Highways seeks confirmation from Gloucester County Council that the actions arising from Stage 3 Ops TLG from February 2022 have been fully addressed and the design submitted for the Development Consent Order does not amend any of these findings.</p>	<p>The actions arising from Stage 3 Ops TLG have been considered as part of the Preliminary design development and the design submitted for the Development Consent Order is not considered to not amend any of the findings raised at the Ops TLG meeting. Please refer to the "Stage 3 Ops TLG Actions" Technical Note (GCCM5J10-ATK-GEN-ZZ-TN-CS-000003_C01.pdf), issued to NH in Sept 2022, which provides additional details of work undertaken to address the actions and NH agreements.</p>	
9. Project Control Framework and Governance			

4. Matters Outstanding

4.1. Principal matters outstanding

4.1.1. The principal matters outstanding between Applicant and National Highways are summarised as follows:

- Draft DCO, Articles and Schedules
- Carbon Management Plan
- Traffic modelling
- Funding and Collateral warranties
- Landscaping maintenance – EMP reference B13 - National Highways require further information regarding the replacement planting of 10 years
- Approach to land rights acquisition
- Liabilities
- Reservoir and Ownership

4.1.2. Table 4.1 shows those matters that are outstanding between the parties, including that matters reference number, and the date of the latest position.

Table 4-1 - Matters outstanding between the Applicant and National Highways

Topic	Position	Applicant Response	Date of the last Position
1. Draft Development Consent Order (dDCO)			
1.1 Requirements	National Highways have concerns regarding requirements 4, 7, 8, 9, 11 and 12 and request that any discharge of requirements is for the SoS throughout the entire suite of DCO documentation.	NH to provide details of process ref discharge of requirements when SoS	SoCG working group 05/03/2024
1.2 Transfer of Benefits	National Highways have concerns regarding the transfer of benefits in article 10 and request that a bespoke provision is included to the effect that where any transfer to a third party would impact the SRN, the strategic highway authority is consulted and SoS consent needed to transfer benefit to NH.	Considering Amendment to Article 10 which require SoS consent to transfer on face of the order to allow for public visibility and transparency.	SoCG working group 05/03/2024
1.3 Limits of Deviation	National Highways have concerns regarding limits of deviation and request that GCC confirm that the design and any implications of implementing, for example a full 2m downward LoD in respect of NH assets and adjacent to them has been	The Applicant to provide confirmation of assessment of works re LoD. To explore to capture included in side agreement that deviations to SRN works will not be carried out without agreement of NH.	SoCG working group 05/03/2024

Topic	Position	Applicant Response	Date of the last Position
	considered. NH also wish to seek further clarity regarding the assessment of horizontal LoD within the limits of the order.		
1.4 Schedule 2 Requirements	National Highways are concerned regarding the wording of the draft Development Consent Order and note that this is not consistent to the Protective Provisions, particularly in regard to design.	Protected provisions to be discussed.	SoCG working group 05/03/2024
1.5 Schedule 2 Requirements	National Highways request that any assets to be handed over to National Highways upon scheme completion are clearly subject to the agreement of National Highways to ensure that the asset is acceptable to National Highways, including but not limited to fencing, landscaping, drainage and noise mitigation.	Side agreement to capture landscaping agreement of wider assets is included in detailed design approval.	SoCG working group 05/03/2024
1.6 Article 10	National Highways request further information from Gloucestershire County Council regarding the consent to benefit transfer of the order will occur noting that National	Scope and mechanism to be discussed.	SoCG working group 05/03/2024

Topic	Position	Applicant Response	Date of the last Position
	<p>Highways are a consultee as per the requirements.</p> <p>National Highways further requests clarification by Gloucestershire County Council on the proposal mechanism to agree assets to be handed over to National Highways upon scheme completion to ensure that these are within the operational capacity of National Highways South West Operations Directorate.</p>		
1.7 Article 13	<p>National Highways request that the effect of article 13 is detailed by Gloucestershire County Council in relation to assets intended to be handed over to National Highways.</p> <p>National Highways request that paragraph 7 should apply to the strategic highway authority as well as the undertaker.</p>	<p>To be explored and included in side agreement in terms of clarification on what highways assets are to be handed over to NH. Amending article also possible should this impact other consultees.</p> <p>Second point - article point likely to be amended but with drafting points in side agreement to protect GCC liabilities in relation to work activities.</p>	SoCG working group 05/03/2024
1.8 Article 14	<p>National Highways request that the wording, inventory and associated plans in relation to adoption of the assets are subject to the agreement of National Highways.</p>	<p>Unclear what additional provisions NH are seeking here. NH to confirm wording NH is looking for.</p>	SoCG working group 05/03/2024

Topic	Position	Applicant Response	Date of the last Position
1.9 Article 17	National Highways request that the wording in relation to access roads inside the order limits excludes motorways and slip roads	To explore amendment in the Order referencing both temp and perm access regulated.	SoCG working group 05/03/2024
1.10 Protective Provisions	National Highways object to the Protective Provisions in the draft Development Consent Order and believed this leaves both National Highways and the Strategic Road Network exposed to risk. National Highways confirm that these are still to be agreed with Gloucestershire County Council and will continue discussing this with the Applicant.	Draft alternative protective provisions with NH for consideration. Awaiting response.	SoCG working group 05/03/2024
1.11 Temporary Possession	National Highways require confirmation that all land rights necessary to access all (current and proposed) Strategic Road Network assets affected by the project have been included in the DCO/land requirements.	To be outlined following workshop.	20/05/2024
1.12 Article 2	National Highways are concerned that 'pre-construction mitigation works' referred to within the definition	To be explored to be included in side agreement based ref 'commence' for SRN elements. Visibility of commence to others means that the face of the order may need to be clearer (aligned to side agreement).	SoCG working group 05/03/2024

