

# M5 Junction 10 Improvements Scheme

**Applicant Written Submission of Oral Case for  
Compulsory Acquisition Hearing 1 (CAH1)**

**TR010063 – APP 9.69**

Rules 8 (k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

Volume 9

September 2024



**Gloucestershire**  
COUNTY COUNCIL

# Infrastructure Planning Planning Act 2008

## The Infrastructure Planning (Examination Procedure) Rules 2010

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

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#### Applicant Written Submission of Oral Case for Compulsory Acquisition Hearing (CAH1)

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<b>Rule Number:</b>	Rule 8 (k)
<b>Planning Inspectorate Scheme Reference</b>	TR010063
<b>Application Document Reference</b>	TR010063/APP/9.69
<b>Author:</b>	M5 Junction 10 Improvements Scheme Project Team

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
Rev 0	September 2024	Deadline 4

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# 1. Introduction

- 1.1.1. The purpose of this document is to set out the Applicant's written summary of its oral case for Compulsory Acquisition Hearing 1 (CAH1) held on Thursday 15 August 2024 in Cheltenham and virtually via Microsoft Teams.
- 1.1.2. This document does not propose to summarise the oral case of parties other than the Applicant. Summaries of the oral case made by other parties are only included where necessary in order to give context to the Applicant's summary.
- 1.1.3. Where the Examining Authority (ExA) requested further information from the Applicant on particular matters, or the Applicant undertook to provide further information during the Hearing, the Applicant's response is set out.
- 1.1.4. This document follows the order of the Agenda published by the Examining Authority on 5 August 2024.
- 1.1.5. For defined terms and abbreviations, please refer to Section 14 of the Introduction to the Application (APP-001).
- 1.1.6. The Applicant has provided responses to the CAH1 agenda hearing action notes collectively in Appendix A.

## 1.2. Item 1 - Welcome, introductions and arrangements for the hearing

- 1.2.1. Andrew Tait KC of Francis Taylor Building confirmed that he represents the Applicant and introduce the following members of the Applicant's project team, who would speak as required on the agenda items:
  - a. Douglas Haycock, Burges Salmon;
  - b. James Cattermole, Project Land Assembly Lead, Carter Jonas;
  - c. Craig Jones, Highway Design Lead, AtkinsRéalis
  - d. Chris Beattie, Client Project Manager, Gloucestershire County Council; and
  - e. Tim Pearce, DCO Manager, AtkinsRéalis



### 1.3. Item 2 - The statutory conditions and general principles applicable to the exercise of powers of compulsory acquisition

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
(I)	The Applicant will be asked to provide evidence on how the proposed development and the approach taken to Compulsory Acquisition and Temporary Possession meet the following legislative tests.	N/A
(a)	<p>Whether the purpose for which Compulsory Acquisition powers are sought would comply with section 122(2) of the PA2008 and whether there is a compelling case for the Proposed Development?</p> <p>The ExA will identify a number of plots to test the approach taken by the Applicant and the justification for those plots.</p>	<p>The Applicant explained that the compelling case for the Scheme is identified in paragraph 2.22 to 2.24 and section 5.4 of the Statement of Reasons (REP3-018), which cross-refers to the Planning Statement (other documents support this position) In respect of s.122(2) (i.e. land required for the development to which the DCO relates or is required to facilitate or is incidental to that development) the Applicant has followed the guidance in respect of each requirement to seek to show that the land is needed, no more land is being taken than is reasonably necessary and what is proposed is proportionate.</p> <p>Annex A of the Statement of Reasons sets out why the compulsory acquisition powers are required on a plot by plot basis. Further information is provided in relation to temporary possession and the limits of deviation in response to the ExA's 1<sup>st</sup> Written Question 5.0.1.</p> <p>In summary, the applicant concluded that no more land is being taken than what is reasonably necessary and that the land take is proportionate. Paragraph 5.3.3 of the Statement of Reasons concludes that the land sought is the minimum required for the safe and efficient construction, operation, maintenance and is what is necessary for mitigation. Paragraph 5.3.7 of the Statement of Reasons explains the land is required for the proposed permanent works and temporary working space. Paragraph 5.3.5 of the Statement of Reasons concludes that the Applicant</p>

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		<p>has sought to achieve a balance between minimising land take and securing sufficient land to enable the Scheme to be delivered.</p> <p>Planning Act 2008: 'Guidance related to procedures for compulsory acquisition of land' (DCLG, September 2013) (the 'CA Guidance') refers to taking no more than what is reasonably required, and the Applicant has sought to minimise land take so far as it can at this stage without risking potential prejudice to scheme delivery by taking too little land.</p> <p>The ExA tested the Applicant on the following plots.</p> <p><b>Plot 4/1c and 4/1c(i):</b></p> <ul style="list-style-type: none"> <li>• The ExA noted that the work plans for plot 4/1c show the highway work limits are just a small proportion of the entire plot.</li> <li>• The Applicant explained that plot 4/1c has been reviewed in consultation with National Highways. The plot is unregistered so, due to its unregistered nature and the risk of unknown parties coming forward it has been included for permanent acquisition. However, a decision has since been made to reduce it to temporary possession with permanent rights (this being necessary to undertake traffic management etc. over the carriageway during construction). The Applicant explained that the proposed slip road extends slightly into the plot. It also explained that the plot was included as a single plot as it was originally unregistered. When the proposed amendment is made, the entire plot will be downgraded, it will not be subdivided.</li> <li>• The ExA asked why 4/1c(i) is required when the works plans do not propose any works within it.</li> <li>• The Applicant explained that it is an unregistered plot. It is another plot that the Applicant will look to amend. The Applicant confirmed it would confirm if the plot would be downgraded to temporary possession with permanent</li> </ul>

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		<p>rights in writing. Post hearing note: updated BOR,SOR and Land Plans and dDCO now reflect this plot as Temporary possession only.</p> <p><b>Plot 4/2a</b> (The ExA asked for detail on the extent of the plot sought):</p> <ul style="list-style-type: none"> <li>• The Applicant explained that the whole plot is subject to temporary land take instead of subdividing out for works within it, as it all falls in the same title.</li> <li>• The ExA asked whether the Applicant is able to demonstrate those two tests in each plot And the Applicant confirmed it would respond in writing.</li> </ul> <p><b>Plot 5/5a</b> (The ExA highlighted a potential discrepancy between the Statement of Reasons and the General Arrangement plans (GA) and the EMP in relation to retained vegetation and dwellings):</p> <ul style="list-style-type: none"> <li>• The Applicant explained that the negotiations to acquire the site are significantly progressed, terms have been agreed and the parties are now progressing legal agreements. The whole area has been included in the works plans for the construction compound as it envisages that the cottages would be vacant during the works as detailed in the ES and so they would need to fall under the control of the contractor during the works, although they would remain based upon the current design and detail.</li> <li>• The ExA asked whether the residential plots are needed incidentally to avoid the conflict between occupation and construction which the Applicant confirmed was correct.</li> </ul> <p><b>Plots 6/4a and 6/4b(i)</b> (The ExA highlighted a potential discrepancy between the Statement of Reasons, works plans, GA and EMP in relation to a southbound entry slip)</p> <ul style="list-style-type: none"> <li>• The Applicant explained that a new ditch feature is being installed in plot 6/4a. The Applicant stated that it will review works numbers that relate to it</li> </ul>

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		<p>in the Statement of Reasons and confirm whether that is correct at Deadline 4.</p> <ul style="list-style-type: none"><li>The ExA asked whether this is also correct for plot 6/4b(i) and the Applicant confirmed that it will revert at Deadline 4.</li></ul> <p><b>Plots 11/1a, 11/1b and 11/1c</b> (The ExA highlighted a potential discrepancy between the Statement of Reasons, works plans, GA and EMP in relation to flood compensation)</p> <ul style="list-style-type: none"><li>The Applicant explained that the three plots have no physical changes proposed, only a change to the flood characteristics in those areas which explains the discrepancy between the plans. This is where the Applicant has agreements in relation to flooding progressed.</li></ul> <p><b>Plots 15/3d and 15/4a</b> (The ExA highlighted that works plans show them as needed for flood compensation but the EMP does not).</p> <ul style="list-style-type: none"><li>The Applicant explained that it will revert at Deadline 4 to confirm its approach.</li></ul> <p><b>Plots 15/4d and 15/5c</b> (The ExA highlighted that the Statement of Reasons list it as needed for the Link Road, but the works plans state it is required for a new PROW. There is a discrepancy between the work plans, general arrangement plans and EMP as to the new PROW)</p> <ul style="list-style-type: none"><li>The Applicant explained that the footpath will fall within the plot immediately east or west of the plot in question. The plots are needed for working space to facilitate works along the PROW as opposed to where any right of way will be. The Applicant offered to provide an overlay at Deadline 4.</li></ul>

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		<ul style="list-style-type: none"> <li>The ExA asked the Applicant to revisit the general arrangement plans and EMP to ensure the PRow follows through consistently.</li> <li>The Applicant agreed to do so.</li> </ul> <p><b>Plot 15/8l</b> (The ExA highlighted a potential discrepancy between the works plans, GA and EMP in relation to a narrow section following the route of a gas main).</p> <ul style="list-style-type: none"> <li>The Applicant noted that the diversion isn't shown on the EMP but it is shown on a separate utilities diversion plan, as are all diversion required for the scheme. The Applicant explained that it will provide the reference in the written note. Post hearing note: Separate utility diversion plans have been prepared as part of the PCF product list, but these are not part of the DCO submission. Instead, all proposed utility diversions are show comprehensively on the Works Plans.</li> </ul> <p><b>Plot 13/3r</b> (The ExA highlighted a potential discrepancy between the GA and EMP in relation to a noise barrier and cycle lane).</p> <ul style="list-style-type: none"> <li>The Applicant stated that it would respond in writing.</li> </ul> <p><b>Plot 13/6a</b> (The ExA highlighted a potential discrepancy between the Statement of Reasons, works plans, GA and EMP in relation to the construction of a service road).</p> <ul style="list-style-type: none"> <li>The Applicant explained that the verge detailed within plot 13/6a will need to be altered as part of the installation of the service road. It may be some detail missed in the overlays and an overlay will be required.</li> </ul> <p><b>Plots 13/5a and 13/7a</b> (The ExA asked whether the Applicant is seeking to acquire these Crown land plots).</p>

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		<ul style="list-style-type: none"> <li>The Applicant explained that is in negotiations with the agent acting and terms are being progressed with detail to be refined.</li> </ul> <p><b>Plot 14/4a</b> (The ExA asked why the Applicant would require this small parcel of land)</p> <ul style="list-style-type: none"> <li>The Applicant explained that the plot is required for footway improvements and includes a working area to deliver them.</li> </ul>

CAH1.1: The Applicant was asked to set out the current compulsory acquisition position in respect to National Highways plots 4/1c and 4/1c(i), as well as any other plots with similar characteristics being compulsorily acquired.

Additional plots requested to be addressed were :

- Plot 4/2a
- Plot 5/5a
- Plot 6/4a
- Plot 6/4b(i)
- Plot 15/3d
- Plot 15/4a
- Plot 15/4d
- Plot 15/5c
- Plot 15/8l
- Plot 15/8n
- Plot 13/3r

CAH1.2: The Applicant was requested to provide confirmation if the compulsory acquisition tests at s.122 PA 2008 are met on the extent of the land plots subject to compulsory acquisition.

CAH1.3: The Applicant was asked to confirm why the Applicant is acquiring certain plots when no specific detail is shown on work plans or environmental masterplan. Some examples given by the ExA were plots 15/3d, 15/4a).

CAH1.4: The Applicant was asked to confirm what the specific DCO proposals are which create the effect on and need to acquire plot 15/5c.



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CAH1.5: The Applicant was asked to provide clarity regarding the specific proposals and works within crown land plot 13/6a and provide an overlay plan showing the work required.		
(b)	Whether all reasonable alternatives to Compulsory Acquisition have been explored?	<p>The Applicant explained that this is addressed at section 5.5 of the Statement of Reasons (REP3-018) submitted at D3.</p> <p>The process through which the preferred route was arrived at, summarised at section 5.5 of the Statement of Reasons, considered two strands (i) the design process [the Applicant considered alternatives and modifications to the Scheme design to minimise the potential land take] and (ii) seeking to acquire by agreement and continuing the process during negotiation with IPs to reduce the need to seek compulsory acquisition powers or downgrading the level of interference where practicable.</p> <p>In relation to (ii), the Applicant provided the example of the position in relation to House in the Tree which was originally included as temporary acquisition with permanent rights for diversion of utilities. Through engagement with statutory undertakers and the landowners and occupier (through their land agents) concerns raised regarding the need to acquire permanent rights was addressed by the Applicant and the rights sought for plot 16/5b were downgraded to temporary possession.</p> <p>This is recorded in Rev 3 of the Book of Reference [REP3-020), Statement of Reasons and other land-related documents such as land plans.</p> <p>In respect of (i), the Scheme's design has sought to minimise the impact on properties where possible, but impacts are unavoidable in places principally due to the number of properties around the A4019 and M5 itself. Where impacts have been unavoidable, the Applicant has sought to use these areas to mitigate impacts for retained properties. For example, on the A4019 at the Uckington Junction where impacts on properties to the south were unavoidable; therefore, the Applicant used the land to introduce mitigation for the retained properties to the north of the road with the provision of service roads and noise barriers. As part of</p>

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		<p>the design iteration process, feedback from landowners at the Elton Lawn property was received. They suggested that the Scheme would have an impact on vegetation at the front of their property. These comments were addressed through the further realignment of the A4019 away from the property boundary in the pre submission design.</p>
(c)	<p>Whether the Secretary of State could be satisfied that the land proposed to be acquired is no more than is reasonably necessary for the purposes of the Proposed Development?</p>	<p>The Applicant has carefully considered the degree of flexibility that it requires to undertake the Scheme. In identifying the vertical limits of deviation in Article 8 of the draft Development Consent Order [REP1-004] the Applicant has, as far as possible, sought to provide appropriate flexibility while recognising that it cannot have unfettered flexibility. In defining those vertical limits of deviation, in particular, the flexibility is very limited. The limits of deviation reflect the current level of design and the complexity of the Scheme. The site is heavily constrained in engineering terms, in particular by existing infrastructure, water features and geometric standards. This approach is well preceded for other schemes such as the A417 (Missing Link), M25 Junction 10, or A38 Derby Junctions Orders.</p> <p>Powers of compulsory acquisition would not be exercised in respect of land not ultimately required as a result of the detailed design process, as Article 21 of the draft Development Consent Order submitted at D3 (REP3-011) only grants the undertaker power to acquire compulsorily so much of the Order land as is required to carry out or to facilitate, or is incidental to, the authorised development. There is, therefore, another threshold to pass in order to meet the test of section 122 of the Planning Act 2008. Where detailed design has provided that less land may be required, then that land could not be acquired unless it remains necessary to facilitate or is incidental to the authorised development.</p> <p>The Applicant explained that the Applicant would provide further examples of where it has minimised land take/impact in writing.</p>

CAH1.6: The Applicant was asked to provide examples of plots that demonstrate that no more land than is required reasonably is being acquired.