Topic	Position	Applicant Response	Date of the last Position
	of 'commence' in Article 2 are not defined.		
1.13 Requirement 3	National Highways notes that Requirement 3(2)(e) does not clearly set out appropriate working hours on Sundays. National Highways further requests that Requirement 3(4) require consultation with National Highways on the proposed EMP 3rd Iteration. National Highways requests (as noted above) that this requirement is discharged by the SoS.	Sunday working hours to be included as exception. 3rd iteration EMP consultation and approval to be captured in requirement on face of order	SoCG working group 05/03/2024
1.14 Deemed consent	National Highways requests that the deemed consent provisions in the draft DCO (for example, article 11, 15, 18 and 20) are altered to a deemed refusal, and ask that a provision be included requiring Gloucestershire County Council to follow the Road Space Booking process.	To be amended in Order to a deemed refusal with side agreement to capture process. Road Space Booking point negated as to be agreed in PP's.	SoCG working group 05/03/2024
1.15 Article 30	National Highways request that, in respect of Article 13, any airspace or subsoil over or under the SRN is not to be used without consent from National Highways.	To be captured in side agreement.	SoCG working group 08/03/2024

Topic	Position	Applicant Response	Date of the last Position
1.16 Requirement 6	<p>National Highways requests the wording in relation to the liability of replacing trees and shrubs within 5 years of planting is clarified to make this the responsibility of Gloucestershire County Council, and that this is included in the aftercare package between Gloucestershire County Council and the Principal Contractor.</p> <p>National Highways also requests that the aftercare package agreement between Gloucestershire County Council and the Principal Contractor is provided for National Highways oversight to ensure that the agreement is in accordance with National Highways operational requirements, e.g. the use of Species Rich Grasses and the application of MPI-85.</p> <p>National Highways request that the aftercare package is to be agreed with National Highways to ensure that the package is maintainable by National Highways and reflects the existing landscaping packages already</p>	<p>Sub paragraph (3) to be amended to state that any replacement planting within 5 years of completion to be at the expense of the undertaker. Discussion required regarding commuted sums.</p>	<p>SoCG working group 05/03/2024</p>

Topic	Position	Applicant Response	Date of the last Position
	in place on the Strategic Road Network.		
1.17 Requirement 14	National Highways request clarity in relation to noise mitigation measures that will be handed over to NH for operation and maintenance are subject to agreement with National Highways throughout detailed design and handover.	To be discussed.	SoCG working group 05/03/2024
1.18 Article 11	National Highways request that this Article is drafted to ensure that the power in relation to street works cannot be exercised over the Strategic Road Network without consent from National Highways.	Unregistered highways land can be transferred to National Highways - reference power of the effect of Article 11 mechanics of land entry for NH to review.	SoCG working group 05/03/2024
1.19 Article 25	National Highways request a review of the interaction with NH lands to confirm re-rerouting of PRowS in both the temporary and permanent case.	GCC and NH to liaise re this.	SoCG working group 05/03/2024
1.20 Freehold of subsoil	National Highways request that all interests within the Strategic Road Network in relation to the freehold of subsoil, including that on unregistered highway land, is transferred to National Highways.	This is agreed and is the intention of the Applicant. Mechanism to deliver this to be discussed with NH. The Applicant intends to transfer the title and all rights to NH during Stage 6. It should be noted that new statutory rights will be introduced, with some others extinguished on the SRN.	SoCG working group 05/03/2024

Topic	Position	Applicant Response	Date of the last Position
1.21 Status of SoCG	National Highways note that the Statement of Common Ground as submitted by the Applicant in the December 2023 application is historic and not reflective of the current working position with Gloucestershire County Council. National Highways would like to note they will work with the Applicant to update this as necessary throughout the Development Consent Order process.	Noted and why this SoCG has been re-structured. This updated SoCG provides an up to date position between National Highways and GCC and will continue to be updated to keep the ExA informed of the latest position between parties.	Response in this updated SoCG 21/05/2024
2. Environment Statement			
2.2 Carbon Management Plan	National Highways request visibility and agreement of the carbon management reporting for the project to ensure the promotion of lower whole life carbon choices, including visibility and agreement of construction carbon datasets, operation and maintenance datasets and road user emissions.	The carbon reporting in the ES uses the NH carbon tool. All reporting is Scheme wide and there is no separation for the Strategic Road Network aspects. Further work is to be taken up by ECI contactor. It was discussed in the SoCG meeting on the 8/3/24 that the way data is recorded within NH is under review and there is an obligation for NH to understand SRN impacts. The NH team were reviewing the requirements internally for future reporting. Copy of the Carbon Management Plan (Annex B16 of the EMP 1st iteration) to be shared with NH.	SoCG working group 08/03/2024
3. Register of Environmental Actions and Commitments and Environmental Management Plan			
3.6 reference B13	National Highways require further information regarding the replacement planting of 10 years, i.e. is this an EPS licence requirement stipulated	Noted and to be addressed as appropriate in 2 nd iteration of EMP prepared by the Contractor.	Response in this updated SoCG 17/06/2024

Topic	Position	Applicant Response	Date of the last Position
	by Natural England and is this applicable to all planting or only specific mitigation locations.		
3.5 reference B9	National Highways request that the text regarding 'shrubs with trees' is updated as this is no longer recognised by ADMM.	The Applicant considers this is a reference to the text in the REAC and a key on the Environmental Masterplan. Agreed that this will be carried through in the detailed design.	
4. Land Plans, Book of Reference, Statement of Reasons			
4.1 Land acquisition	National Highways request a review with the Applicant of the National Highways land interests and all lands associated with the construction, planned handover, operation and maintenance to ensure that the proposed land and its DCO status facilitates the foregoing.	A review of the National Highways land interests is currently being undertaken and an update will be provided to the Examination.	Response in this updated SoCG 21/05/2024
4.2 Land Access – Easements	National Highways require easements over the private land side of any fencing for future maintenance/ replacement min 5mts width required. National Highways require easements over the private land for any outfalls, ditches and or buried pipelines that are to remain in NH	Discussion needed with NH as to what they need in relation to such easements, whether the requirements are necessary and deliverable and whether existing statutory powers would be more appropriate.	SoCG working group 06/03/2024

Topic	Position	Applicant Response	Date of the last Position
	<p>ownership for future maintenance/ replacement min 5mts width required each side of the apparatus.</p> <p>National Highways require easements over private land to any land locked plots for future maintenance min 10mts required.</p> <p>National Highways require easements over private land to any Culverts not deemed structures for future maintenance min 10mts required .</p> <p>National Highways require easements over private land to any structures for future maintenance min 10mts required .</p> <p>National Highways require easements for access and the rights for future maintenance in relation to all assets to be adopted by National Highways for operation and maintenance.</p>		
4.3 Statement of Reasons	National Highway request further details of the breakdown of works as they do not follow the structure of Schedule 1 of the DCO.	Noted. A review of the National Highways land interests is currently being undertaken and an update will be provided to the Examination.	Response in this updated SoCG 21/05/2024