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(d)	Whether having regard to section 122(3) of the PA2008 there is a compelling case in the public interest for the land to be acquired compulsorily and the public benefit would outweigh the private loss?	See (III) below
(II)	<p>The Applicant will be invited to explain how the dDCO demonstrates a commitment to and delivery of the whole project and how this is secured.</p> <p>The ExA note the Applicant's response to ExQ 1.0.12 at Deadline 3 however the ExA wish to explore how this may meet the tests for CA.</p>	<p>The Applicant explained that the legal position has informed the Applicant's response and the cross reference in the Planning Inspectorate's Advice Note 15 to the Planning Practice Guidance (PPG) at paragraph 5, and in particular the reference to difficulties in enforcement due to the range of external factors that can influence a decision at some unknown point for some unknown reason. The Scheme is a unitary exercise and is intended as a whole to meet the need. In line with the Applicant's response at ExQ 1.0.12, there is not a mechanism that is appropriate to secure that at this stage. Therefore, the requirements from case law as expressed in Advice Note 15 as to enforceability is pertinent, and that finds its way into PPG paragraph 5.</p> <p>The ExA asked whether it is correct that the modifications to the motorway result in the need to modify the A4019 so one cannot be done without the other.</p> <p>The Applicant explained this is correct.</p> <p>The ExA asked whether the same applies to the Link Road.</p> <p>The Applicant explained that it will come back in writing. However, it referred the ExA to the JCS transport evidence base and the link made between all movements junction and the west Cheltenham Link Road. There is an identifiable impact identified in DS6A of the evidence base which demonstrates that the M5 mainline would have significant issues if the Link Road is not included in combination with the junction. Post hearing note: please see Technical Note on Need for the Scheme (TR010063/APP/9.74).</p>

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CAH1.11: The Applicant was asked to explain whether provision could be made in the DCO to secure a commitment for the delivery of the whole of the scheme. In absence of this, whether an assessment of public benefit should be undertaken to assess what the implications would be on the balance between private loss and public benefit in relation to compulsory acquisition.		
(III)	The Applicant will be invited to explain how they have conducted the balance between public benefit and private loss and in particular regarding where the loss results in the loss of private homes.	<p>The Applicant explained that the balance is set out at paragraph 6.3.1 to 6.3.5 of the Statement of Reasons.</p> <p>The Applicant has continuously had regard to the human rights implications of implementing the Scheme and the engagement in particularly of Article 8 and Article 1 of the ECHR. This is evidence in the Applicant's Cabinet meetings in July 2020 and December 2023 where the commitment to use compulsory powers for the M5 Junction 10 Improvement Scheme was considered and approved.</p> <p>In summary, the Applicant considers that there is a fair balance between the public interest seeing the scheme proceed, underpinned by the need, and the private rights that would be affected by compulsory acquisition. Relevant to that is whether the land is the minimum necessary, subject to the checking exercise which the ExA has asked the Applicant to undertake, it is considered to be minimum necessary to ensure delivery of the Scheme and the interference with human rights is considered to be both proportionate and justified having regard to the objective of minimising harm which has informed the Scheme while achieving the objectives of the Scheme. Further consideration, particularly in connection with the loss of private homes is the steps the Scheme has been seeking to secure those interests by private agreement rather than compulsory acquisition.</p> <p>The Applicant provided an update on the compulsory acquisition position in relation to properties. There are 32 residential properties to be demolished by the Scheme. 29 of which have been acquired, one has exchanged and is progressing through legals, two have terms agreed and there are a further two where negotiations are progressing.</p> <p>The Applicant explained that the ES Chapter 3 on Alternatives (APP-062), at paragraph 3.5.7, deals with the Link Road where there is theoretically the most</p>

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		<p>scope for alternatives, having regard to the constrained of the other two sections. In relation to Corridor 3 (the option selected) the table summarising the factors taken into account includes the impact on properties, of which the selected corridor had the least impact on properties.</p> <p>The ExA asked the Applicant to explain public benefit of the Scheme and whether it should be considered as a whole or as separate component parts.</p> <p>The Applicant referred to paragraph 2.2 to 2.5 of the Statement of Reasons (REP3-018) (<i>Need for and benefits of the Scheme</i>). The objectives of the Scheme (see paragraph 2.2.6) are not set out in order of priority, but it is clear that so far as the underlying need it is for the objectives to:</p> <ul style="list-style-type: none"> <li>• support economic growth and facilitate growth in jobs and housing by providing improved transport network connections in west and north-west Cheltenham;</li> <li>• enhance the transport network in the west and north-west of Cheltenham area with the resilience to meet current and future needs;</li> <li>• improve the connectivity between the SRN and the local transport network in west and north-west Cheltenham; and</li> <li>• provide safe access to services for the local community, including for users of sustainable transport modes within and to west and north-west Cheltenham.</li> </ul> <p>The fourth objective is to deliver a package of measures which is in keeping with the local environment, establishes biodiversity net gain and meets climate change requirements. While it is not an engine in itself, it is an important element of the package and the Scheme provides important net gains in the Biodiversity Metric.</p> <p>The need for the Scheme is underpinned by the documentation before the examination, firstly the work carried out for the JCS leading to DS7, which showed</p>

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		<p>the necessity for a scheme to release the A4 and A7 allocations. The HIF bid work in 2020 was endorsed by Homes England as to the need for the intervention proposed to enable the A4 and A7 allocations, and for some element of resilience (linking to the 2<sup>nd</sup> Scheme objective) to go beyond 2031 (a proxy has been used for north-west Cheltenham). The need is further underpinned by the work commissioned by the County Council as Highway Authority for the GC3M Assessment (REP3-065) which confirms the severity of the impact of A4 and A7 on the network without intervention. The assessment also includes the mitigation proposed for example, by Bloor Homes in their currently undetermined planning application and concludes that there are severe impacts on the network even with their mitigation, absent an intervention. There has been no alternative identified by any other party which would achieve the objectives of the scheme and there is nothing before these hearings.</p> <p>There is a powerful case of need for the Scheme which is why the Applicant has invested the time and resources to bring this matter before the Secretary of State. This is a compelling case for a need which is accompanied by all of appropriate and necessary mitigation measures set out in the submission documents. The Statement of Reasons indicates at paragraph 2.2 the number of homes and employment opportunities that will be unlocked by this intervention. It is also summarised at paragraph 5.4 of the Statement of Reasons, under the heading 'Compelling case in the public interest'. This ties in to some of the policy references, in particular the reference in RIS2 and the Local Transport Plan and Local Infrastructure Delivery Plan.</p> <p>The ExA asked the Applicant whether it is fair to say that the ES details the assessment of private loss.</p> <p>The Applicant explained that it is principally the ES that details the consideration and assessment of private loss but there are other documents which impinge on that. The Applicant stated that it would revert in writing.</p>



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		<p>The ExA asked the Applicant to provide examples of changes made to minimise the private loss suffered where possible</p> <p>The Applicant referred to plot 16/5b, The House in the Tree, where consultation led to the downgrading of the plot to temporary possession. This constitutes a reduction of the Scheme's impact on the flexibility that the private owner would have for their site, any changes they want to make in the future and any impact on the value of their property. The Applicant agreed to provide further examples in writing.</p> <p>Mr Neil Hadley made various comments relating to engagement with the Applicant, raising complaints with the heads of terms, including the length of the option period, the offer made and issues around the application of betterment (including a lack of explanation).</p> <p>The Applicant explained that a number of these points have been raised through the relevant representation and written representation process to which the Applicant has responded. There are a number of aspects of negotiations which are ongoing and some points raised are not entirely accurate (for example the option agreement has been proposed for three years) but the time scales for making the offers are correct. An offer was made by the Applicant, with consideration, on 29 July 2024 and in terms of value the Applicant would welcome a meeting with Mr Neil Hadley and his representative to discuss it in more detail. With regard to the betterment point, there is clearly a desire for the property to come forward for development having the road improvements provided for that and assisting with it notwithstanding the sort of discussions around access will provide significant betterment to that site in due course.</p> <p>Mr Steven Wakefield raised a number of comments in relation to the Applicant's conduct, including in relation to perceived poor communication, heads of terms and the payment of agent's fees. Mr Steven Wakefield also raised issues regarding a planning application for an annexed caravan on the property, logging and manure storage.</p>

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		<p>The ExA asked the Applicant for further detail on engagement with IPs.</p> <p>The Applicant explained that there has been ongoing dialogue since it started in 2022, whether directly with the IP or via their agent. There has been dialogue to explain aspects that are not resolvable or immediately answerable, such as in relation to access. In terms of the timeframe between the initial Heads of Terms being proposed, draft Heads of Terms being proposed and the offer, the intention was to give the party the opportunity to consider the terms that are being requested before negotiation in relation to consideration, as this would have an impact on the value associated. The Applicant agreed to provide further detail on communication and its frequency in writing.</p> <p>In relation to Mr Steven Wakefield's comments, the Applicant explained that in terms of the offer and specifically the question around planning considerations, it is pertinent when considering the value of a property to understand whether all parts of it are properly consented, which is where the question of the planning status of the annexed static caravan have come into play. In relation to the activities that are ongoing on land which is now owned by the Applicant (i.e. logging and manure storage) this isn't with the agreement of the Applicant and it has approached the parties involved to try and have this stopped as soon as possible. Those conversations are ongoing and the activities were undertaken without any prior agreement from the Applicant. In respect of agent fees that have been queried prior to the release of the file by the previous agent appointed, the Applicant has agreed to settle those fees and things are happening continually as the Applicant goes through the process. The Applicant has a meeting arranged with the new agent who has been appointed on 22 August 2024 to discuss in more detail.</p>

CAH1.7: The Applicant was asked to confirm the total number of residential properties subject to compulsory acquisition and the current position regard to any ongoing negotiations concerning them.

CAH1.8: The Applicant was asked, with regard to affected persons where agreement has not yet been reached to acquire the land voluntarily, to provide the ES document and paragraph references which consider private loss relevant to those particular affected persons and how that has been assessed.

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		CAH1.9: The Applicant was asked to provide a chronology and information regarding the form and timing of engagement and negotiations with affected persons where agreement has not yet been reached to acquire land voluntarily.
		CAH1.10: The Applicant was asked to explain how private loss of property has been weighed against the public benefit of the scheme and how the latter would demonstrably and overwhelmingly outweigh the former.

## 1.4. Item 3 - Whether there is a reasonable prospect of the requisite funds becoming available

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
(I)	The Applicant will be asked to provide evidence on how the proposed development and the approach taken to Compulsory Acquisition and Temporary Possession meet the following legislative tests.	N/A
(a)	The resource implications of both acquiring the land and implementing the project for which the land is required.	<p>The ExA asked the Applicant to confirm when the Funding Statement was prepared.</p> <p>The Applicant explained that the information on the cost of the Scheme was finalised in June 2023.</p> <p>The ExA asked what is meant by the 'ECI Contractor' in the Applicant's response to the 1<sup>st</sup> ExA's Written Question 5.0.7.</p> <p>The Applicant explained that the intelligence feeding into the Applicant's cost estimating has historically been with its consultant supply chain, which lead to the production of Funding Statement in June 2023. The consultant continues to work to (alongside other things) monitor spend, progress of the works and inflation. However, the intelligence in respect of the delivery stage of the contract will be increasingly reliant on the work done by the ECI Contractor (verified by the consultant). The ECI Contractor is brought on board to look at how Scheme will be delivered, to engage with the supply chain and to develop intelligence around degree and ultimately target cost which becomes basis of the Stage 2 works.</p> <p>The ExA asked the Applicant to explain what Scheme target cost means.</p> <p>The Applicant explained that target cost is a contractual term under NCC suite of contract documents. Stage 2 is envisaged as an option C target cost contract.</p>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<p>Under that mechanism, a target cost is agreed and then actual costs and monitored with an incentivised mission to deliver below the target.</p> <p>The ExA asked whether the contractors proposal for Stage 2 is still expected to be submitted in May 2025.</p> <p>The Applicant explained that there are a series of updates which means the likely final cost is likely to be around September/October 2025. The contract has the flexibility to commence Stage 2 with residual detailed design in place or still required. There is an option to allow detailed design to be fully complete before the start of Stage 2 and that is the point being discussed currently.</p> <p>The ExA asked the Applicant what would happen if the contract is not achievable within the Scheme budget.</p> <p>The Applicant explained that this refers to a standard contractual mechanism under target cost arrangement (specifically secondary option X-22), which enables the client to set an expectation of budget and to demonstrate the available budget to the contractor. It incentivises the contractor to refine the design and deliver a project within the available budget. In the event the contractor cannot do that, there is no mechanism to proceed to Stage 2, in practice the client would have the option to review the available budget, discuss available funding and make a decision as to whether to increase the budget available to allow the notice to proceed to trigger. It provides the client and supply chain with an understanding of the funding available for the Scheme and is what we are trying to achieve for Stage 2 contract. They are standard options and clauses for engineering and construction suite of documents.</p> <p>The ExA asked whether the Funding Statement figures are the same as the target cost budget.</p> <p>The Applicant explained that there is alignment between them with slightly different definitions (for example sunk cost).</p>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<p>The ExA asked the Applicant to confirm whether the Scheme budget stated in the Funding Statement, of £293.2m, remains the same today.</p> <p>The Applicant confirmed this is correct.</p> <p>The ExA asked whether there is confidence the project will be within that budget.</p> <p>The Applicant confirmed there is.</p> <p>The ExA noted that there is no distinction between the Funding Statement budget and the funding stream, and asked whether it is correct that nothing has changed as of the date of hearing.</p> <p>The Applicant confirmed this is correct.</p> <p>The ExA asked whether there is likely to be an update to the cost estimate before the close of examination.</p> <p>The Applicant explained that it continued to monitor its risk budget. Risk reviews happen monthly and are quantified through a QRA process quarterly. The month-by-month spend continued to be monitored. The Applicant has also reviewed inflation which shows a stable outlook with no worsening or deterioration of the situation which materially affects the Funding Statement, so the Applicant does not expect there to be a change.</p>
(b)	Whether adequate funding is likely to be available to enable the Compulsory Acquisition to proceed within the statutory period following the draft DCO being made?	<p>The Applicant explained that the acquisition tests are:</p> <ul style="list-style-type: none"> <li>• paragraph 9 of the CA Guidance – a reasonable prospect of requisite funds for acquisition becoming available; and</li> <li>• paragraph 18 of the CA Guidance – adequate funding likely to be available to enable compulsory acquisition within the statutory period.</li> </ul>



Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<p>Those tests are met having regard to the property/acquisition costs identified in the Funding Statement of £24.5m, some of which has already been incurred through the voluntary process, relative to the funds that are available from Homes England of £212m (paragraph 3.3 of the Funding Statement). The acquisition process has occurred in and continues. Therefore, for the specific tests in paragraph 9 (reasonable prospect) and paragraph 18 (likely to be available specifically to enable acquisition to occur – i.e. avoiding blight) the funding is available.</p> <p>The separate point in paragraph 17 is to provide as much information as possible about the resource implication of acquiring the land and, regarding total capital expenditure for implementing the project for which the land is required, the applicant should provide <b>an indication of how any potential shortfalls are intended to be met</b>. This isn't a certainty test or a reasonable prospect test. The Applicant would expect it to be realistic indication and that is the position the Funding Statement sets out in referring to the s106 process. Looking at the gap, this can be augmented as since the Funding Statement was produced, in December 2023, at a time when the CIL list produced by the councils excluded the M5 J10 Scheme, that exclusion has now been removed and so one needs to have regard to that when looking at an indication of the potential source of funds for the shortfall/gap. The Applicant appreciates that it is not for the hearings to undertake a detailed assessment of the individual developments that are coming forward and the extent to which deadweight is apportioned etc. but in light of the body of evidence as to the need and severity of impact without meeting that need, it is reasonable to expect that the s106 agreements are a reasonable source for seeking to address the funding gap. In connection with that there are the letters of a principle support (REP3-062), which in the case of the leading landowners (a number of those including in relation to the safeguarded and Bloor Homes) do not object to the funding methodology or the principles of the contribution. The methodology is being developed on a collaborative bases after these hearings with the local authority, Joint Councils and others and is intended to continue. The Funding Statement is only required to give an indication which needs to be</p>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<p>supplemented with a further indication with the information provided in relation to CIL. The Applicant stated that it will provide a note bringing this together.</p> <p>The ExA asked whether there are any alternative streams of funding to s106 funding that are available.</p> <p>The Applicant explained that other than CIL, the only other point is the potential for direct delivery by Bloor Homes in lieu of funding (under s.106) given the degree of overlap between their mitigation and what is proposed as part of the Scheme. This is under discussion with Bloor Homes.</p> <p>Following discussion between the ExA and Joint Councils on the s.106 methodology, the Applicant clarified that it hadn't envisaged that the methodology would have a formal status of an SPD and saw it as a document underpinned INF7 on a basis that can be commonly applied, a tool to support the application of INF7. That is not to say it cannot be an SPD but the Applicant had not envisaged it.</p>
	<p>II. The ExA will invite evidence from the Applicant and IPs on the degree of certainty that is in place in respect of the future funding of the whole project, the timing of this funding, and whether it would be sufficient to support a realistic forecast for the costs of the Proposed Development.</p>	<p>This agenda item was not discussed due to the topic being covered earlier in CAH1 and during ISH3.</p>
	<p>III. This will include developing an understanding of the status of the current planning applications that have been submitted for consideration, whether there is a realistic prospect of the s106 negotiations leading to sufficient funding and which sites may come</p>	<p>This agenda item was not discussed due to the topic being covered earlier in CAH1 and during ISH3.</p>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
	forward within the timeframe that would support the Proposed Development.	
	IV. The Applicant and IPs will be questioned on the status of each of the sites referred to in Appendix A of the Funding Statement [APP-036] and the degree of confidence the ExA could have in including these as to their potential for providing funding towards the Proposed Development.	This agenda item was not discussed due to the topic being covered earlier in CAH1 and during ISH3.
	V. The ExA will seek views from the Applicant and IPs on the likely timing of any funding, and whether this would allow the Applicant to comply with the Infrastructure Planning (Miscellaneous Prescribed Provisions) Regulations 2010 in order to serve notice within 5 years beginning on the date of the granting of the Order	This agenda item was not discussed due to the topic being covered earlier in CAH1 and during ISH3.

## 1.5. Item 4 - Whether the purposes of the proposed compulsory acquisition are legitimate and would justify interfering with the human rights of those with interest in the land affected

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
(I)	The Applicant will be asked to set out their case in respect of the following tests.	
(a)	What regard has been had to Articles 8 and 6 of the European Convention on Human Rights (ECHR) and Article 1 of the First Protocol?	<p>This is considered in detail in (III) above. The Applicant explained that this is set out in the Statement of Reasons at paragraph 6.3. Article 1 of the First Protocol and Article 8 ECHR involve engagement of the compelling case test and matters referred to earlier, such as minimising land necessary and the balance of proportionality and justification. Article 6 ECHR relates to the procedures and the opportunity through the examination process to comment on the proposals and to make representations on the DCO and challenge it by judicial review if there are ground in doing so. Regard has been had to that as expressed in the Statement of Reasons and as put before the cabinet in December 2023 prior to submission of the DCO.</p> <p>The ExA asked whether the cabinet consideration specifically addresses human rights.</p> <p>The Applicant explained that it did, specifically Article 1 of the First Protocol and Article 6 and Article 8 ECHR. The Applicant stated that it will provide evidence.</p>
CAH1.12: The Applicant was asked to provide evidence of appropriate consideration of the human rights of those with an interest in affected land.		
(b)	How the Applicant has assessed the degree of importance attributed to the existing uses of the land proposed to be acquired.	<p>The Applicant explained that the expert who authored the population and human health chapter was not present and so asked to come back in writing. The Applicant gave the example of Chapter 13 of the ES (REP3-022), table 13-4, which provides a description of a type of impact which includes loss of property or quality as a major impact, which is taken through with regard to a number of properties.</p>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
(c)	How the Applicant has established the weighing of any potential infringement of ECHR rights against the potential public benefits if the draft DCO is made.	The Applicant explained that this relates the point made regarding the Statement of Reasons and preceding report, which undertakes the exercise having regard to the impact on individuals expressly.

CAH1.13: The Applicant was asked, with regard to human rights, to demonstrate how existing uses of the land to be compulsory acquired and impacts on private interest has been adequately considered.

CAH1.14: The Applicant was asked to confirm the degree of importance attributed to existing uses of the land proposed to be compulsorily acquired in assessing whether interference is justified.

## 1.6. Item 5 – Consideration of duties under the equality act 2010

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
(I)	I. The Applicant will be asked to provide an update in relation to compliance with any duties under section 149 of the Equalities Act 2010 and where the approach it has taken is set out in the evidence submitted demonstrating how it has met its duties of the Equalities Act.	The Equality Impact Assessment (APP-144), dated December 2023, is not a solitary exercise and was preceded by equality impact screening in July 2020 and an Equality Impact Assessment in October 2022 during the design and consultation stage. That process has permeated the Scheme's considerations from an early stage in July 2020. The assessment of impacts on protected characteristic groups is set out at section 5, table 5-1 of the Equality Impact Assessment (APP-144) and identifies the level of impact, the reasons for it, the evidence and anticipated pathways of securing mitigation. It doesn't dictate an outcome but it has led to outcomes reported in the right hand column of that table.
	II. The Applicant will be asked to explain its approach to the Public Sector Equality Duty and how the consideration of people with protected characteristics has been undertaken, assessed and considered in the approach to the development of the Proposed Development.	
	III. The Applicant will be asked to explain the approach taken to assessing the effects on the occupiers/owners of the Travellers Site and how this demonstrates compliance with the legal duties of the Equalities Act and the PSSED.	Page 56 of the Equality Impact Assessment (APP-144) notes a negative impact specifically for the White Gypsy and Irish Traveller ethnic group. This is because the informal traveller site would be directly impacted by the Scheme. It notes that moving them off the land would have an adverse impact on their wellbeing, education, finance and healthcare provisions but that is not proposed. There is a lack of certainty as to who occupies the site but there are other factors which the Applicant did not propose to detail at the hearing. So far as mitigation is concerned, there is reference to communication of changes, roadside signage, a community engagement plan, a public liaison officer, temporary signalised crossing facilities. Having regard to the social, education, employment and healthcare connections so far as they are in place, ensuring the linkages remain. Access to



Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<p>the informal traveller site will be maintained through the fields to the north of the A4019 during the construction phase and in operation, a new access track is specifically provided.</p> <p>The ExA asked the Applicant to explain the measures taken to engage with them and make them aware of the scheme.</p> <p>The Applicant explained that it has been in regular communication with the now registered owners of the site, Rule Meadow (there was a question mark over ownership for a long proportion of the consultation and engagement phase of the Scheme). As soon as the Applicant had clarity on the legal owners it has been in regular conversation with them as well as written engagement and have attended the site to undertake inspections as well.</p> <p>The ExA asked the Applicant whether they are confident they are aware of the proposal.</p> <p>The Applicant explained that it has made an offer to acquire the land voluntarily for the Scheme, they're well aware of what will need to happen and the management that be undertaken during construction.</p> <p>The ExA asked whether the owner had provided feedback on the likelihood of constructive engagement or whether compulsory acquisition powers will be needed.</p> <p>The Applicant explained that it is difficult to say with certainty the outcome. There is currently a disagreement in relation to value of their interest that the Applicant is seeking to acquire voluntarily but the conversations remain relatively constructive in their nature. The Applicant hopes to make progress as it continues through the process.</p> <p>The ExA asked whether the landowners appear on the land tracker as an objector.</p>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		The Applicant clarified that the landowners do not appear on the land tracker as an objector as negotiations have not broken down and continue to be constructive (access was granted for the ASI).
	IV. The Applicant will be asked to explain the approach taken to assessing the effects on the occupiers/owners of the individual private homes to be acquired and how this demonstrates compliance with the legal duties of the Equalities Act and the PSED.	The Applicant explained that land ownership itself isn't a protected characteristic, but there may be landowners who fall into that group. At paragraph 3.13.12 of the Equality Impact Assessment (APP-144) it notes that a small proportion of the local population are landowners whose land may be impacted by the Scheme who could also fall into a Protected Group Characteristic (PCG). Identifying whether any of the landowners would be identified as being within a PCG could not be used explicitly to ensure their data is protected. Therefore, specific landowner demographics data has not been collected. Nonetheless, landowners have been consulted and the landowner liaison for the Scheme is continuous, so although there is a sensitivity about identifying any particular individual who is a landowner there is awareness of those who might fall into categories. There have been a number of successful acquisitions to date where there have been occupiers of properties with protected characteristics. The Applicant has had regard for this through the negotiation and has given consideration to the impact this should have on onward purchase specifically in relation to reasonable adaptations that may need to be made to the property, which will be funded through the compensation mechanism.

## 1.7. Item 6 – Sections 127 and 138 of the PA2008 – the acquisition of statutory undertaker's land and the extinguishment of rights and removal of apparatus of statutory undertakers

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
	I. The Applicant will be asked to set out their case in respect of the following tests:	
	(a) The current position in relation to negotiations with Statutory Undertakers (SUs)	<p>The Applicant explained that it has engaged with the following statutory undertakers in respect of which it is proposing to exercise compulsory acquisition powers to remove or divert operators equipment. The position remains in respect of each of the statutory undertakers remains largely as reported within the Land Rights Tracker (REP3-042). In summary:</p> <ul style="list-style-type: none"><li>• Gigaclear PLC - confirmed in February 2023 that the protective provisions included in the Part 2 of Schedule 9 of the DCO are acceptable.</li><li>• Zayo Group UK Ltd - confirmed in September 2023 that the protective provisions included in Part 2 of Schedule 9 of the DCO are acceptable</li><li>• Openreach - initial discussions were had in May 2023 around the potential for bespoke protective provisions over concern that any installation of new HVDC apparatus within the Scheme would interfere with that apparatus. It was discussed that the Applicant is not installing HVDC apparatus and on that basis the bespoke agreement wouldn't be necessary. Since that position was communicated in August 2023 the Applicant has received no further engagement from Openreach from that date. Openreach has not submitted representations into the examination expressing a desire to have the bespoke protective provisions included on the face of the DCO.<ul style="list-style-type: none"><li>○ The ExA suggested writing to Openreach to confirm they do not require a planning permission and put them on notice.</li></ul></li></ul>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<ul style="list-style-type: none"> <li>○ The Applicant confirmed that Openreach will have received the relevant statutory notices the Applicant is required to send and so it is satisfied as to the required level of engagement. From the Applicant's point of view, the provisions contained in Schedule 9 are sufficient to pass the legal tests in s.127.</li> <li>• National Grid Electricity Distribution PLC - engagement is ongoing on to agree protective provisions and the Applicant expects these to be resolved within the examination.</li> <li>• The same position applies in relation to Seven Trent Water Ltd and Wales and West Utilities Ltd, revisions have bounced between the parties since the last set of issue specific hearings and the issues are narrowing.</li> </ul>
	<p>(b) Whether Protective Provisions have been agreed with all SUs and if not where there are specific areas of disagreement.</p>	<p>In respect of the ongoing negotiations between the Applicant and, each of National Grid Electricity Distribution (West Midlands) PLC, Severn Trent Water Limited and Wales and West Utilities Limited, the outstanding areas of disagreement are broadly summarised below. The Applicant does not intend to share specific details of these negotiations to avoid prejudicing the parties' positions.</p> <ul style="list-style-type: none"> <li>• <b>NGED</b> – The issues between the parties have narrowed during negotiations and the Applicant is confident that agreement will be reached by close of the Examination. The issues outstanding between the parties broadly relate to: <ul style="list-style-type: none"> <li>○ The protections afforded to NGED regarding works to be carried out by the Applicant in proximity to retained NGED apparatus.</li> </ul> <p>The commercial obligations and liabilities of the parties.</p> </li> <li>• Severn Trent Water Limited <b>STW</b> - The issues between the parties have narrowed during negotiations and the Applicant is confident that</li> </ul>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<p>agreement will be reached by close of the Examination. The issues outstanding between the parties broadly relate to:</p> <ul style="list-style-type: none"> <li>○ The protections afforded to STW regarding works to be carried out by the Applicant in proximity to retained STW apparatus.</li> <li>○ The Applicant's exercise of compulsory acquisition powers in respect of STW's land interests.</li> <li>○ The commercial liabilities of the parties.</li> </ul> <ul style="list-style-type: none"> <li>• Wales and West Utilities Limited <b>WWU</b> - The issues between the parties have narrowed during negotiations and the Applicant is confident that agreement will be reached by close of the Examination. The issues outstanding between the parties broadly relate to: <ul style="list-style-type: none"> <li>○ The protections afforded to WWU regarding works to be carried out by the Applicant in proximity to retained WWU apparatus.</li> <li>○ The Applicant's exercise of compulsory acquisition powers in respect of WWU's land interests.</li> <li>○ The commercial obligations and liabilities of the parties.</li> </ul> </li> </ul>
	<p>(c) In the event that agreement is not reached with all SUs, whether the relevant tests for the exercise of powers pursuant to sections 127 and 138 PA2008 would be met.</p>	<p>For the purposes of section 138:</p> <p>a. 'Relevant right' means a right of way, or a right of laying down, erecting, continuing or maintaining apparatus on, under or over the land which is vested in or belongs to statutory undertakers for the purpose of carrying on their undertaking, or which is conferred on a telecommunications code operator; and</p> <p>b. 'Relevant apparatus' means apparatus vested in or belonging to statutory undertakers for the purpose of carrying on their undertaking or electronic</p>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<p>communications apparatus kept installed for the purposes of an electronic communications code network.</p> <p>A development consent order may only include provision for the extinguishment of the relevant right, or the removal of the relevant apparatus, if the Secretary of State is satisfied that the extinguishment or removal is necessary for the purpose of carrying out the development to which the development consent order relates (subsection 138(4)).</p> <p>The DCO includes provision to authorise the extinguishment of a relevant right, or the removal of relevant apparatus belonging to statutory undertakers, in connection with the delivery of the Scheme. The exercise of such powers will be carried out in accordance with the protective provisions contained in Schedule 9 to the DCO.</p> <p>The protective provisions contain constraints on the exercise of the powers in the DCO, with a view to safeguarding the statutory undertakers' and electronic communications apparatus owners' interests, whilst enabling the Scheme to proceed. The Applicant therefore considers that the test set out in section 138 of the PA 2008 is satisfied. A number of existing utility services are located within the Order limits and would be affected by the Scheme. In this case it is proposed to either protect or divert statutory undertakers' apparatus to accommodate the Scheme. Provision for the carrying out of such diversions has been included within the Works comprising the authorised development (as set out in Schedule 1 to the Draft DCO and on the Works Plans. It is not proposed to remove any apparatus and extinguish any rights without a diversion being provided. The DCO makes provision for the benefit of the Order to be granted to statutory undertakers to the extent relevant to works to their apparatus. This is included at Article 10(5) of the DCO and the utilities are listed therein."</p>
	<p>The ExA will seek the views of each of the SUs on what their position is in respect of Protective Provisions, the legal tests referred to above, and the specific changes they would</p>	<p>The Applicant did not contribute to this agenda item.</p>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
	wish to see to the suggested PPs in the event that they are not agreed.	

## 1.8. Item7 – Section 135 of the PA2008 – Crown Land

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
	The Applicant will be asked to provide an update in relation to the position on Crown Land.	The Applicant explained that there are three plots for the Crown land (DEFRA, DLUHC and the Crown Estate Commissioners). Engagement is either continuing to be attempted or ongoing with all parties. The Applicant has requested consent under s.135 PA 2008 from all three parties, but that has yet to be provided. DEFRA have not responded to any correspondence with chase letter sent on 18 October 2023, 18 March 2024 and 19 May 2024. The Applicant has had a response from DLUHC and continues to engage with them as to the reason why it is engaging and the need for their engagement in the process. The negotiations in relation to the Crown Estate Commissioners have progressed since the last version of the Land Rights Tracker was submitted and the Applicant has made an offer to acquire the freehold of the site, there is an ongoing negotiation around the status of the land, other occupiers and whether vacant possession can be provided.