Topic	Position	Applicant Response	Date of the last Position
5. Transport (including modelling)			
5.1 Transport Assessment	National Highways are unable to support the scheme without full visibility of the transport modelling in order to confirm the findings of the transport assessment. National Highways require the full modelling package including but not limited to future year modelling, slip road design, travel time variances, capacity, modelled queues, model calibration, construction scenarios, signal modelling, local road/SRN interactions, model validation, development assumptions.	<p>Gloucestershire County Council (GCC) have undertaken the development of the traffic modelling in full accordance with Department for Transport (DfT) Transport Analysis Guidance (TAG) and has followed the NH PCF process, with all applicable PCF documents having been approved by NH Transport Planning Group (TPG). This is acknowledged by NH in comment reference 93 of this SoCG. Traffic modelling PCF documents relevant to the traffic modelling, that contain much of the information requested by NH, are included in Appendices to the Transport Assessment and have been submitted with the Development Consent Order (DCO) application (Ref: APP-138, 139, 140, 141, 142 and 143).</p> <p>The traffic models have been shared with NH.</p>	Traffic modelling shared with NH 26 March 2024.
5.2 Transport Assessment Chapter 1.1 (Introduction)	National Highways request that the study area of impact at the SRN and rationale of J9 and J11 current conditions or impact to the proposals have to the junction.	GCC are unclear about this comment and the clarification requested.	
5.3 Transport Assessment Chapter 1.2.4 (Scheme background)	National Highways request that Gloucestershire County Council provide further information regarding the dependencies between the developments at Coombe Hill and Arle Court Park and Ride	<p>Appendix A of the Traffic Forecasting Report (APP-142) contains the Uncertainty Log that lists proposed developments in the model area and categorises the likelihood of them being implemented in accordance with TAG. The Uncertainty Log indicates which proposed developments are included in the traffic modelling for the Core scenario for each of the forecast years of assessment.</p> <p>Coombe Hill is referred to as Land at A38/A4019 Jct in the Uncertainty Log and is included in the Core scenario (100% complete by 2027). Arle Court Park and Ride development is referred to as Christ College Arle Road, Cheltenham Gloucestershire,</p>	SoCG Meeting 06/03/2024

Topic	Position	Applicant Response	Date of the last Position
	<p>development in respect to M5 Junction 10.</p> <p>National Highways have concerns regarding the Coombe Hill development should this not occur and the impacts of this on the cumulative assessments as submitted in the draft Development Consent Order application.</p>	<p>GL51 8LE in the Uncertainty Log and is included in the Core scenario (100% complete by 2027). A list of proposed developments that are dependent on the implementation of the M5 junction 10 Improvement Scheme is provided in Table 6 of the Traffic Forecasting Report.</p> <p>Neither the Coombe Hill or the Arle Court Park and Ride developments are dependent on the M5 junction 10 Improvement Scheme being implemented.</p>	
<p>5.4 Transport Assessment Chapter 2: Planning Policy</p>	<p>National Highways request that Gloucestershire County Council confirm how the scheme of works are compliant with 01/22 circular and Planning for the Future (2023) documentation.</p>	<p>Chapter 2 of the Transport Assessment (APP-138) provides a review of the national, regional and local transport related policy relevant to the Scheme. Department for Transport (DfT) Circular 01/22- Strategic Road Network the delivery of sustainable development and National Highways' (NH) Planning for the Future - A guide to working with National Highways on planning matters (2023) are not referenced in either the Transport Assessment or the Planning Statement (APP-135). This is because both the DfT and NH documents explain how NH will engage with the planning system.</p> <p>GCC has engaged with NH throughout the evolution and development of the Scheme in accordance with these documents."</p>	<p>SoCG Meeting 06/03/2024</p>
<p>5.5 Transport Assessment Chapter 3: Baseline conditions</p>	<p>National Highways request that Gloucestershire County Council update the Personal Injury Analysis in relation to the nature of serious and fatal accidents on the SRN. This will allow National Highways to understand what current major PIAs are known and understand if further analysis is required to mitigate issues for any areas of concern in relation to the proposed</p>	<p>Section 3.6 of the Transport Assessment (APP-138) presents a comprehensive analysis of Personal Injury Accident (PIA) data covering the five-year period 2017 and 2021. The area covered by the PIA analysis is shown in Figure 6 in the Transport Assessment and includes M5 junction 10 and appropriate sections of the M5. Thirty PIAs over a five-year period to 2021 have been recorded. This is not considered to be uncharacteristically high for a grade separated junction on the M25, and no concerning clusters of PIAs have been identified. Road safety has been paramount in the design of the scheme and is based on the following road safety objectives:</p>	<p>SoCG Meeting 06/03/2024</p>

Topic	Position	Applicant Response	Date of the last Position
	design for the Strategic Road Network.	<ul style="list-style-type: none"> The scheme is capable of being operated in an acceptably safe manner. A proportionate safety risk assessment has been undertaken. Safety challenges have and will be addressed. The safety objectives can be achieved. Risk management has been continually applied through scheme development and delivery. Appropriate safety risk governance has been applied. <p>Please also refer to GCC's response to comment 49 above.</p>	
5.6 Transport Assessment Chapter 4: Scheme Proposals	National Highways request that Gloucestershire County Council provide full scheme designs in relation to the length and type of slip roads as this is not presented in the TA for review.	General Arrangement, Works and Engineering and Sections Plans for the Scheme have been submitted with the DCO application (APP-007, 008, 014, 015, 016, 017 and 018).	SoCG Meeting 06/03/2024
5.7 Transport Assessment Chapter 4: Scheme Proposals, Para 4.2.4	National Highways requests that the location of the access to farmland is confirmed by Gloucestershire County Council.	General Arrangement Plans for the Scheme, that show the locations of access to farmland, have been submitted with the DCO application (APP-014 and APP-015).	SoCG Meeting 06/03/2024
5.8 Transport Assessment Chapter 5: Traffic Modelling, Section 5.11	National Highways request that Gloucestershire County Council confirm the difference between the strategic and operational model to understand the differences and potential impacts between Saturn and Paramics matrices to ensure where there are alternative routes to	<p>Section 5 of the Transport Assessment (APP-138) describes the approach to the traffic modelling. The Appendices to the Transport Assessment provide more detailed information on the traffic modelling, specifically Appendix J - Transport Model Package (APP-140), Appendix K – Traffic Data Package Report (APP-141) and Appendix L – Traffic Forecasting Report (APP-142).</p> <p>Figure 8 in the Transport Assessment shows the geographical coverage of the Strategic Traffic Model (Gloucestershire Countywide Traffic Model (GCTM)). Figure 9 in the Transport Assessment shows the geographical coverage of the Operational (PARAMICS) Traffic Model.</p>	SoCG Meeting 06/03/2024

Topic	Position	Applicant Response	Date of the last Position
	<p>the M5, that traffic assignment is similar in both models.</p>	<p>Outputs from the demand matrices of a cordoned section of the Strategic Model, corresponding to the area of covered by the Operational Traffic Model, have been used to provide the inputs to the traffic demand matrices for the Operational Traffic Model.</p> <p>The road network covered by the Operational Traffic Model offers no alternative routes for traffic using the M5 and offers virtually no practical alternatives routes for traffic using the rest of the road network within the modelled area. Consequently, the routing, or assignment, of traffic in the Operational Traffic Model is consistent with that for the Strategic Traffic Model.</p>	
<p>5.9 Transport Assessment Chapter 6: Scheme Assessment Methodology, Section 6.4.1</p>	<p>National Highways requests that Gloucestershire County Council confirm the sample size of seeded runs is appropriate to the variability of the future year model and if any of the model runs appear to be a significant outlier from the others.</p>	<p>Section 6 of the Transport Assessment (APP-138) confirms that the Operational Traffic Model has been run for all the modelled scenarios with 10 different random seeds (sample size of seeded runs) to account for the daily variability of the traffic arrival patterns and network operation.</p> <p>The sample size of seeded runs was determined with consideration given to the size and type/structure of the modelled highway network, the number of modelled scenarios and model run times. The number of seeded runs is also compliant with NH TPG recommendations.</p> <p>The variations in the overall network performance associated with different seeds, in terms of change in speed and journey time across the five journey time routes that cover all key routes in the model for all scenarios and forecast years, have been reported in Appendices C, D and E of the Transport Assessment.</p> <p>Sections 6.6 and 6.7 of the Transport Assessment defines the methodology of assessing and interpreting the variance associated with the different seed runs.</p> <p>None of the seeded model runs where outliers from the others and the differences in overall average journey times across all the seeded runs is within acceptable tolerances.</p>	<p>SoCG Meeting 06/03/2024</p>
<p>5.10 Transport Assessment Chapter 7: Scheme Assessment, Section 7.2</p>	<p>National Highways request that Gloucestershire County Council confirm the interpretation of the traffic flow differences identified for the Strategic Road Network.</p>	<p>The flow difference plots in Appendix B of the Transport Assessment (APP-138) provide peak hour traffic flow differences for the model impact area covering two comparisons of scenarios, namely with the Scheme, but without Dependent Development compared with the do-minimum (Scenarios S vs P) and with both the Scheme and Dependent Development compared to the do-minimum (Scenarios R vs P) for both the opening (2027) and horizon (2042) years. The results shown in the difference plots are generally as expected. In Scenarios S v P comparison, that shows</p>	<p>SoCG Meeting 06/03/2024</p>

Topic	Position	Applicant Response	Date of the last Position
		<p>the impact of the Scheme in isolation, there is re-routing of some of the existing traffic which take advantage of the proposed south-facing slip roads at junction 10, which results in some increases in traffic flows along the M5 between junctions 10 and 11. The Scenarios R v P comparison, that shows the impact of both the Scheme and Dependent Development in combination, shows a notable amount of extra traffic on the road network as a result of the proposed Dependent Development in addition to the rerouted traffic due to the proposed south-facing slip roads, particularly on the M5 between junctions 10 and 11 and on the A4019.</p>	
<p>5.11 Transport Assessment Chapter 7: Scheme Assessment, Table 9</p>	<p>National Highways request that Gloucestershire County Council provide further information about the location(s) that are causing the travel time increase on Route 3 WB (A4019 E to M5 N) for the 'with scheme' scenario 2027 AM peak.</p>	<p>Most of the additional delay for this journey time route during the AM peak is due to the introduction of several new signal-controlled junctions along the A4019 as part of the proposed Scheme. These signal-controlled junctions are necessary to provide access for the Dependent Developments and control the resultant additional development generated traffic.</p>	<p>SoCG Meeting 06/03/2024</p>
<p>5.12 Transport Assessment Chapter 7. Scheme Assessment, Table 10</p>	<p>National Highways request that Gloucestershire County Council provide further information about the location(s) that are causing the travel time increase on Route 3 WB (A4019 E to M5 N) for the 'with scheme' scenario 2027 PM peak as there is insufficient information to ascertain if this impact relates to the A4019 or the M5.</p>	<p>Please refer to GCC's response to 5.11 above.</p>	<p>SoCG Meeting 06/03/2024</p>

Topic	Position	Applicant Response	Date of the last Position
5.13 Transport Assessment Chapter 8 Table 15	National Highways request that Gloucestershire County Council provide further information about the 33% increase in total network travel time (hours) and a 7% increase in the average journey time for the 2024 AM peak as this suggests the scheme has a detrimental impact in some locations.	The additional total network travel time is due to a combination of the extra traffic generated by the Dependent Developments and the introduction of additional signal-controlled junctions along the A4019 as part of the Scheme.	SoCG Meeting 06/03/2024
5.14 Transport Assessment Chapter 8: Cumulative Assessment, Figure 20	National Highways request that the assessment of the where the predicted journey time increase of up to 10 minutes may occur along the M5 NB route is provided.	Figure 20 in the Transport Assessment (APP-138) shows the variance in northbound journey times over the 10 seeded runs undertaken for the Operational Traffic Modelling for the AM peak period, covering the whole of Journey Time Route 2 along the M5. The maximum increase in the AM peak journey time over the 10 seeded runs is 10 minutes, but the average increase is just over two minutes compared to the Do-minimum Scenario (Scenarios R v P), as presented in Table 19 of the Transport Assessment. The additional journey time is in the vicinity of the northbound junction 10 diverge and is due to the extra traffic generated by the Dependent Developments.	SoCG Meeting 06/03/2024
5.15 Transport Assessment Chapter 10: Assessment of Highway Network During Construction	National Highways request zoomed in V/C plots of M5 J9 and M5 J11 as it is currently impossible to ascertain the predicted impacts at the current scale of the plans.	There are 15 V/C plots in Appendix M of the Transport Assessment (APP-138) supporting Chapter 10 which details the assessment of highway network during construction. The plots cover the Do-minimum and four different closure scenarios for three modelled time periods. Gloucester County Council request that NH confirm it requires zoomed out V/C plots for all 15 plots in Appendix M, which will result in 30 new plots. Given the pattern of impact is the same during the three modelled periods, GCC suggest a sample for each of the closure phases and the Do-minimum scenario for one period (AM peak or PM peak) would be sufficient. This will generate six new plots that are likely to provide sufficient information for NH to understand the impacts during construction of the Scheme.	SoCG Meeting 06/03/2024
5.16 Transport Assessment Chapter 10: Assessment of	National Highways request that information is provided in relation to scenario	An outline Traffic Management Plan (TMP) for construction of the Scheme has been produced in accordance with the NH PCF process and has been signed-off by NH. The outline TMP specifies the anticipated sequence, timing, and duration of the required	SoCG Meeting 06/03/2024