## 1.9. Item 8 – continuation of agenda from CAH part 1 (if required)

## 1.10. Item 9 representations from parties who may be affected by the compulsory acquisition provisions in the draft DCO

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
	<p>The ExA will hear oral representations from:</p> <p>(a) Affected Persons (APs) including additional APs who have notified a wish to make oral representations at this CAH:</p> <ul style="list-style-type: none"> <li>• National Highways;</li> <li>• Mr Steven Wakefield;</li> <li>• Mr Neil Hadley;</li> <li>• Ei Group;</li> <li>• Court Consulting on behalf of Mrs Mary Bruton and Ms Elizabeth Counsell;</li> <li>• The Crown Estate;</li> <li>• Cheltenham Borough Council Property and Asset Management;</li> </ul> <p>Bloor Homes.</p>	<p><u>Mr Neil Hadley</u></p> <p>Mr Neil Hadley asked why half an acre land take is proposed on plot 16/9a, which appears to be only for possible traffic lights or signage.</p> <p>The Applicant explained that it has received questions about the need for the land through relevant representations and written representations and it has tried to provide reassurance on what is required. Within Mr Neil Hadley's land, the proposed Scheme provides a slight realignment and widening of the B4634 to the south of its existing route and the widening of the carriageway to facilitate two lanes in the eastbound direction at the proposed signalised direction and two lanes in the westbound direction. There is also a slight widening of the verge along the north of the road which incorporates a shared use path. Beyond the carriageway edge across Mr Neil Hadley's land there is a proposed fence line ditch which connects into some of the replacement box culvert units, there is also space for maintaining these assets and connecting the features into the culvert. There is also a replacement hedge along the highway side of the highway boundary.</p> <p>The Applicant agreed to provide an overlay plan showing the works on Mr Neil Hadley's land.</p> <p><u>Ei Group</u></p> <p>The representative for Ei Group (also speaking on behalf of the occupier of the House on the Tree public house) raised several comments, including that the Applicant has not satisfied all tests, the Applicant has failed to commit to timely and meaningful voluntary negotiations with poor Heads of Terms and no suitable offer</p>

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		<p>(and no offer to the occupiers). Several demands were made, including for the Applicant to commit to meaningful and voluntary agreement with provision of draft licence agreement, provision of full detail concerning utility diversion works and expected length of time for undertaking the works, including that the Applicant should separately negotiate with the occupier.</p> <p>The Applicant explained that negotiations are ongoing and the Applicant has every intention of continuing with those on a committed basis as has been requested. In terms of negotiations to date, there has been a challenge around providing the level of detail required to fully understand the impact of the Scheme in relation to temporary possession (specifically aspects such as the diversion and alteration to the existing utility services - this has been set out throughout the process starting in 2022). The Applicant had hoped it would be possible to make more progress on the broader topic of acquisition without absolute certainty on that aspect and to find a solution for the agreement. In terms of the approach in general, there is obviously a difference in the believed correct approach. The Applicant has been working on the basis of the owner providing vacant possession but in recent weeks it has become clear that this will not be viable and the Applicant is willing to enter a tripartite agreement. The financial offer is not on this basis and will be revised and reflected. In addition, while there has been engagement with the occupier directly, it is accepted that the Applicant had intended for vacant possession to be provided, but that will be reflected in the revised offer made. The Applicant stated that it will take the request for a copy of a draft licence away and if it will help understand the level of impact then the Applicant is happy to look to provide it. On the diversion works, it will be difficult to give the level of certainty required at this point as engagement is required with the statutory undertaker and the design team, but the Applicant will make best endeavours to provide the clarity required.</p> <p>The ExA asked the Applicant whether it can provide a timetable moving forward.</p> <p>The Applicant explained that it can provide updated Heads of Terms next week or the following week. It would be good to have a further meeting to discuss before</p>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<p>going back to respective clients. Subject to taking instructions the licence agreement will also be provided at that stage.</p> <p><u>Cheltenham Borough Council Property and Asset Management</u></p> <p>The Applicant explained that it met with a Cheltenham Borough Council representative from the Property and Asset Management team in July 2024. As part of that the Applicant understands that it has provided the additional level of detail required to allay the concerns over the design of the current access arrangements proposed by the Scheme and as such, the Applicant hope they would be willing to lift the objection in due course.</p> <p><u>Bloor Homes/Persimmon Homes</u></p> <p>The representative for Bloor Homes/Persimmon Homes raised a comment relating to the compelling case test, stating that it would be undermined if funding is not in place.</p> <p>The Applicant explained that this isn't the correct test, which is set out in the guidance.</p> <p><u>Other parties</u></p> <p>The ExA asked the applicant for an update on the position with other parties (Andrew David Smith, Bennedict Williams, Donna Wotton and JW Bruton and Sons.</p> <p>The Applicant explained that:</p> <ul style="list-style-type: none"><li>Andrew Smith - negotiations have progressed and in the last two months progress has been made following a change in agent representation and further information being provided. The parties</li></ul>

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
		<p>have made more headway into agreeing principle terms to allow the voluntary acquisition.</p> <ul style="list-style-type: none"> <li>• Benedict Williams (owner of Sheldon Nurseries) - terms are agreed and the Applicant expects the legals to proceed as quickly as possible.</li> <li>• Donna Wotton (occupier of Sheldon Nurseries) - her interest is ongoing in terms of the impact the Scheme will have on her. The Applicant is engaging with the current landlord as the proper person to have engagement with her to some extent, but also emails are exchanged regularly and the Applicant will have further meetings with her as the acquisition progresses.</li> <li>• JW Bruton and Sons (occupier of Barn Farm and some of the safeguarded land north of A4019) - a lot of concerns about accesses have been discussed in the course of ISH3 and are not resolved at this stage. The Applicant will provide the further information discussed at ISH3 in due course as to the current access and suitability of future accesses that would be provided by the Scheme. In relation to Barn Farm, further meetings need to be held to provide clarity on the access that will be available from the south as part of the arrangements going forward with the works taking place.</li> </ul> <p>The Applicant also explained that, in relation to negotiations, demonstrating the expression of intent by the Applicant to continue negotiation until successful, if reasonable, terms can be agreed is that 15 Withybridge Gardens and Mr and Mrs Webb. The Applicant has now agreed terms and exchanged on the property.</p>

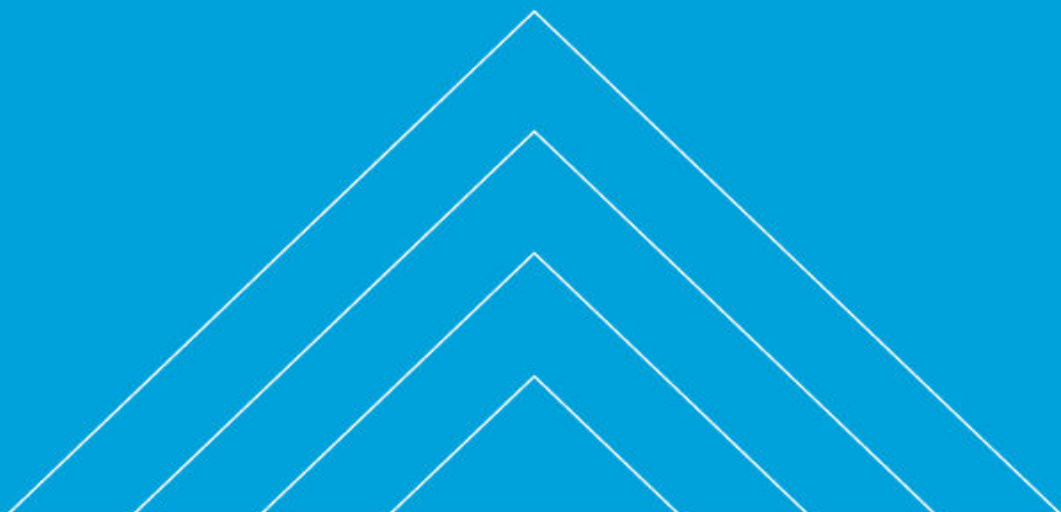
CAH1.15: The Applicant was asked to provide overlay plans for Mr Hadley's land (plot 16/9a) and provide commentary and information about works within that land plot.

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
CAH1.16	The Applicant was asked to provide an update on progress and discussions with Ei Group in respect of the House in the Tree pub (plots 16/5a(i), 16/5e and 16/5b).	
	(b) Any section 102 or Category 31 persons wishing to make oral representations.	The Applicant made no representations against this agenda item.

## 1.11. Item 10 – representations from statutory undertakers

Agenda Reference	Examining Authority's Agenda Item	Applicant's summary of oral case
	The ExA will hear oral representations from:	
	National Highways (if not addressed earlier);	N/A
	Northern Grid Electricity Distribution (West Midlands);	N/A
	Foot Anstey LLP on behalf of Wales and West Utilities.	N/A

# Appendices



## Appendix A. Actions arising from Compulsory Acquisition Hearing 1 (CAH1)



Action Point Ref.	Action Point Description	Applicant Response
CAH1	<p>The Applicant was asked to set out the current compulsory acquisition position in respect to National Highways plots 4/1c and 4/1c(i), as well as any other plots with similar characteristics being compulsorily acquired.</p> <p>Additional plots requested to be addressed were: :</p> <ul style="list-style-type: none"> <li>• Plot 4/2a</li> <li>• Plot 5/5a</li> <li>• Plot 6/4a</li> <li>• Plot 6/4b(i)</li> <li>• Plot 15/3d</li> <li>• Plot 15/4a</li> <li>• Plot 15/4d</li> <li>• Plot 15/5c</li> <li>• Plot 15/8l</li> <li>• Plot 15/8n</li> <li>• Plot 13/3r</li> </ul>	<p>The Applicant notes the issues raised by the ExA during the hearings and the concerns that there may be discrepancies in the information presented in the different plans and drawings forming part of the DCO application documents submitted by the Applicant.</p> <p>The Applicant provided a detailed consideration of each of the plots considered during the hearings and maintains that there are no discrepancies in the information provided by the Applicant.</p> <p>As a general statement applicable to all instances where the ExA queried whether there was a discrepancy in the information provided, the Applicant notes that in order to avoid the DCO drawings from being unreadable due to too much information being duplicated over multiple sets of drawings, the Applicant took the approach to rationalise the information over the Works Plans, General Arrangement (GA) Plans and Environmental Masterplans for clarity.</p> <p>The Applicant's intention is for the Works Plans to be read in conjunction with the GA's and Environmental Masterplans which provides a representation of the Scheme. Therefore, the sheet layout being the same across all plans is for ease of reading together and being able to see all the information more clearly. A guide to the reader is provided in the Key section of the plans shown as a note stating that "<i>The work plans should be read in conjunction with the development consent order and other application plans</i>".</p> <p>Items not shown on the Works Plans which appear as white space within the redline boundary include:</p> <ul style="list-style-type: none"> <li>• Retained vegetation;</li> <li>• Existing dwelling and garden to be retained;</li> <li>• Existing hedges to be retained;</li> <li>• Existing watercourses;</li> <li>• Flood compensation areas (although identified by Work No and labels);</li> <li>• Temporary construction working space;</li> <li>• Permanent easement rights for Inspection/maintenance access; and</li> <li>• Grassland not included on Works Plans because it was considered that the 'Environmental Compensation and Mitigation Works' hatching should be reserved to</li> </ul>

Action Point Ref.	Action Point Description	Applicant Response
		<p>show the more significant elements of environmental compensation and mitigation such as larger blocks of planting, ecological mitigation and flood mitigation.</p> <p>The above items are not shown on the Works Plans as they are either, existing features to be retained (i.e. not new works such as existing vegetation etc) or areas which will be unchanged or reinstated following the works (flood compensation areas, construction working space, easements).</p> <p>Areas of proposed landscaping are not shown on the Works Plans where these would be overlaid on other features such as highway works limit of deviation. The reasoning behind the Applicant's approach is to aid drawing clarity and avoid obscuring features such as the proposed highway design and utility diversions. Where there is proposed blocks of woodland, trees and shrubs located outside of the highway works limit of deviation these have been shown as 'Environmental Compensation and Mitigation Works'.</p> <p>Likewise for clarity there is detail shown on the Works Plans that are not shown on the GA's and Environmental Masterplans. Such details include the following:</p> <ul style="list-style-type: none"> <li>• Proposed utility diversions; and</li> <li>• Proposed construction compound areas.</li> </ul> <p>The Applicant has given careful consideration to the plots identified by the ExA during the hearings and sets its conclusions below:</p> <p><b>Plot 4/1c and 4/1c(i):</b></p> <p>In respect of plot 4/1c, the Applicant proposes the installation of signage on the main carriageway. This plot is proposed to be downgraded to acquisition of new rights, in accordance with the principles agreed with National Highways</p> <p>The works proposed for plot 4/1c extend across the entire plot, including signage and the other end construction of the new slip road and environmental barrier and sufficient space between these proposed works to provide a minimum of flexibility in the location of these works.</p>

Action Point Ref.	Action Point Description	Applicant Response
		<p><b>Plot 4/2a:</b></p> <p>Only temporary possession is sought in respect of this plot, of which the Applicant owns the freehold title. The plot is required for construction of an environmental barrier adjacent to Barn Farm including construction working space (Work No 1n). The Applicant sustains that the subdivision of this plot is not necessary as it falls within the same ownership.</p> <p><b>Plot 5/5a:</b></p> <p>The ExA highlighted a potential discrepancy between the Statement of Reasons, the GA's and the Environmental Masterplans in relation to retained vegetation and dwellings. The Applicant relies on the general statement made above in respect of consideration of plans as a set and not each individually.</p> <p>The Applicant confirms that the retained vegetation is shown in the GA drawings and Environmental Masterplans and shown in white in the Works Plans and that the works and description is adequate.</p> <p><b>Plot 6/4a and Plot 6/4b(i):</b></p> <p>Plot 6/4a is required for the construction of a new southbound entry slip from the A4019 to the M5 (Work No 1d) and plot 6/4b(i) is required for the construction of a flood storage area to the east of the M5 and south of the A4019 (Work No 7) in line with the Statement of Reasons.</p> <p>The Applicant confirms that the works set out in the Statement of Reasons are correct. 6/4a shows the works to support the slip road which are incidental to the slip road works, the fence line ditch and captures runoff from the embankment. 6/4b(i) the white area is retained vegetation (shown in the GA and Environmental Masterplans) and the portion of green is proposed landscaping. This is listed as work 7 which is the flood storage area due to the existing retained and proposed vegetation being part and incidental to the flood storage area, therefore setting this out as work 7 was the most appropriate work as it is incidental to this works.</p> <p><b>Plot 15/3d and Plot 15/4a:</b></p>


Action Point Ref.	Action Point Description	Applicant Response
		<p>These plots are required for a flood compensation area (Work No 5n)  The Applicant relies on the general statement made above in respect of consideration of plans as a set and not each individually. The Applicant does not propose any significant physical works, the proposal is to scrape the existing ground profile to ensure appropriate drainage path and to provide for the slight change to the existing flood regimes. This is work 5o showing the latest version of the Statement of Reasons [REP3-018] submitted at D3.</p> <p><b>Plot 15/4d:</b>  This plot is required for the construction of a new West Cheltenham Link Road (Work No 5), in particular for the construction working space</p> <p>Temporary possession is proposed in respect of this plot and the diversion of the PROW runs through plot 15/4b. There are no physical proposed in relation to the PROW in plot 15/4d and the Applicant is satisfied that the information provided is consistent.</p> <p><b>Plot 15/5c:</b>  The ExA queried whether there was a discrepancy between the application plans in respect of the new public right of way (PROW) route. As for plot 15/4d this plot is required for the construction of a new West Cheltenham Link Road (Work No 5) , in particular for the construction working space.</p> <p>Only temporary possession rights are sought, and no physical works are required in respect of the PROW shown as a red dotted line in the Works Plans. The proposed alignment of the PROW to connect to PROW FP AUC11 has been amended in the relevant plans to show it in a straight line connecting to the existing fence. Updated Works Plans (TR010063/APP/2.4 - Rev 2.0), General Arrangements (TR010063/APP/2.9 - Rev 2.0), Streets, Rights of Way and Access Plans (TR010063/APP/2.5 - Rev 2.0) and Environmental Master Plans (TR010063/APP/2.13 - Rev 2.0) have been submitted at Deadline 4.</p> <p><b>Plot 15/8l and Plot 15/8n:</b>  These plots are required for the diversion, use, protection, inspection and maintenance of approximately 170 metres of gas main (Work No 35), construction working space.</p>

Action Point Ref.	Action Point Description	Applicant Response
		<p>In respect of the proposed gas main diversion, it is unconfirmed whether protection and exploratory testing is required. The plots provide an area for these works to be carried out once confirmed. Diversions are only shown in the Works Plans, the Applicant refers to the comment above in respect of considering plans in conjunction. The Applicant confirms that utility diversion plans have not been submitted as part of the DCO submission, but the diversion is showing on the Works Plans.</p> <p><b>Plot 13/3r:</b>  The ExA noted a discrepancy between GA plans and the environmental master plans. The plot is required for the realignment and dualling of the A4019 (Tewkesbury Road) (Work No 4), the construction of environmental barriers west and east of The Green (Work No 4o), the diversion of Severn Trent Water Limited water pipeline (Work No 15), the diversion of telecommunication cable and associated apparatus and equipment (Work No 27).</p> <p>The Applicant seeks temporary possession rights. The carriageway runs through the middle of this plot. A cycle path is also covered in description of Work 4, service diversion also going through the plot. A small triangle in the northern part of the plot is required for Work 4n (service road), the Applicant confirms that the SoR has been amended to reflect this for Deadline 4.</p>
CAH1.2	The Applicant was requested to provide confirmation if the compulsory acquisition tests at s.122 PA 2008 are met on the extent of the land plots subject to compulsory acquisition.	<p>The Applicant confirms that is satisfied that the conditions in Section 122(2) of the PA 2008 are met and that no more land is being taken than is reasonably necessary and the land-take is also proportionate, the land sought is the minimum required for safe and efficient construction, operation, and maintenance of the Scheme, including what is necessary to mitigate the effects of the Scheme and that it has sought to achieve a balance between minimising land-take and securing sufficient land to enable the Scheme to be delivered.</p> <p>As the design of the Scheme evolves into detailed design, the Applicant continues to review the proposed land-take against the Section 122 PA 2008 test to ensure that the land over which compulsory acquisition is sought is the minimum required for the safe and efficient construction, operation and maintenance of the Scheme.</p>