Topic	Position	Applicant Response	Date of the last Position
Highway Network During Construction	assessment for potential lane closures on the M5 lane on the M5 is provided so that the impacts about the predicted impact of traffic flows on the motorway and in the local area can be ascertained.	temporary traffic management arrangements, including proposed road closures. The anticipated road closure phases are shown in Table 21 of the Transport Assessment (APP-138). The construction of the Scheme is not currently anticipated to require any closures of live lanes on the M5 mainline for extended periods, other than at weekends and overnight. Nonetheless, a temporary 50mph speed limit, in combination with narrow lanes, on the M5 will be required during some of the construction phases and this has been included in the Strategic Traffic Modelling of the temporary traffic management arrangements. The outline TMP for the Scheme has been submitted to the ExA (AS-041).	S51 / Rule 9 deadline 22/03/2024
5.17 Transport Assessment Chapter 18	National Highways requests confirmation from Gloucestershire County Council to confirm the suitability of flows used in the model validated for a 2017 base year and any comparisons between the 2017-present day (including the impact of COVID flows).	GCC has undertaken further traffic modelling work to confirm its validity, accounting for the impact of COVID-19 on travel patterns and demand. GCC has been shared this with NH.	Traffic modelling shared 26/04/2024
5.18 Transport Assessment	National Highways request evidence of the calibration of M5 flows as this currently does not appear to show any calibration of flows on the M5 mainline.	Both the Strategic and Operational Traffic Models have been calibrated and validated in full accordance with TAG and pass the relevant TAG traffic modelling calibration and validation acceptance criteria. Calibration and validation of the Strategic Traffic Model is set out in the Chapters 5 and 10 of the Traffic Model Package (APP-140) which is Appendix J of the Transport Assessment (APP-138). Baseline traffic flows on the M5 from the Strategic Traffic Model have been calibrated and validated against observed data as shown in Figure 8-1 of the Traffic Model Package. Figures 10-4, 10-5 and 10-6, as well as Table 10-5 of the Traffic Model Package demonstrate that the baseline modelled flows along the M5 north and south of junction 10 all pass the TAG criteria when compared to observed flows.	SoCG Meeting 06/03/2024
5.19 Transport Assessment	National Highways request evidence of the queue length calibration of the comparison	Both the Strategic and Operational Traffic Models have been calibrated and validated in full accordance with TAG and pass the relevant TAG traffic modelling calibration and validation acceptance criteria. Calibration and validation of the Strategic Traffic Model is	SoCG Meeting 06/03/2024.

Topic	Position	Applicant Response	Date of the last Position
	of modelled and observed queue lengths and confirmation of if this assessment has been undertaken during calibration.	set out in the Chapters 5 and 10 of the Traffic Model Package (APP-140) which is Appendix J of the Transport Assessment (APP-138). Calibration and validation of the Operational Traffic Model (Local Model Validation Report (LMVR)) is contained in Appendix H of the Traffic Model Package. The calibration and validation of both the Strategic and Operational traffic models have been undertaken using observed traffic flows and journey times and not observed queue lengths. This approach is compliant with TAG Validation Criteria and Guidance, which specifies traffic flow and journey times as the only required criteria. Nonetheless, as stated in Section 18.6 in Appendix H of the Traffic Modelling Package “modelled queuing simulated in the base model runs correlates with the AM and PM peak journey time validation exercise”	
5.20 Transport Assessment	National Highways request further information in relation to the quote "with more notable queuing intermittently present at the signalised junctions and the M5 J10 southbound on slip" as this appears to contradict the validation of journey times on the M5 SB if sufficient delay is present in this part of the model.	<p>The base Operational Traffic Model network includes three signalised junctions, with the remaining junctions being made up of priority give-ways or merges. During base model runs, pockets of queuing around these junctions occur with more notable queuing intermittently present at the signalised junctions and the M5 J10 southbound off-slip, which is to be expected and not uncommon. The modelled queuing simulated in the base model runs correlates with the AM and PM peak journey time validation exercise undertaken (i.e., longer journey times occur on sections of the network with more notable queuing). Therefore, the validation of the model reflects the delay due to the modelled traffic queueing.</p> <p>Tables 18.2 and 18.3 of the Traffic Model Package (APP-140), which is Appendix J of the Transport Assessment (APP-138), show that the modelled journey times for Routes 1 and 3, which cover the section of A4019 where the three aforementioned existing junctions are located, fully validate against the observed data.</p>	SoCG Meeting 06/03/2024
5.21 Transport Assessment	National Highways requests confirmation from Gloucestershire county Council to confirm the suitability of flows used in the model validated for a 2017 base year and any comparisons between the 2017-present day (including the impact of COVID flows).	Please refer to GCC’s response to 5.17 above.	SoCG Meeting 06/03/2024