Action Point Ref.	Action Point Description	Applicant Response
		<p>During the course of this examination, the Applicant has continued to engage with affected parties to ensure that, where possible, reductions were made to the extent of the land and rights to be acquired compulsorily. By way of example, the Applicant and National Highways have developed a set of principles to be applied to the acquisition of NH's land and rights.</p> <p>On of such principles is that only temporary possession would be sought in respect of plots where NH own the freehold and the works proposed by the Applicant are within existing SRN and relate to SRN works, apparatus or services which are to be maintained by NH going forwards or the works are within existing public highway (local road network) and relate to works, highway apparatus or services that are to be maintained by the Applicant as local highway authority. The application of this principle has led to plots being downgraded from either permanent acquisition of freehold or acquisition of rights to temporary possession. This is reflected in the Land Plans, Statement of Reasons and Book of Reference submitted at Deadline 4 showing the following downgrades:</p> <ul style="list-style-type: none"> <li>• Plot 3/2c – Downgrade to temporary (blue to green)</li> <li>• Plot 4/1c - Downgrade to rights (pink to blue)</li> <li>• Plot 4/1c(i) - Downgrade to temporary (pink to green)</li> <li>• Plot 5/2z - Downgrade to rights (pink to blue)</li> <li>• Plot 5/6h – Downgrade to rights (pink to blue)</li> </ul> <p>The continued review of land required for the scheme has generated a number of changes to ensure only land needed is included. Examples of where design evolution and any subsequent amendments are provided below.</p> <p>Plot 16/5b – following engagement with the owners of the House in the Tree and Statutory Undertakers, it has been possible to secure the required utility diversions within the Old Gloucester Road. Only service re-connections will be required in the plot, and as such the Applicant has downgraded the plot from Temporary Possession with Permanent Rights to</p>

Action Point Ref.	Action Point Description	Applicant Response
		Temporary Possession only. This change was included within the Land Plans, Book of Reference and Statement of Reasons submitted at Deadline 3.
CAH1.3	The Applicant was asked to confirm why the Applicant is acquiring certain plots when no specific detail is shown on work plans or environmental masterplan. Some examples given by the ExA were plots 15/3d, 15/4a).	This is confirmed in the Applicant's response to CAH1.1 above.
CAH1.4	The Applicant was asked to confirm what the specific DCO proposals are which create the effect on and need to acquire plot 15/5c.	This is confirmed in the Applicant's response to CAH1.1 above.
CAH1.5	The Applicant was asked to provide clarity regarding the specific proposals and works within crown land plot 13/6a and provide an overlay plan showing the work required.	<p>Plot 13/6a is required for the construction of a service road running east and west of The Green and its associated footway (Work No. 4n), diversion of a gas main (Work No 17) and diversion of an electricity cable (Work No 22).</p> <p>These works can be seen within the plot on the overlay plan. The proposed footway along the service road/The Green is shown as brown lines, the gas main diversion is shown as green lines and the electricity diversion is shown as a dark red line, just intersecting the plot at its eastern extremity.</p> <p>Please see Appendix B to this document for a copy of this overlay plan.</p>
CAH1.6	The Applicant was asked to provide examples of plots that demonstrate that no more land than is required reasonably is being acquired.	<p>Examples of pre submission design iteration to reduce land acquisition requirements include the following:</p> <p>Reduction in land for an additional Pigeon House Farm Field Access off The Green. This land is represented by plot 13/1h and land immediately to the west of this. The proposed access was reduced in scale after discussion and agreement with the landowner which has resulted in reducing the extent of land required to be acquired compulsorily. The original proposal involved the construction of a private means of access that extended from The Green, through the first field and linking to the second field. However, through discussions,</p>



Action Point Ref.	Action Point Description	Applicant Response
		<p>the landowner preferred access from The Green to the first field only. Access between the first field and the second field would be through an existing gate without the need to create a formalised PMA with unbound surfacing and fencing.</p>  <p><u>Link Road alignment</u> – the horizontal alignment option selection process included consideration to minimising land impacts and severance of fields. Where severance was unavoidable, mitigation included creating reasonable size plots reasonable size plots which are still useable to the landowners including new accesses where required. The proposed cross section was also amended from two lane dual carriageway to single carriageway based on forecast traffic flows. This is referred to within paras 3.8.4 to 3.8.9 of the ES Chapter 3 – Assessment of Alternatives (APP-062). <u>A4019 widening through Uckington</u> – The scheme alignment initially required land from both sides of the A4019. The Applicant sought to reduce the number of properties impacted by widening to the south and retaining existing property boundaries to the north of the road, at this location . This is referred to within paras 3.8.10 to 3.8.14 of the ES Chapter 3 – Assessment of Alternatives (APP-062)</p> <p><u>Removal of connection between Cooks Lane and Moat Lane</u> - A new road linking Cooks Lane and Moat Lane (as presented in the DF2 design) would have provided access for residents and businesses onto the A4019, via the signalised junction in Uckington (A4019 and Moat Lane). On review, this new connection was removed from the design, and a new connection created through to the northern end of the Link Road. As a result, this reduced land requirements and environmental impacts around the Moat Lane area..</p> <p><u>Withybridge Lane</u> – following feedback received as part of the statutory consultation on the future use of Withybridge Lane, a section red line boundary e was removed from the Scheme</p>



Action Point Ref.	Action Point Description	Applicant Response																				
		<p>order limits when the decision was made to retain the existing lane for through traffic. This meant that no physical works were needed to stop up through access.</p> <p><u>Site Access A</u> (within the vicinity of plot 13/3ee) and <u>Site Access B</u> (within the vicinity of plot 14/1b(ii)), the alignment into developments was curtailed to reduce land requirements and provide development stubs only. This will enable third-party developers of the allocated sites to extend these accesses as part of the development and without significant temporary traffic management impacts on the A4019 during their construction.</p> <p><u>Orchard adjacent to Forge House</u> – the design of the service road linking the West Cheltenham Link Road to the cluster of properties south of the A4019 including Forge House and Cooks Lane was amended to avoid encroachment into the existing Orchard.</p> <p>For both the northern and southern Link Road junctions, the junction layouts were changed from roundabouts to traffic signal cross-roads to reduce the size of junctions.</p>																				
CAH1.7	The Applicant was asked to confirm the total number of residential properties subject to compulsory acquisition and the current position regard to any ongoing negotiations concerning them.	<p>The below table details the residential properties impacted by the Scheme. The Compulsory Acquisition (CA) position and status of the negotiations is detailed. Permanent Acquisition has been abbreviated to 'PA' and Temporary Possession and Permanent Rights to 'TPR'. The Scheme requires CA powers over 34 residential properties, with 32 residential properties subject to PA and 2 residential properties subject to TPR.</p> <p>The Applicant has agreed to purchase 1 &amp; 2 Sheldon Cottages freehold at the request of the landowner during the negotiation of the land and rights required by the Scheme at Sheldon Nursery.</p> <table><tr><th>Property</th><th>Plots</th><th>Owner</th><th>CA</th><th>Status</th></tr><tr><td>1 Sheldon Cottages</td><td>5/5a</td><td>Mr B Williams</td><td>TPR</td><td>Terms for voluntary acquisition of freehold agreed</td></tr><tr><td>2 Sheldon Cottages</td><td>5/5a</td><td>Mr B Williams</td><td>TPR</td><td>Terms for voluntary acquisition of freehold agreed</td></tr><tr><td>Wayside</td><td>5/7a, 5/7d</td><td>GCC</td><td>PA</td><td>Acquired voluntarily by the Scheme</td></tr></table>	Property	Plots	Owner	CA	Status	1 Sheldon Cottages	5/5a	Mr B Williams	TPR	Terms for voluntary acquisition of freehold agreed	2 Sheldon Cottages	5/5a	Mr B Williams	TPR	Terms for voluntary acquisition of freehold agreed	Wayside	5/7a, 5/7d	GCC	PA	Acquired voluntarily by the Scheme
Property	Plots	Owner	CA	Status																		
1 Sheldon Cottages	5/5a	Mr B Williams	TPR	Terms for voluntary acquisition of freehold agreed																		
2 Sheldon Cottages	5/5a	Mr B Williams	TPR	Terms for voluntary acquisition of freehold agreed																		
Wayside	5/7a, 5/7d	GCC	PA	Acquired voluntarily by the Scheme																		

Action Point Ref.	Action Point Description	Applicant Response									
		Bridge House	5/9a	GCC	PA	Acquired Scheme	voluntarily	by	the		
		Barn Farm Cottage	5/8a	GCC	PA	Acquired Scheme	voluntarily	by	the		
		1 Withybridge Gardens	5/30a	GCC	PA	Acquired Scheme	voluntarily	by	the		
		2 Withybridge Gardens	5/29	GCC	PA	Acquired Scheme	voluntarily	by	the		
		3 Withybridge Gardens	5/28	GCC	PA	Acquired Scheme	voluntarily	by	the		
		4 Withybridge Gardens	5/27	GCC	PA	Acquired Scheme	voluntarily	by	the		
		5 Withybridge Gardens	5/26	GCC	PA	Acquired Scheme	voluntarily	by	the		
		6 Withybridge Gardens	5/25	GCC	PA	Acquired Scheme	voluntarily	by	the		
		7 Withybridge Gardens	5/24	GCC	PA	Acquired Scheme	voluntarily	by	the		
		8 Withybridge Gardens	5/23	GCC	PA	Acquired Scheme	voluntarily	by	the		
		9 Withybridge Gardens	5/22	GCC	PA	Acquired Scheme	voluntarily	by	the		

Action Point Ref.	Action Point Description	Applicant Response				
		10 Withybridge Gardens	5/20, 5/21	Mr & Mrs Wakefield	PA	Negotiations are ongoing
		11 Withybridge Gardens	5/19a	GCC	PA	Acquired voluntarily by the Scheme
		12 Withybridge Gardens	5/18a, 5/18b	GCC	PA	Acquired voluntarily by the Scheme
		14 Withybridge Gardens	5/17	GCC	PA	Acquired voluntarily by the Scheme
		15 Withybridge Gardens	5/16a, 5/16b	Mr & Mrs Webb	PA	A voluntary acquisition has been agreed and contracts exchanged
		Laburnum	12/12a	GCC	PA	Acquired voluntarily by the Scheme
		Withy Bridge	12/13a	GCC	PA	Acquired voluntarily by the Scheme
		1 The Row	13/7a	GCC	PA	Owned by GCC before Scheme promotion
		2 The Row	13/8a, 13/8a(i)	GCC	PA	Acquired voluntarily by the Scheme
		3 The Row	13/9a, 13/9a(i)	GCC	PA	Acquired voluntarily by the Scheme
		1 Tewkesbury Road	13/3x	GCC	PA	Owned by GCC before Scheme promotion

Action Point Ref.	Action Point Description	Applicant Response				
		2 Tewkesbury Road	13/3x	GCC	PA	Owned by GCC before Scheme promotion
		3 Tewkesbury Road	13/13a	Mr Smith	PA	Negotiations are ongoing
		4 Tewkesbury Road	13/3ee	GCC	PA	Owned by GCC before Scheme promotion
		5 Tewkesbury Road	14/1b	GCC	PA	Owned by GCC before Scheme promotion
		6 Tewkesbury Road	14/1b	GCC	PA	Owned by GCC before Scheme promotion
		7 Tewkesbury Road	14/1b	GCC	PA	Owned by GCC before Scheme promotion
		8 Tewkesbury Road	14/1b	GCC	PA	Owned by GCC before Scheme promotion
		9 Tewkesbury Road	14/1b(ii)	GCC	PA	Owned by GCC before Scheme promotion
		10 Tewkesbury Road	14/1b(i)	GCC	PA	Owned by GCC before Scheme promotion
CAH1.8	The Applicant was asked, with regard to affected persons where agreement has not yet been reached to acquire the land voluntarily, to provide the ES document and paragraph references which consider	The loss of property (residential, business and agricultural) is within the scope of the ES. The ES does not distinguish between properties for which there are agreements for acquisition and for which there are not – all losses are considered on an equal basis in this regard.				

Action Point Ref.	Action Point Description	Applicant Response
	private loss relevant to those particular affected persons and how that has been assessed.	<p>The most relevant ES chapter is Population and Human Health [REP3-022].</p> <p>For Population and Human Health [REP3-022] the methodology for the Population sub-topic is set out in section 13.5. Table 13-4 (p23 onwards) indicates the magnitude of impact that is assigned to the loss of property (e.g. from acquisition and demolition of buildings and direct development of land) in the context of the Population sub-topic assessment. In all cases (residential, business and agricultural), this would form a major magnitude of impact. The resultant significance of effect from this major magnitude of impact would depend on the sensitivity of the affected receptor. Conclusions for individual receptors have been drawn based on the criteria provided in the significance of effects matrix of DMRB LA104 (as referenced in para. 13.5.12 (p25); and professional judgement with reference to Table 13-5 (p25).</p> <p>Population sub-topic assessment reporting relating to demolition (and therefore acquisition) appears in several locations:</p> <ul style="list-style-type: none"> <li>- Table 13-11, p83, 85, 88, 91</li> <li>- Table 13-12, p109, 111, 113</li> <li>- Table 13-15, p137</li> <li>- Table 13-58 (overall summary) p387+</li> </ul> <p>For Population and Human Health [REP3-022] the methodology for the Human Health sub-topic is set out in section 13.6. It is important to note the statement at 13.6.15 (p35), which is reproduced here for ease:</p> <p><i>The sensitivity of an individual or population sub-group is defined as encompassing their ability to withstand exposures and the range of associated impacts or effects, and the physiological (e.g. co-morbidities or disabilities) and socio-economic factors that increase their susceptibility to the exposure. However, it is important to note that assessment of EIA significance at the level of individuals is not proportionate (IEMA human health significance guidance, para. 5.2) and therefore the assessment of the Scheme explores the effects at a population and sub-population level.</i></p> <p>The human health assessment has considered effects of residential property demolition in the context of changes to housing as a determinant of human health. It focuses on stress</p>

Action Point Ref.	Action Point Description	Applicant Response
		<p>and anxiety for directly affected occupiers (as a sub-population comprising a number of residents) and impacts of demolition on established sense of community for remaining residents in communities where some houses are demolished. The inclusion of this within the scope of the assessment is set out in Table 13-6 (re: social environment for housing (p26)) and re: the importance of housing, in Table 13-8 (p27)).</p> <p>Human health sub-topic assessment reporting relating to demolition (and therefore acquisition) appears in several locations:</p> <ul style="list-style-type: none"> <li>- Table 13-48, p234-242</li> <li>- Table 13-50, p278-280, 281-283</li> <li>- Table 13-59 (overall summary) p395+</li> </ul> <p>Within the Population and Human Health assessment of the ES [REP3-022], no mitigation is identified for direct loss of property of any type. It is noted as a matter for compensation, following a process that falls outside the ES (13.10.3, p184).</p>
CAH1.9	The Applicant was asked to provide a chronology and information regarding the form and timing of engagement and negotiations with affected persons where agreement has not yet been reached to acquire land voluntarily.	Please see Appendix C showing the engagement logs with the relevant parties.
CAH1.10	The Applicant was asked to explain how private loss of property has been weighed against the public benefit of the scheme and how the latter would demonstrably and overwhelmingly outweigh the former..	<p>The minutes of the Applicant's Cabinet Meeting dated December 2023 are a record of how private loss of property has been weighed against the public benefit of the Scheme and how the latter would demonstrably and overwhelmingly outweigh the former was considered by the Applicant. The minutes set out that:</p> <p><i>"21. It is recognised that the Scheme may have an impact on individuals. However, this is outweighed by the significant public benefits that will arise from the Scheme. A fair balance must be struck between the public interest in seeing the Scheme proceed (which is unlikely to happen in the absence of the compulsory acquisition) and the private rights which would be affected by the compulsory acquisition. In relation to both Articles 1 and 8, the compelling public interest case for the compulsory acquisition has been demonstrated in this report. The land over which compulsory acquisition is needed is the minimum necessary to ensure the</i></p>