Topic	Position	Applicant Response	Date of the last Position
5.22 Transport Assessment Appendix J: Transport Model Package, Table 14.2	National Highways request information related to modelled journey times validated on 60s TAG criteria is provided to identify how significant the difference between modelled and observed journey times is to demonstrate the model is within a reasonable range of the observed.	Tables 18.2 and 18.3 in Transport Model Package (APP-140,) which is Appendix J of the Transport Assessment (APP-138), presents comparisons of the modelled and observed journey times where absolute differences are shown. These tables show that none of the journey times routes in either modelled peak have a difference above 60 seconds when modelled and observed journey times are compared.	SoCG Meeting 06/03/2024
5.23 Transport Assessment Appendix J: Transport Model Package, Section 16.5	National Highways requests confirmation in relation to the statement of amendments made to the average signal timings during calibration and if these amendments were also made to factors affecting saturation flows before changing the signal timings.	As stated in the Transport Assessment (APP-138), most of the traffic signals are either demand actuated, or Microprocessor Optimised Vehicle Actuation (MOVA) operated. In the absence of functionality to fully simulate these methods of adjusting signal timings in real-time in the Operational Traffic Modelling software (PARAMICS), these signal controlled junctions in the model have been coded with fixed timings to represent the average conditions during the relevant peak period, with the existing phases and stages retained. These adjustments are quite modest and, in this instance, compensate for the absence of the linkage functionality in the PARAMICS traffic model when the base year model was developed.	SoCG Meeting 06/03/2024
5.24 Transport Assessment Appendix J: Transport Model Package	National Highways request that Gloucestershire County Council provide confirmation of how the impacts at the adjacent junctions on the M5, practically Junction 11, is assessed to demonstrate that the scheme is not having a severe impact at these junctions.	M5 junction 11 is not included in the Operational Traffic Model. Therefore, the impact of the Scheme on M5 junctions 9 and 11 has been assessed using the Strategic Traffic Model. The impact of the Scheme on M5 junctions 9 and 11, in terms of changes in total traffic throughput and demand to capacity ratios, will be provided to NH.	SoCG Meeting 06/03/2024

Topic	Position	Applicant Response	Date of the last Position
5.25 Transport Assessment Appendix J: Transport Model Package	National Highways requests full details of what is included/excluded for Appendix J.	The Transport Assessment (APP-138) lists its appendices and their contents. Appendix J is listed as containing the Model Package Report (APP-140) which refers to the Strategic Traffic Model. Appendix J also includes the Operational Traffic Modelling – Local Model Validation Report, which erroneously is not listed in the Transport Assessment contents under Appendix J.	SoCG Meeting 06/03/2024
5.26 Transport Assessment Appendix K: Traffic Data Package Report	National Highways request that Gloucestershire County Council provide the comparison information of 2015 and 2017 base years against the present day data for both GCTM and Paramics models.	Please refer to GCC's response to comment 5.17 above.	SoCG Meeting 06/03/2024
5.27 Transport Assessment Appendix K: Traffic Data Package Report, Figure 2.2	National Highways request that Gloucestershire County Council provide further information relating to the validation of journey times on the route through Staverton and Boddington as journey time data does not provide data for validation of the journey times through these locations. Whilst not being a major road, this information is required as could be a key route choice in the Paramics model and should be included in the journey time validation.	The local road through Staverton and Boddington is included in full in the Strategic Traffic Model, but only in part in the Operational (PARAMICS) Traffic Model. This route is not included in the journey time calibration/validation of either the Strategic or Operational traffic models. Also refer to Gloucestershire County Council's response to comment 5.19 above.	SoCG Meeting 06/03/2024.
5.28 Transport Assessment Appendix	National Highways requests that Gloucestershire County Council provide further	Please refer to GCC's response to 5.8 above.	SoCG Meeting 06/03/2024

Topic	Position	Applicant Response	Date of the last Position
L: Traffic Forecasting Report	information regarding the assignment of traffic in Saturn and Paramics to understand any differences or potential impacts on the proposed scheme.		
5.29 Traffic Modelling GC3M Model	National Highways request the review and endorsement of the GC3M model, including any amendments to the model baseline and scenarios, as this has not been undertaken by National Highways to date and, as such, are unable to confirm that the model is acceptable to National Highways.	The Gloucestershire Countywide Traffic Model (GCTM) traffic model has been used for the assessment of Scheme, not the GC3M traffic model.	SoCG Meeting 06/03/2024
5.30 Transport Assessment	National Highways notes that the Transport Assessment indicates that increased traffic levels and V/C ratios predicted along the M5 main-line, imply that the motorway will be operating above capacity between Jcns 10-11. National Highways require full visibility of the traffic models to fully assess this concern.	NH have not provided a document reference for this comment, and it is unclear to which scenario comparison it relates. The only reference to V/C in the Transport Assessment (APP-138) is in Chapter 10 under construction impact, where impact is temporary and concludes by saying in section 10.4.13 The general trends observed from changes to V/C categories resulting from the slip road closures indicate that the increases in V/C categories are modest and consistent with the pattern of reassigned traffic, and as such are not considered to be severe. The traffic models have been shared with NH.	SoCG Meeting 06/03/2024 Traffic modelling shared with NH 26/04/2024
5.31 Transport Assessment	National Highways request that further information relating to scheme design including length/type of slips	The full details of the scheme design have been provided in Volume 2 of the submission. Details of dependent developments can be found in Appendix L of the TA (Table 6 of Transport Forecasting Package).	SoCG Meeting 06/03/2024

Topic	Position	Applicant Response	Date of the last Position
	(as supported by traffic modelling) and explanation of 'dependant development' is provided by Gloucestershire County Council.		
5.32 Transport Assessment	National Highways request that that current flows for M5 J10 (using Webtris) are provided for a comparison for J10 forecast flows since traffic survey data provided in the TA is dated 2017 and then growthed to 2023 levels (using the industry standard TEMPRO).	Please refer to GCC's response to 5.30.	SoCG Meeting 06/03/2024
5.33 Traffic Assessment	National Highways have concerns that there is no construction traffic or construction related employee traffic included in the traffic assessments as this could be a significant addition to the traffic patterns and flows.	<p>The TA includes four closure scenarios during construction in Chapter 10 in accordance with the current TMP. The TMP will be reviewed during the next stage of the scheme when the information on construction related traffic would be available.</p> <p>Estimates of forecast construction traffic and workforce commuting trips were not available when the traffic modelling of the temporary traffic management arrangements was undertaken. Nonetheless, the construction traffic generated by construction of the scheme will most likely represent a very small proportional increase in traffic volumes on the M5 compared to baseline flows and is, therefore, unlikely to materially alter the outputs of the traffic modelling of the temporary traffic management arrangements as reported in the Transport Assessment (APP-138).</p> <p>However, the outline Traffic Management Plan for the Scheme is being updated to include estimates of forecast construction related traffic. This will enable the impact of construction generated traffic on the road network to be quantified and assessed. This information will be shared with NH once it is available.</p>	SoCG Meeting 06/03/2024