Action Point Ref.	Action Point Description	Applicant Response
		<p><i>delivery of the Scheme. The Scheme has been designed to minimise detrimental impacts, whilst achieving its publicly stated objectives. In this respect the interference with human rights is both proportionate and justified. In relation to Article 6 it is the case that proper procedures have been followed for both the consultation on the Scheme and for the inclusion of land for compulsory acquisition. Throughout the development of the Scheme, persons with an interest in the land have had full opportunity to comment on the proposals in a non-statutory and statutory capacity, and GCC has endeavoured to engage with landowners. GCC has been responsive to landowner feedback in both the initial design of the Scheme and in iterative design changes throughout the development of the Scheme. The approach which has been taken to considering alternatives is explained. (Further statutory consultation will be undertaken when the DCO application is submitted.) Any person affected by the exercise of compulsory acquisition may be entitled to compensation.</i></p> <p><i>22. Given the above and the need for the Scheme as outlined in paragraph 1-5 of this report, it is considered that there is a compelling case in the public interest, which justifies the compulsory acquisition of land. The public benefits which would result from the Scheme and the land acquisition outweighs the private loss that will be suffered by those whose land is to be acquired. Furthermore, it is believed that GCC has followed all due guidance and best practice relating to the DCO preparation and land acquisition. It is therefore considered appropriate for the DCO application to be submitted containing powers of compulsory acquisition."</i></p> <p>As outlined in response to CAH1.8 above, the Population and Human Health [REP3-022] sets out the loss of property (residential, business and agricultural) within the scope of the ES. The Applicant has sought to minimise the private loss of property by seeking to acquire the land through agreement where possible. Section 5.7 of the SoR (APP-035) sets out the approach taken by the Applicant to acquiring interest in land by agreement, while Appendix B of the SoR sets out the proves made in negotiations. The Applicant will continue to update the Land Rights throughout the examination in order to keep the ExA up to date. The Case for the Scheme and Schedule of Accordance with National Policy Statement (REP2-028) sets out benefits of the Scheme and reiterates that the compelling case in the public interest for compulsory acquisition is met and demonstrates that there would be substantial public benefits arising from the implementation of the Scheme as set out below. This is weighed against the loss of 32 properties, of which 29 have already been acquired by agreement.</p>

Action Point Ref.	Action Point Description	Applicant Response
		<p>The benefits the Scheme will bring are:</p> <ul style="list-style-type: none"> <li>• Provision of infrastructure to alleviate existing congestion in Cheltenham and</li> <li>• improve connectivity on the SRN which provides access to Bristol to the south and Birmingham to the north.</li> <li>• Facilitate and unlock development of approximately 9,000 dwellings by providing a highway network that has the capacity to accommodate traffic growth.</li> <li>• Employment sites unlocked by the Scheme would provide employment opportunities for residents of Cheltenham, Gloucester and the surrounding settlements and will be of importance to the UK as a whole providing supportive industries to the nationally important GCHQ facility.</li> <li>• The junction itself and the wider SRN would benefit from the increased capacity for motorised users that is required and allow the development allocations in the JCS to be brought forward.</li> <li>• Improve the connectivity between the SRN and the local transport network in west and north-west Cheltenham.</li> <li>• Safe access to services for the local community, including for users of sustainable transport modes within and to west and north-west Cheltenham.</li> </ul>
CAH1.11	<p>The Applicant was asked to explain whether provision could be made in the DCO to secure a commitment for the delivery of the whole of the scheme. In absence of this, whether an assessment of public benefit should be undertaken to assess what the implications would be on the balance between private loss and public benefit in relation to compulsory acquisition.</p>	<p>In respect of the requirement securing a commitment for the delivery of the whole of the scheme, the Applicant set out its position in response to Q1.0.12 of the ExQ1 (REP3-043) points (i) and (ii):</p> <p>“The dDCO does not ensure that all three elements of the Authorised Development, being the M25 Junction 10 gyratory, the A4019, and Link Road, will be delivered. The Applicant considers that it is an important and essential principle in planning that a developer is not forced to complete the development for which they have permission. The Applicant considers that the way to achieve this would be through a requirement, however:</p>



Action Point Ref.	Action Point Description	Applicant Response
		<p>Advice Note 15 states: “The law and policy relating to planning conditions (in particular, in England, relevant paragraphs of the National Planning Policy Framework and associated Planning Practice Guidance), imposed on planning permissions under the TCPA1990, will generally apply when considering Requirements to be imposed in a DCO in relation to the terrestrial elements of a proposed NSIP. Requirements should therefore be precise, enforceable, necessary, relevant to the development, relevant to planning and reasonable in all other respects.”</p> <p>In this respect Planning Practice Guidance: Use of Planning Conditions states at paragraph 005 that:</p> <p>“Conditions requiring a development to be carried out in its entirety will fail the test of necessity by requiring more than is needed to deal with the problem they are designed to solve. Such a condition is also likely to be difficult to enforce due to the range of external factors that can influence a decision whether or not to carry out and complete a development.”</p> <p>Therefore, the Applicant would consider that an attempt to secure the delivery of all three elements through the dDCO would not be accordance with Guidance.</p> <p>However, the Applicant does not consider that any ability of the Applicant to deliver elements of the Scheme separately to be evidence of an elevated status which might undermine its position as a “subordinate” element. The term “subordinate” appears to come from the Department for Communities and Local Government Guidance on associated development applications for major infrastructure projects 2013 “DCLG 2013 Guidance”. This word is mentioned once in that Guidance and should be read in context. This states that “associated development should not be an aim in itself but should be subordinate to the principal development”. In the Applicant’s Written Submission of Oral Case for Issue Specific Hearing 1 (ISH1) (REP1-046), the Applicant reiterated that the purpose of this wording is to ensure that development which might have some unrelated purpose or motivation is not included in the dDCO. This is clearly not the case in this instance.</p> <p>The Applicant has demonstrated why the Link Road and A4019 are subordinate to the purpose of the NSIP (being the M5 Junction 10). The fact that the dDCO might permit the elements to be brought forward in a phased way, or in isolation is not related to the factual</p>

Action Point Ref.	Action Point Description	Applicant Response
		<p>reality that the elements are interrelated and required in order to achieve the Scheme objectives.</p> <p>The Applicant does not consider that the Scheme objectives would be met if the Link Road or A4019 elements were brought forward in isolation and has established the need for the authorised development as a whole in its Planning Statement (REP1-027)."</p> <p>In order to unlock the housing development associated with the Strategic Allocations all elements of the Scheme are required. The interrelationship between all parts of the Scheme is such that there is a clear need to deliver the A4019 element of the Scheme in order to mitigate impacts caused by the M5 Junction 10 implementation and the need to deliver the link road to mitigate impacts caused elsewhere on the M5 mainline and the local network within Cheltenham. As has been outlined in the GC3M Assessment (REP3-065), submitted by the Joint Councils, in the absence of the Scheme and with 100% of the development from the North West and West Cheltenham Strategic Allocations there is widespread congestion across almost all of the junctions assessed. In order to mitigate these impacts the need for a major scheme intervention is identified and the whole of the M5 J10 Improvements Scheme is required to provide this.</p> <p>In addition, funding received by the Applicant from Homes England for the delivery of the Scheme (HIF funding) is subject to all elements of the Scheme being delivered.</p> <p>The relevant test for a compelling case in the public interest set out in the CA Guidance is that "The Secretary of State must ultimately be persuaded that the purposes for which an order authorises the compulsory acquisition of land are legitimate and are sufficient to justify interfering with the human rights of those with an interest in the land affected."</p> <p>Any interference with private rights is justified on the basis that the benefits of the Scheme outweighed such interference, which is connected to demonstrating the need for the Scheme. The benefits of the Scheme derive from the implementation of the Scheme as a whole, therefore if the Applicant is not able to demonstrate that these benefits materialise the Applicant would be held accountable under ECHR if the interference is not justified. This is beyond the test to applied at this stage considering whether those benefits do outweigh the interference.</p>

Action Point Ref.	Action Point Description	Applicant Response
CAH1.12	The Applicant was asked to provide evidence of appropriate consideration of the human rights of those with an interest in affected land.	<p>The Applicant's Equality Impact Assessment [APP-144] that it has complied with its duties under the Equality Act 2010. The Applicant has conducted an equality impact assessment which explains that the Applicant has used National Highways' 'Equality, Diversity and Inclusion sifting Tool (EDIT)' to complete the Equality Impact Assessment [APP-144]. Section 5 of the Equality Impact Assessment (7.14, APP-167) provides additional information on the process of the assessment during the Scheme development.</p> <p>Given the involvement of National Highways due to the M5 being a National Highways asset, the Applicant has ensured compliance with National Highways' procedures. Each project within Major Projects directorate has to go through the project life cycle. The life cycle of a Major Project begins at Stage 1 (Option Identification) and ends at Stage 7 (Closeout). The Project Control Framework (PCF) is the electronic manual for the Major Projects directorate and sets out who needs to do what and when to deliver a successful road project in a consistent and controlled manner throughout the project lifecycle. Equality impacts are considered from PCF Stage 1 (Options Identification) throughout the PCF process including at PCF stage 3 Preliminary Design stage. The EqlA will continue to be updated as the project progresses through the project lifecycle. The EDIT is used as part of the process and is designed to help National Highways (and in this instance, the Applicant) project managers, designers and engineers make an informed decision about how equality issues relate to their scheme.</p> <p>The EDIT tool has been designed to make evidence-based and informed decisions about infrastructure projects, supporting the appropriate consideration of equality, diversion and inclusion issues in project design and development. The EDIT tool has been an accepted means of assessment on other Nationally Significant Infrastructure Projects (NSIPs) including the A417 (Missing Link) Development Consent Order 2022 and the M3 Junction 9 Improvement Development Consent Order 2024</p>
CAH1.13	The Applicant was asked, with regard to human rights, to demonstrate how existing uses of the land to be compulsory acquired and impacts on private interest has been adequately considered.	During development of the Scheme, the Applicant has in all cases considered the impacts on human rights of Compulsory Acquisition and balanced the needs to be struck between the rights of the individual property owners and the interests of the public. Beyond seeking to acquire the minimum land necessary to deliver the Scheme, the existing use of the land has informed the Compulsory Acquisition approach with examples provide below.

Action Point Ref.	Action Point Description	Applicant Response
		<p><u>West Cheltenham Link Road Alignment</u></p> <p>The existing agricultural use of the land informed the alignment and design of the new road. Existing field boundaries were considered along with minimum farmable areas to ensure the minimum area of land was severed by the Scheme. This has ensured that landowners can continue to farm the maximum extent of land subject only to Temporary Possession or Permanent Rights following construction of the Scheme.</p> <p><u>Accommodation Works</u></p> <p>Accommodation works appropriate to the land use have been incorporated into the Scheme, with consideration to the responses received during consultation. This again has ensured that land is only subject to Temporary Possession or Permanent Right, and the existing land use can continue following the Scheme with the least impact possible.</p> <p><u>Hedgerow Improvement and Protection</u></p> <p>Where possible the Applicant has not sought to permanently acquire land, but only the rights required to ensure the least impact on the existing land use. This has included seeking only rights to undertake and maintain improvements to hedgerows where needed for mitigation. Reducing the impact on the continued agricultural use of the land and allowing the continued inclusion of the hedgerow within any appropriate agricultural environmental schemes.</p> <p><u>Residential Properties</u></p> <p>Due to the more significant impact of the Scheme on an individual's home, the Applicant has wherever possible designed the Scheme to avoid residential properties and Compulsory Acquisition. An example of this in relation to the designed widening of the A4019 has been provided in response to CAH1.6 above. Where it has not been possible to avoid residential properties, the Applicant in recognition of the existing land use, has engaged with landowners at the earliest opportunity. The Applicant has structured the voluntary negotiations with an early focus on residential properties to provide landowners certainty in relation to their home and the opportunity to purchase a replacement property soon as possible</p>
CAH1.14	The Applicant was asked to confirm the degree of importance attributed to existing uses of the land	The Applicant identified the existing land use during the initial design phase of the Scheme. As referred to in response to CAH1.13 above, this has informed both the design and

Action Point Ref.	Action Point Description	Applicant Response
	proposed to be compulsorily acquired in assessing whether interference is justified.	<p>acquisition approach. Reducing the interference of the Scheme on residential properties was prioritised during this process. Where the Scheme does interfere with land and property, this has ensured that the Applicant is satisfied that the interference is justified. An example of this approach is the Scheme only requiring the acquisition of Permanent Right with Temporary Possession for both 1 &amp; 2 Sheldon Cottages.</p> <p>Section 4 of the Statement of Reasons [REP3-018] considers “<i>Location and existing land use</i>”.</p> <p>Paragraph 4.2.4. identifies an area of land is currently occupied by travellers, adjacent to the southbound carriageway of the M5, approximately 400m north of Junction 10. Paragraph 4.2.6. acknowledges that the greatest concentrations of private dwellings and community facilities relative to the Scheme are found in the main settlements of Gloucester and Cheltenham. Smaller villages of Staverton and Boddington to the west, Hayden to the east and Staverton Bridge to the south are the largest settlements within the Scheme area with Uckington spread either side of the A4019 in a key location for the Scheme. There are several isolated properties and farmsteads in the rural areas between these settlements, including a cluster of 14 properties at Withybridge Gardens, adjacent to the southeast quadrant of the existing M5 Junction 10/A4019.”</p> <p>The Applicant response to ExQ1 Q1.0.10, in turn, refers to Chapter 13 of the ES [REP3-021]. Item:</p> <p>“(i) The ExA’s attention is drawn to the fact that the Population and Human Health chapter submitted with the application in December 2023 has since been superseded. The current version is REP1-022 with tracked changes provided in REP1-023, submitted at Deadline 2. REP1-022 contains a description of human health receptor groups. The residents of the informal Traveller site are included at p224/225 of REP1-022, which states that ‘Traveller community groups have Protected Characteristics and are therefore considered to be a sensitive population group.’ The sensitivity assigned to this receptor is ‘High’ which reflects this aspect of the receptor. The text cited in the ExA question appears in relation to the ‘outlook’ of the receptor and remains as stated. The occupiers of the Traveller Site were issued a Section 42 consultation pack including the S42 Notice in December 2022. Taking advice from the Traveller Liaison Support Officer at GCC and the Friends. Families and Travellers’ charity, the pack included a cover letter which was translated into six of the most commonly used languages for this community. This offered the opportunity to contact the</p>

Action Point Ref.	Action Point Description	Applicant Response
		<p>Applicant to discuss the proposals and if any further information/ translation was required. The consultation pack was physically issued to the occupiers of the site in line with the advice from the Travellers Liaison Support Officer. The consultation period was extended to 44 days to allow for the Christmas period. As set out in the Consultation Report (APP- 038) and EqlA (APP-144) no response was received.</p> <p>ii) The Applicant has paid due regard to the Public Sector Equality Duty and the Equality Act 2010, through undertaking and updating the Equality Impact Assessment (EqlA) throughout the development of the scheme (APP-144). The EqlA identifies the Travellers Site has housing persons with protected characteristics and as a result of this has included Travellers as part of the assessment. For consultation a statutory consultation pack was issued to the Occupiers of the site including a cover letter translated into six different languages offering opportunity to contact the Applicant to discuss proposals further if required. The assessment also shows that if the site is still operational at the time of construction mitigation is included in the design to ensure that access is retained to the site through construction period and also when the Scheme is complete.”</p>
CAH1.15	<p>The Applicant was asked to provide overlay plans for Mr Hadley’s land (plot 16/9a) and provide commentary and information about works within that land plot. CAH1.16 The Applicant was asked to provide an update on progress and discussions with Ei Group in respect of the House in the Tree pub (plots 16/5a(i), 16/5e and 16/5b).</p>	<p>Please see in Appendix B to this document.</p> <p>Plot 16/9a is required for part of the realignment of the B4634 carriageway, verge and supporting earthwork embankment (all part of Work No 6). It also includes unlined ditches (also part of Work No 6) at the toe of embankments to intercept embankment runoff and land drainage. The ditches have a base width of 1m, depth of 1m, with 1 in 3 side slopes, an earthwork offset of 2m and maintenance access. Space is also required for the proposed ditches to connect to the proposed replacement culverts (Work No 6a and 6b) which will be under the B4634. A replacement private means of access is provided as Work No. 6c.</p> <p>Within the proposed B4634 verge, the following utility diversions are proposed through Plot 16/9a; diversion of telecommunications cables (Works No 8, 12 and 34) and diversion of an electricity cable (Work No 26).</p> <p>Plot 16/9b is required for construction working space for Work Nos 6, 6a, 6b and 6c, all described above.</p>

Action Point Ref.	Action Point Description	Applicant Response
CAH1.16	<p>The Applicant was asked to provide an update on progress and discussions with Ei Group in respect of the House in the Tree pub (plots 16/5a(i), 16/5e and 16/5b).</p>	<p>The Applicant assumes that plot 16/5e(i) was intended rather than plot 16/5a(i).</p> <p>The negotiations between the Applicant and the agent representing Ei Group, identified significant concerns in relation to the restrictions that permanent rights over plot 16/5b could have on the future use of the land. The need for the land for required utility diversions and service reconnections has been a key area of review as the detailed design progress has continued. This has led to an alternative diversion route being adopted meaning the revised alignment of the utility will fall within the publicly adopted highway. As only service reconnections are required the Applicant has been able to respond to Ei Groups concerns and downgrade the plot to Temporary Possession only. As the detailed design progresses and further input is received from the statutory undertaker, the plot will be reduced if possible. The Applicant understands that Ei Group are concerned about the duration of the works in this plot and the timings of works. Whilst the detailed design progresses the Applicant does not have this detail but has committed to provide this to Ei Group as soon as it becomes available. The Applicant understands that Ei Groups concerns have been reduced and negotiations in relation to the temporary occupation of the land continue.</p> <p>With Ei Group not being able to progress negotiations for an acquisition on the basis of vacant possession, the Applicant has now agreed to progress a tripartite agreement between Ei Group and the occupier of the House in the Tree. This will include the plots 16/5e(i), 16/5e and 16/5b. A meeting is proposed with the agent now representing both parties. The Applicant is aware that there is concern regarding the impact that the Scheme will have on the operations the House in the Tree and a meeting has been requested by the Applicant with the agent, to understand the evidence for the level of consideration that is being expected. Whilst there will clearly be a level of disruption the Applicant has and will continue to minimise the extent of impact, and the consideration must be reflective.</p>

## Appendix B. Overlay Plans in response to CAH1 Actions

GCCM5J10-ATK-HGN-ZZ-SK-CH-000036_C01.pdf	CAH1.1 Action – Plots 4/1c and 4/1c(i)
GCCM5J10-ATK-HGN-ZZ-SK-CH-000037_C01.pdf	CAH1.4 Action – Plots 15/5c
GCCM5J10-ATK-HGN-ZZ-SK-CH-000038_C01.pdf	CAH1.15 Action – Plots 16/9a and 16/9b
GCCM5J10-ATK-HGN-ZZ-SK-CH-000039_C01.pdf	CAH1.5 Action – Plots 13/6a





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FOR CONTINUATION REFER TO SHEET 5

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**NOTES:**  
1. THE WORKS PLANS SHOULD BE READ IN CONJUNCTION WITH THE DEVELOPMENT CONSENT ORDER AND OTHER APPLICATION PLANS.

**KEY**

- DEVELOPMENT CONSENT ORDER (DCO) LIMITS
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- EXISTING ORDNANCE SURVEY DATA
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- PROPOSED UNDERPASS
- PROPOSED CULVERT STRUCTURE
- EXISTING HIGHWAY
- HIGHWAY WORK CENTRE LINE
- HIGHWAY WORK CENTRE LINE (BUS LANE)
- PRIVATE MEANS OF ACCESS CENTRE LINE
- HIGHWAY WORK LIMIT OF DEVIATION, WHERE NOT COINCIDENT WITH DCO LIMITS
- COMMENCEMENT OF LINEAR HIGHWAY WORKS
- TERMINATION OF LINEAR HIGHWAY WORKS
- NON-LINEAR HIGHWAY WORK LIMIT, WHERE NOT COINCIDENT WITH DCO LIMITS
- ENVIRONMENTAL BARRIER
- UTILITY DIVERSION LIMIT OF DEVIATION, WHERE NOT COINCIDENT WITH DCO LIMITS
- WATER DIVERSION (CENTRE LINE)
- TELECOMMUNICATION/MEDIA CABLES DIVERSION (CENTRE LINE)
- GAS DIVERSION (CENTRE LINE)
- ELECTRICITY DIVERSION (CENTRE LINE)
- SITE COMPOUND, SOIL STORAGE OR OTHER TEMPORARY WORKS SITE
- ENVIRONMENTAL COMPENSATION AND MITIGATION WORKS
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- EXISTING PUBLIC RIGHT OF WAY (PROW)
- EXISTING PUBLIC RIGHT OF WAY TO BE STOPPED UP
- PROPOSED FOOTPATH
- PROPOSED BRIDLEWAY
- PARISH BOUNDARY
- PROPOSED DITCHES
- PROPERTIES TO BE DEMOLISHED
- BAT HOUSE
- FLOOD COMPENSATION AREA
- PROPOSED/EXISTING GANTRY
- PROPOSED M5 TRAFFIC SIGN AND SIGN POST

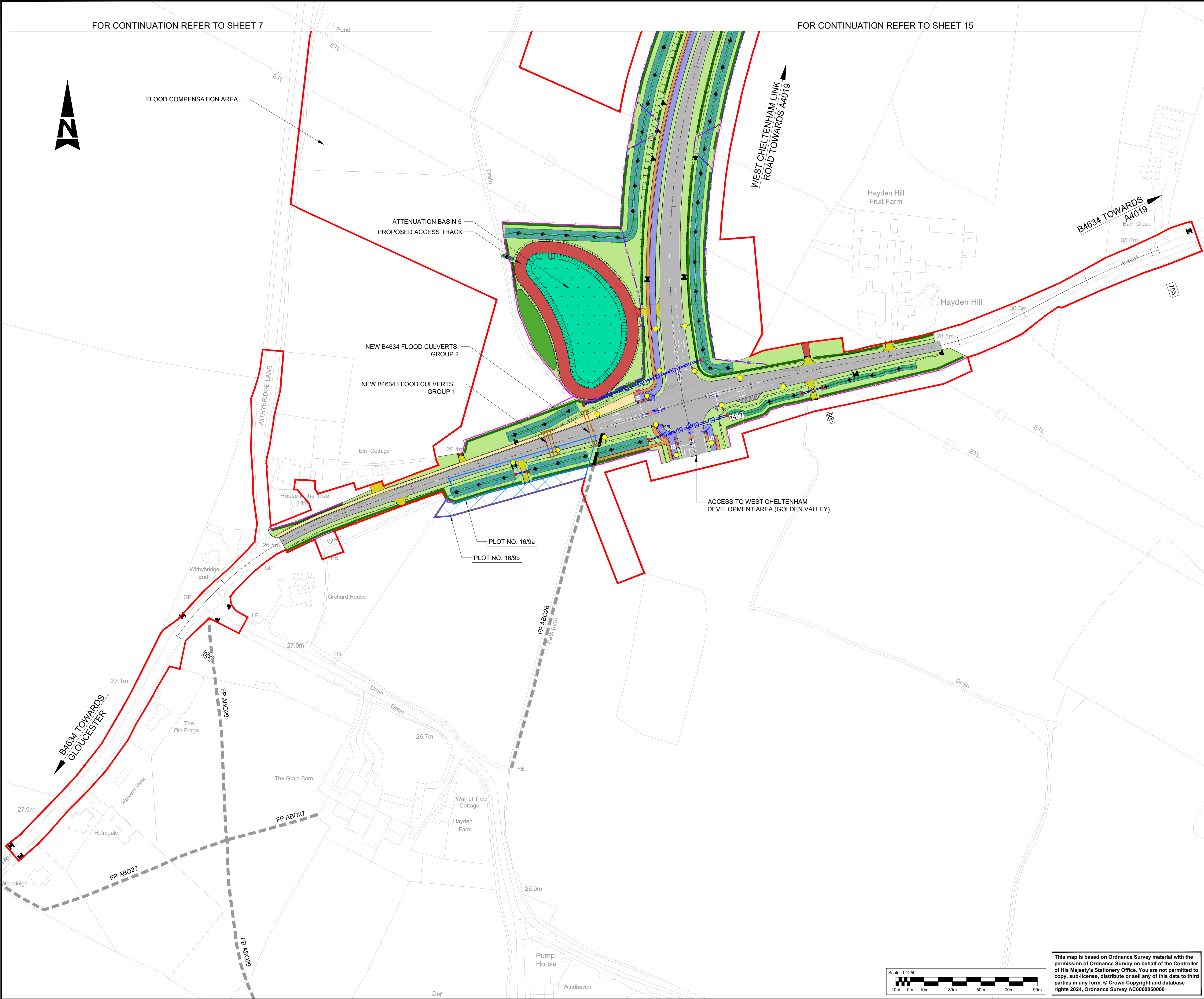
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LAND PLOT BOUNDARY ADDED						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C01	VN	CG	CJ	LJ	02/09/24
Drawing Suitability					Status	
APPROVED - PUBLISHED					A1	
Project Title						
M5 Junction 10 Improvements Scheme						
Drawing Title						
WORKS PLANS REGULATION 5(2)(j) SHEET 15 OF 16 WITH LAND PLOT BOUNDARY						
Drawing Number						
TR010063/APP/9.69						
Original Size: A1 Scale: 1:1250 Project Ref. No: 6228847 Sheet: 15 of 16 Rev: C01						

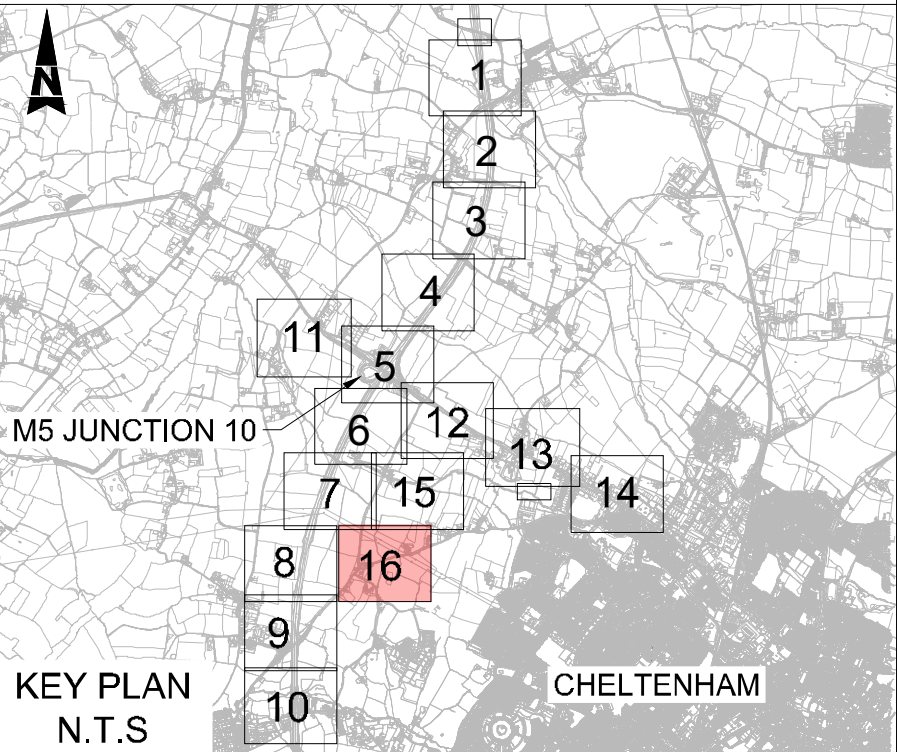
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Scale 1:1250  
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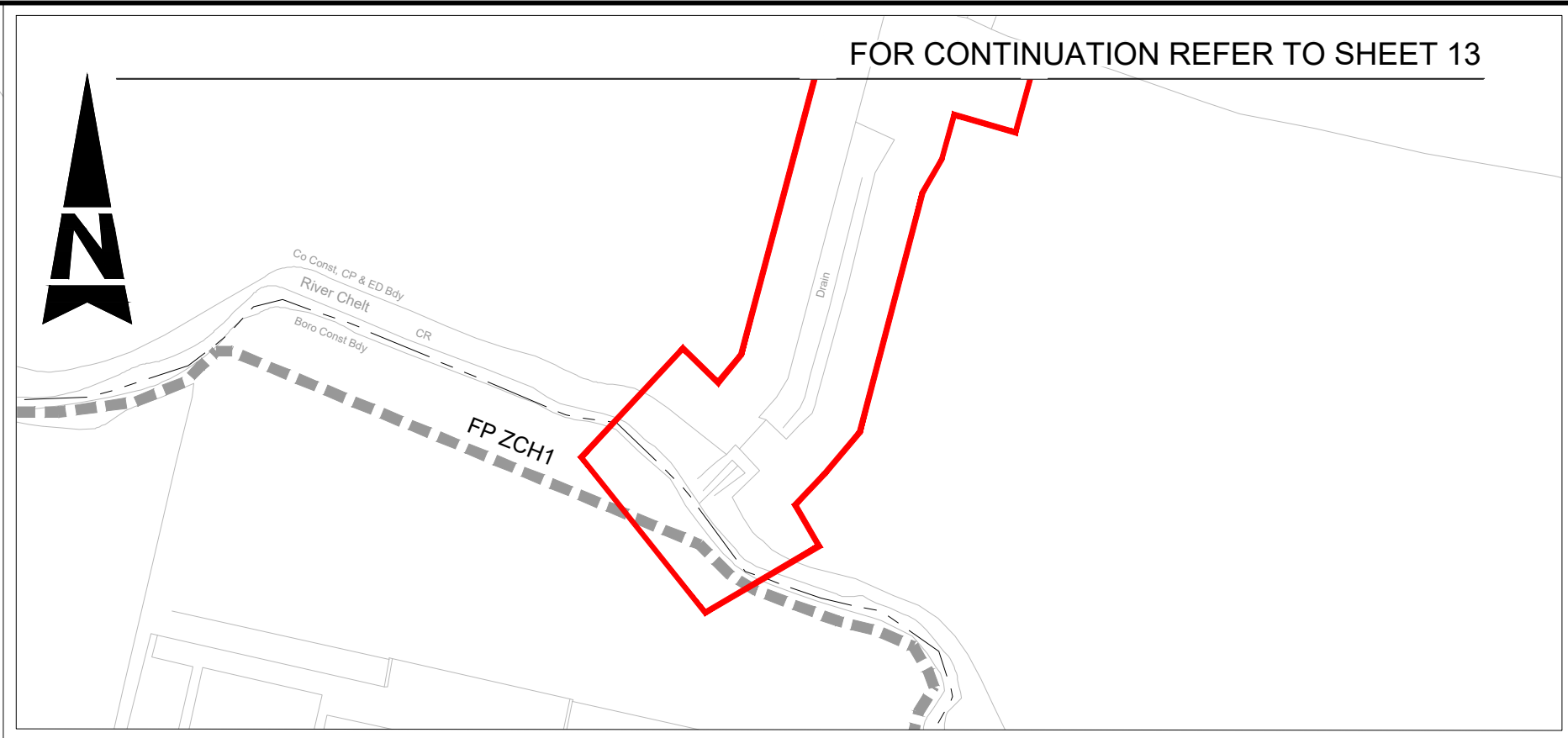
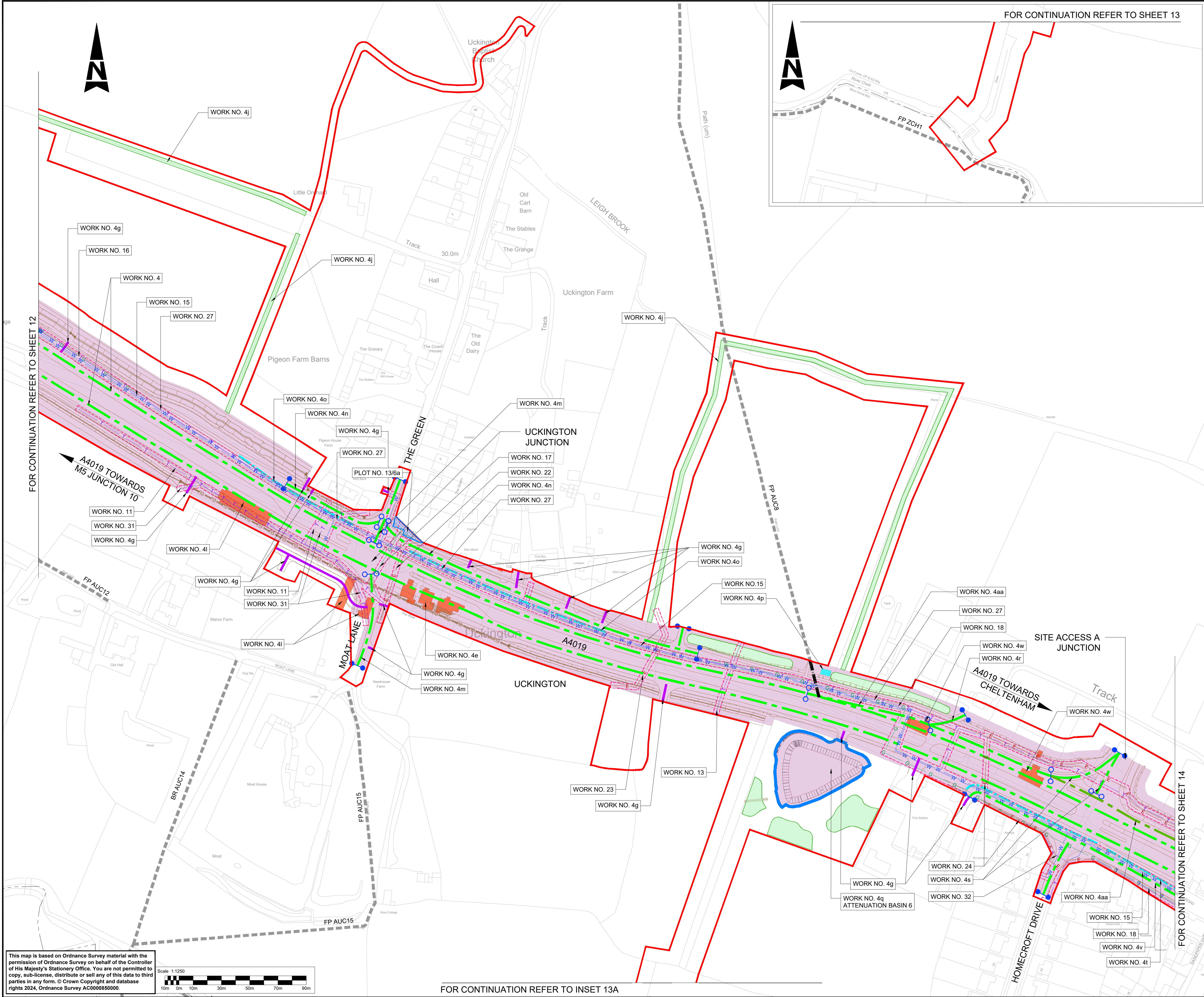


- NOTES:
1. THESE PLANS SHOULD BE READ IN CONJUNCTION WITH TR010063/APP/2.9 KEY PLAN AND TR010063/APP/2.9 KEY LEGEND.
  2. THESE PLANS SHOULD BE READ IN CONJUNCTION WITH THE DEVELOPMENT CONSENT ORDER AND OTHER APPLICATION PLANS.