Topic	Position	Applicant Response	Date of the last Position
5.44 Traffic Management	National Highways request that all Traffic Management will be subject to the agreement of National Highways to mitigate any impacts to the Strategic Road Network.	As it stands, this request is too general. It goes without saying that we will need to gain approval for all TM on the SRN. The slip roads will be closed for 9 and 15 months (according to the DCO submission) and TM on the A4019 and B4634 during this time will not affect the SRN. We propose to share our TM proposals with NH and seek approval/acceptance where they are deemed to impact the SRN only, e.g. any works on the M5, including the slip road closures and diversion routes (but these are in the DCO anyway).	SoCG meeting 06/03/2024
5.45 Merge/Diverge/weaving assessments	National Highways request further information including traffic flows/modelling to understand if the weaving/merge/diverge provision proposed (as required by CD 122), offer sufficient capacity for the predicted increase in traffic levels. Any assessment also needs to include the impact and safety implications of the new junction proposed between 9 and 10.	The design of the Scheme has been undertaken in full accordance with guidance and standards contained in the Design Manual for Roads and Bridges (DMRB). General Arrangement plans showing the Scheme design (APP-014 and APP-015) have been shared with NH. Design development of the Scheme has followed the NH's Project Control Framework (PCF), with all applicable PCF documents having been approved by NH. The proposed designs for all the M5 junction 10 slip roads require departures from standard. These have been uploaded onto NH's Departure Approval System (DAS) and NH's Safety, Engineering & Standards (SES) have confirmed provisional agreement to the departures. Traffic flows used to determine the slip road design, including weaving, diverging and merging layouts, and inform the required departures from standards are included in the departures form standard submissions uploaded onto NH's DAS.	SoCG meeting 06/03/2024
6. Funding			
6.1 Homes England Infrastructure Funding	National Highways request that the Homes England grant for the project is provided for information to confirm any caveats to funding noting this funding represents some, but not all, of the funding streams and may provide a cash surety mechanism noting the shortfall in committed funds.	To be discussed.	SoCG Meeting 05/03/2024

Topic	Position	Applicant Response	Date of the last Position
6.2 Funding Security	<p>National Highways have concerns about the significant reliance on unsecured developer contributions, as previously raised to Gloucestershire County Council, due to no guarantee that any or all of the identified developments will come forward within the timescales when funding is required and with the necessary level of financial contributions secured.</p> <p>National Highways require funding security before the start of construction activities due to the risk of beginning construction without the full funding package in place.</p>	Approach needs discussion.	SoCG Meeting 05/03/2024
6.3 Cash Surety	<p>National Highways request that discussions continue regarding cash surety for pre and post Notice to Proceed to ensure that any delays or unforeseen risks do not affect the construction and operation of the Strategic Road Network.</p> <p>National Highways requests sight of commercial documentation to ensure</p>	To be discussed.	SoCG Meeting 05/03/2024

Topic	Position	Applicant Response	Date of the last Position
	affordability of completion of all aspects of the scheme impacting on the SRN).		
6.4 Notice to Proceed	National Highways request that the Notice to Proceed decision is captured in a legal agreement with Gloucestershire County Council to ensure that construction does not start on the Strategic Road Network without funding secured.	To be discussed.	SoCG Meeting 05/03/2024
6.5 Commuted sum	National Highways seeks a milestone schedule to provide visibility of when the commuted sum figure will be updated and how this aligns to the detailed design programme.	The Applicant requires further discussion regarding commuted sums, as we do not consider that they are required.	SoCG Meeting 05/03/2024
6.6 Collateral warranties	National Highways request that a copy of the contract with Galliford Try, copies of the professional appointments in place with consultants engaged in relation to the works, confirmation of the levels of professional indemnity insurance each warrantor will be obliged to maintain and evidence from their broker of said insurance and any technical appendices are provided to be able to	The Applicant understands that this has been done. However a meeting is to be arranged to discuss as NH has further queries.	SoCG Meeting 05/03/2024

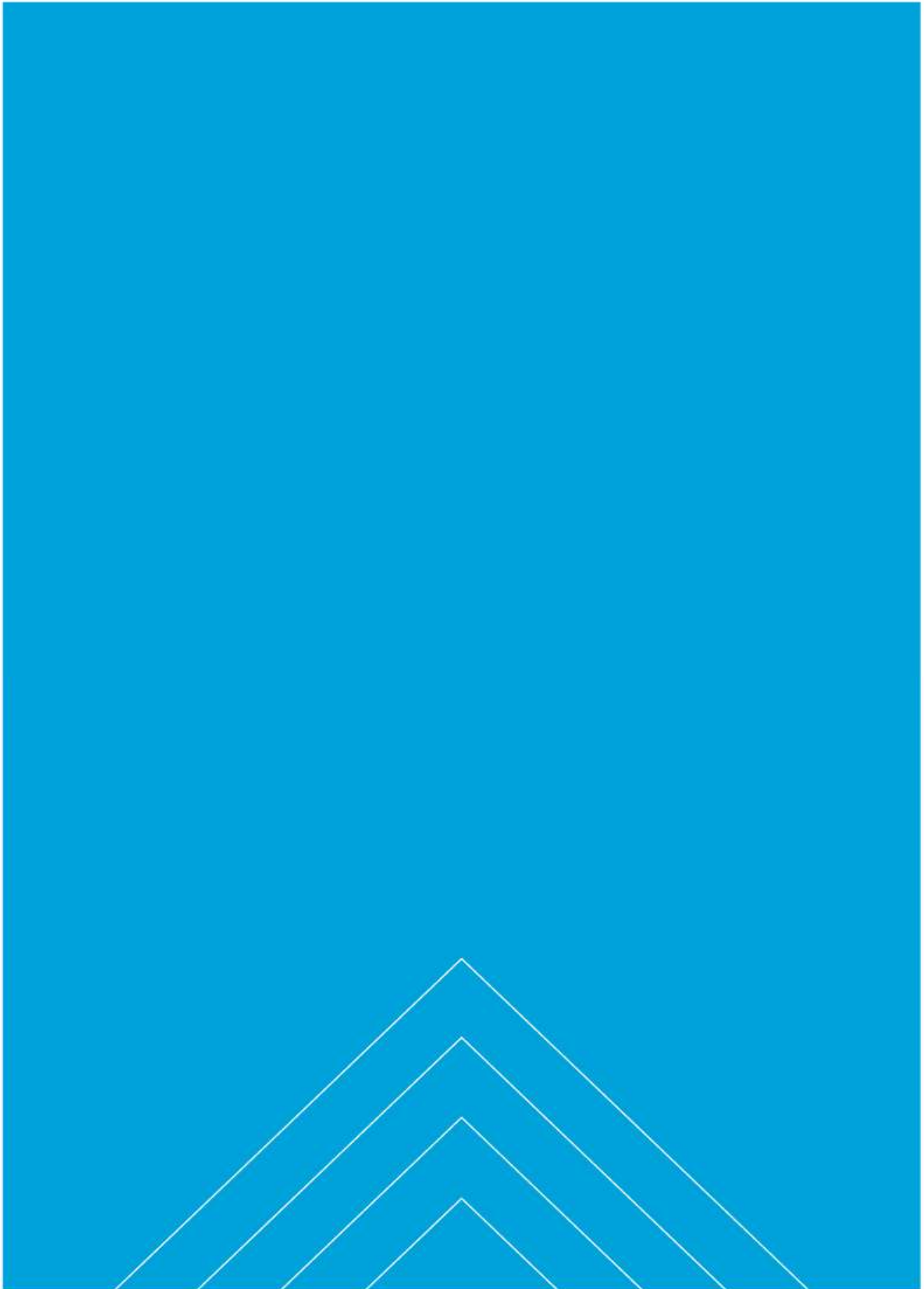
Topic	Position	Applicant Response	Date of the last Position
	agree and approve any collateral warranty agreements.		
7. Construction			
7.1 Programme	<p>National Highways request that a construction programme is provided to National Highways on a monthly basis to align with Principal Contractor CI32 submissions to Gloucestershire County Council to provide oversight of construction activities to the Strategic Road Network.</p> <p>National Highways request that a cost loaded construction programme is regularly provided to NH for oversight of project performance (i.e., CPI/SPI/LEI/BEI).</p>	The Applicant can provide a construction programme but not with cost loading. The Applicant does not understand why NH needs oversight of project performance.	Response in this updated SoCG 21/05/2024
8. Operations and Maintenance			
8.1 Access	National Highways request that access onto land parcels affected by the development for future maintenance by the Operations Directorate are applied and agreed with National Highways. This includes, but not limited to, easements over the private	To be discussed - likely to only relate to getting to culverts over private land as the rest is accessible over strategic network.	Response in this updated SoCG 21/05/2024

Topic	Position	Applicant Response	Date of the last Position
	land for any outfall, ditches and/or buried pipelines that are to remain in National Highways ownership with a minimum 5m width required at each side of the apparatus for maintenance, easements over private land to any land locked plots for future maintenance with minimum 10meters width required, easements over private land with any culverts not deemed as structures for future maintenance with minimum 10 meters width required, easements for any drainage or other national highways assts and the rights to carry out future maintenance to these.		
8.2 Liabilities	National Highways request that a maintenance plan is provided and agreed for all assets, including but not limited to structures, flood storage areas, attenuation basins and embankment, in event of an issue affecting SRN.	To be discussed.	SoCG Meeting 05/03/2024
8.3 Reservoir	National Highways would require provision for the drainage asset in relation to	The Applicant has produced a Technical Note on the Reservoir which was shared with National Highways on 30 April 2024. Awaiting a response from National Highways.	30/04/2024

Topic	Position	Applicant Response	Date of the last Position
	the reservoir in the commuted sum figure (£TBC)		
8.4 Ownership	National Highways would like it secured in the DCO and supporting documentation that ownership and maintenance of the reservoir lies with GCC and that responsibility of the construction and maintenance of the M5 southbound on slip embankment, up to formation level, lies with Gloucestershire County Council in accordance with the requirements of the Reservoirs Act 1975 of an above ground reservoir. Ownership and maintenance of the M5 southbound on-slip road drainage to be with National Highways.	The Applicant on has produced a Technical Note on the Reservoir which was shared with National Highways on 30 April 2024. Awaiting a response from National Highways.	30/04/2024
9 Project Control Framework and Governance			
9.1 PCF	National Highways confirms that its role prior to the acceptance of the DCO was to provide support to the Applicant to ensure that the application documentation met the requirements of governance for projects on the SRN at the Preliminary Design at Project Control Framework Stage 3 (PCF 3). National Highways did not	The Applicant has consulted and liaised with National Highways throughout the evolution and design development of the Scheme. This has included discussions with National Highways' technical teams, regarding the traffic modelling that quantifies the impact of the Scheme on the Strategic Road Network, highway design and road safety. The evolution and design development of the Scheme has also been undertaken in accordance with National Highways' Project Control Framework (PCF) process and all required PCF documents relating to the Scheme have been issued to and approved by National Highways, following detailed review.	30/04/2024

Topic	Position	Applicant Response	Date of the last Position
	<p>review any products that have been de-scoped from the PCF 3 process or any documents that were sent for National Highways information only at PCF 3 stage. National Highways reviews and advice at PCF 3 are intended to ensure that documents are in accordance with governance requirements and include the chapters, headings and topics that should be covered. The PCF 3 review does not provide any level of technical assurance or endorsement of the scheme's viability or design, nor comment on the accuracy or acceptability of any substantive consent, simply that content is there. The PCF 3 process is to ensure that documents meet governance standards only. If it assists the examination process, a full list of which documents that National Highways reviewed at PCF 3 stage can be provided to the Examining Authority, as well as a list of documents that were de-scoped. National Highways confirms that despite reviewing a selection</p>		

Topic	Position	Applicant Response	Date of the last Position
	of documentation for PCF 3 stage, there are a number of matters which were not resolved by the Applicant and National Highways can provide the Examining Authority with further information should this be required.		



AtkinsRéalis

5th Floor, Block 5
Shire Hall
Bearland
Gloucester
GL1 2TH

Tel: +44 (0) 8000 514 514