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LAND PLOT BOUNDARY ADDED						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C01	VN	CG	CJ	LJ	02/09/24
Drawing Suitability						Status
APPROVED - PUBLISHED						A1
Project Title						
M5 Junction 10 Improvements Scheme						
Drawing Title						
GENERAL ARRANGEMENT PLANS REGULATION 5(2)(o) SHEET 16 OF 16 WITH LAND PLOT BOUNDARY						
Drawing Number						
TR010063/APP/9.69						
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**KEY PLAN**  
N.T.S

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LAND PLOT BOUNDARY ADDED						
Status	Revision	Drawn	Checked	Reviewed	Authorised	Issue Date
A1	C01	VN	CG	CJ	LJ	02/09/24
Drawing Suitability						Status
APPROVED - PUBLISHED						A1
Project Title						
M5 Junction 10 Improvements Scheme						
Drawing Title						
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Drawing Number						
TR010063/APP/9.69						
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Scale 1:1250

10m 0m 10m 30m 50m 70m 90m



## Appendix C. Engagement Logs

**SCHEME: M5**

**SECTION: A4019**

**Property:** [REDACTED]

**Party: Andrew David Smith**

13/10/2020 Phone call from Mr Smith. M5 J10 Inbox team sent an email following the call, confirming the time of a call between Mr Smith and the M5 Junction 10 Project Management team the following day.

23/10/2020 Minutes email from the call held on 14/10/2020 sent to Mr Smith

02/03/2021 GCC emailed Mr Smith regarding surveys.

02/03/2021 Mr Smith replied that he is not happy with Atkins regarding the way that the asbestos survey was conducted. He also mentioned that the plans would mean the cycle and footpath would be affected, and questioned why Atkins would need access to his house.

04/03/2021 M5 J10 inbox team assured him that his property is recorded as not permitting access for surveys at this time and noted that the records will be updated to ensure all future communications are sent via letter.

14/05/2021 GCC (Adam) emailed inviting Mr Smith to discuss a potential impact on his land - asking to meet in July 2021.

17/05/2021 Mr Smith left a voicemail requesting to meet on Wednesday 9<sup>th</sup> June.

17/05/2021 M5 J10 inbox team arranged a meeting for Wednesday 9<sup>th</sup> June at Hester's Way Community Centre.

08/06/2021 Reminder email sent by M5 J10 Inbox team of the upcoming meeting at Hester's Way.

09/06/2021 Meeting held to discuss acquisition with landowner and agent

16/06/2021 M5 Junction 10 Preferred Route Announcement correspondence issued.

23/06/2021 Mr Smith requested meeting notes.

23/06/2021 M5 J10 Inbox team replied that the minutes are being written up and will be sent as soon as possible.

29/06/2021 Meeting minutes sent, with plan attached.

29/06/2021 Mr Smith unhappy about plans, not interested in selling. Asking for paperwork to raise with barrister.

05/07/2021 Phone call from Mr Smith requesting call to go through minutes, queries on who is purchasing, public consultation and confirm availability

30/07/2021 email from agent Informing of appointment by AS, requesting correspondence, timescales and plans and sending fees

27/10/2021 Letter sent to landowner confirming acquisition process is beginning and Carter Jonas will conduct a valuation

16/11/2021 Correspondence with agent agreeing reasonable fee undertaking

23/11/2021 Sent plans from June 2021, sent links to all other questions. Requested access for property inspection

02/12/2021 Correspondence from agent. Client open to sale but wants to delay completion or stay post sale for a period. Requested information on value due to development

03/12/2021 Correspondence with agent to inform of Section 42 exercise. Confirmed availability and potential for flexibility.

17/01/2022 Plans sent by post to Mr Smith

25/02/2022 Offer made and draft HoTs issued

25/02/2022 Email from HC stating no further planning documents for Elms Park have been provided to CJ and that fees in HoT allow CBRE to research planning to form an opinion on value

25/02/2022 Email from CJ to HC regarding planning status and need to rely on own findings and investigations in determining value.

25/02/2022 HC Requested the information be obtained from GCC by client

13/04/2022 AB call with HC, requested further information regarding associated development

08/05/2022 HC and CJ Further emails regarding fees

10/05/2022 HC email waiting for feedback from requests and prompting in fees

27/05/2022 Email from HC requesting update on valuation

26/05/2022 HC Chaser regarding fees

09/06/2022 Email from CJ to HC regarding fees and response to queries

09/06/2022 Emails from HC regarding fees

20/06/2022 CJ email to HC with fee cap of £7,500 proposed

23/06/2022 HC email linking to news story regarding scheme and timescales clarification

05/07/2022 HC emailed timesheet for job, 40% of cap reached, requested costs for planning input and information requested from SM

03/08/2022 DM email to HC Clarified fees have been agreed, will progress further information

03/08/2022 DM email arranging call for catch-up, HC responded with availability

05/08/2022 HC email with Outstanding fees and billing process query

10/08/2022 DM email to HC confirming fee position

12/09/2022 Mr Smith attended the information session spoke with LJ

01/02/2023 Correspondence with HC to confirm increased offer

07/02/2023 Email from HC querying if value is for property only or disturbance also

09/02/2023	HC email confirming offer rejected, requested a meeting.
15/02/2023	Email to HC suggesting increased fee cap and confirming settlement of invoices
16/02/2023	Email to HC agreeing fees
31/03/2023	Email to HC confirming payment of fees
17/04/2023	Email to HC setting out further increase to offer is beyond threshold based upon valuation an supporting evidence must be provided.
20/04/2023	Email from DM to HC confirming not in a position to increase offer at this point r i
19/05/2023	Meeting with HC to progress negotiations
12/06/2023	Call with HC to discuss offer and lack of evidence to support increase
14/08/2023	email from homeowner to GCC asking for a call from GCC. Follow up call from DM
29/08/2023	email to HC with further offer and explaining the loss payment
29/08/2023	email from agent acknowledging offer and that he has put this to his client
26.09.2023	email to HC chasing response to offer
01.05.2024	Meeting held with the agent (Henry Church) to discuss current position.
03.05.2024	email to agent asking for supporting evidence for the value proposed
22.05.2024	Phone call from homeowner saying there is a lack of communication between his agent and him and he would like to get a deal done for the sale of the property
29.05.2024	email to agent outlining current position, asking for evidence for his value
24.06.2024	GT call with agent to discuss progress
03.07.2024	email from agent confirming he has been disinstructed by his client.
05.07.2024	call with homeowner to let him know the current position and to arrange a meeting
15.07.2024	further call to homeowner to confirm meeting on the 17 <sup>th</sup> July
17.07.2024	meeting with homeowner to discuss current position, issue revised offer for property and discuss any of his concerns
22.07.2024	call to homeowner to discuss any progress
23.07.2024	call from a newly instructed agent to discuss offer made and how he would like to take forward
31.07.2024	further call with new agent to obtain update on offer
12.08.2024	email to agent to propose a meeting to discuss this matter
14.08.2024	meeting with agent to confirm he would assist the homeowner with finding a property so his client could and confirmed in principle he was happy with the offer made.



**SCHEME: M5**

**SECTION: A4019**

**Property: Land On the North Side of Tewkesbury Road, Uckington, Cheltenham - 5/11d, 12/1f, 12/1g, 5/11a, 12/1a, 12/1d, 5/11b, 12/1b, 12/1b(i), 12/1b(ii), 12/1b(iii), 12/1c, 12/1c(i), 12/1c(ii), 12/1e**

**Party: Elizabeth Margaret Counsell & Mary Joy Burton**

21/08/2020 Subject - M5 junction 10 Improvements Scheme – invitation to discuss a potential impact on your land. Sent to Mary Bruton and Elizabeth Counsell.

21/08/2020 Mrs Mary Bruton responded suggesting a call to confirm the date for a meeting.

10/09/2020 Email from Andrew Bower (agent) confirmed that he is aware about the meeting, and he will be joining the meeting.

17/09/2020 Lucy sent the minutes of the meeting to Mary and Andrew.

23/10/2020 Further drawings sent to landowner by email

25/11/2020 Andrew Bower (land agent) sent his client's response to the consultation

07/12/2020 Emails from AB requesting clarification.

09/12/2020 Email sent to AB to provide further detail

22/03/2021 Lucy sent the notification to the landowner to understand impact on farming activities.

27/05/2021 Email from AB asking for the available slots for the face to face meetings

27/05/2021 Email from Gemma confirming all the available slots.

08/06/2021 reminder email sent to all landowners of the meeting on Wednesday 9<sup>th</sup> June

09/06/2021 Meeting held with agent

17/06/2021 AB emailed to note differences to drawings between meeting and announced route

27/10/2021 Letter sent regarding interest in property and request for more information

14/02/2022 Email from AB with response to consultation

18/05/2022 Draft survey licence and plan sent to AB

30/05/2022 Email to AB to chase feedback on licence and response confirming higher fee required

20/06/2022 Emails progressing Licence agreement and signed licence returned with changes

05/09/2022 AB sent a representation on behalf of clients

06/03/2023 Email from AB requesting information gathered from ecology works

15/03/2023 Response to provide information

21/03/2023	Emails with AB proposing meeting date and time
29/03/2023	Email from AB to postpone until all parties can attend, MH response asking for general availability
13/04/2023	Site meeting held between AB, JC and MR.
30/05/2023	Ecology Survey Results sent to AB by email
28/06/2023	Meeting held with AB, TP, JC and AB
03/07/2023	Meeting minutes issued, requested call
27/07/2023	Emails to AB responding to queries regarding solicitors' fees
16/10/2023	Email from AB requesting likely date of DCO notices and chasing invoices
09/11/2023	Email to AB confirming notices and DCO process, chased fee information
13/11/2023	Telephone call with AB to discuss DCO and meeting offered
08/12/2023	Emails from and to AB from JC
22/05/2024	Draft Heads of Terms emailed to the agent along with swept path analysis
29/05/2024	email sent to agent by GT to request a meeting to discuss draft HoT
30/05/2024	email from agent requesting further design information
21/06/2024	email to agent with further plans requested from GT
25.06.2024	email to agent requesting voluntary access to undertake surveys on land
11.07.2024	email to agent chasing response on survey access
11.07.2024	email to agent with updated draft HoTs and a further request for a meeting.
15.07.2024	email from agent confirming access will be denied for surveys
16.07.2024	call to agent to discuss access and proposed meeting
17.07.2024	follow-up email to the agent asking for a proposed agenda
23.07.2024	email from agent outlining agenda and confirmation on attendees
26.07.2024	revised draft HoT issued to agent
02.08.2024	email from agent forwarding technical concerns regarding ag machinery access
14.08.2024	email to agent to asking for meeting dates
15.08.2024	email from agent confirming he could attend meeting on proposed date
16.08.2024	email from agent confirming that a representative from Bloor
22.08.2024	call from repressive from Bloor to ask for a copy of the meeting agenda
22.08.2024	email from agent confirming they would not now attend the meeting
23.08.2024	call with agent to discuss the proposed meeting and the agricultural access.

**SCHEME: M5**

**SECTION: M5 J10**

**Property:** [REDACTED]  
[REDACTED]

**Party: Mr Steven & Mrs Valarie Wakefield**

25/09/2020 Follow up email by Lucy (Atkins) for the letter sent on 21/08/2020 and suggested to have a meet for the discussions

10/10/2020 Steve sent an email to J10 Inbox stating that he owns 10 Withybridge Gardens, yet he has not received any communication about J10 upgrades. He has received the information from neighbours and wanted to get the copies of the material received by neighbours so far.

12/10/2020 Lucy sent an email to Steven, requesting to give her a ring for a verbal update and assured to send all the updates regarding the consultation

14/10/2020 Lucy sent the consultation website details to view the latest option drawings on an interactive web map

14/10/2020 Steven requested to arrange a meeting to discuss the scheme impact. He was disappointed for not being contacted before.

15/10/2020 Lucy sent an email stating that a letter was sent to 10 Withybridge Gardens on 28th September 2020, addressed to a Valerie Wakefield.

15/10/2020 Following the call, Lucy proposed a meeting on Thursday 22 October from 1300-1400.

16/10/2020 Steven asked a questions via email

20/10/2020 Lucy sent an email to Steven stating that the project management team will prepare to speak about these topics on the call

23/10/2020 Subject: M5 Junction 10 Improvements Scheme Drawings and Meeting Minutes

27/10/2020 Steve emailed requesting Landowner consultation Plans for GR289249 and GR147318.

28/10/2020 Steve mentioned that land take impact (regardless of option) he would expect the rework to have been included in the drawings.

04/11/2020 Gareth emailed the two additional drawings requested by Steven.

04/11/2020 Steven emailed Gareth acknowledging the clarifications. services etc.

05/11/2020 Gareth sent response to Steven

14/05/2021 Steven requesting a meeting on 9th June

09/06/2021 Meeting between Atkins and Steven.

08/07/2021 Correspondence from SW regarding informal consultation.

13/07/2021 Email from HC (agent) and responded to the queries raised

14/07/2021	Henry Church (agent) emailed further comments in bold.
27/10/2021	Sent letter to Mr Wakefield. Forwarded to HC
28/10/2021	HC queried position of negotiations in relation to other properties
01/11/2021	HC queries Mrs Wakefield is not recorded as part owner
23/11/2021	Correspondence issuing plans that show the scheme extent. Provided links to consultation documents
07/12/2021	HC confirmed meeting with clients and open to a dialogue on selling.
08/12/2021	Email to HC to arrange inspections for the house and land adjacent
09/12/2021	Email agreeing inspection
10/12/2021	Email from SM requesting contact details to arrange inspections.
20/12/2021	HC confirmed a mobile home is outside the property, used as an ancillary accommodation and referenced the planning decision is still awaiting decision.
07/01/2022	SM emailed to confirm planning status and whether GCC costs to review.
10/01/2022	HC emailed to confirm the above is correct.
12/01/2022	HC requested for the report to be issued and SM issued.
27/01/2022	HC confirmed Tewkesbury Council likely to refuse a fresh planning application on the site as it is still within Green Belt.
03/02/2022	Email to HC to make offer, attached draft HoT's.
28/02/2022	HC email, awaiting to hear in respect of his costs and provided the quote for the CAAD application.
07/03/2022	Email to HC confirming GCC will reimburse quote for the CAAD.
15/03/2022	Further increased offer made for the property and gave reference to further evidence
08/04/2022	Negotiations in relation to value and evidence provided by HC.
22/04/2022	Further increase in offer and attached draft HoT's.
10/05/2022	Email to HC requesting confirmation on if HC has discussed the offer with his client yet
11/05/2022	Email from HC that clients are minded to accept the offer for the house however not until a resolution of the adjacent plot.
09/01/2023	Email from HC confirming CAAD was refused. His client is considering a S.18 appeal which he will inform us about.
02/02/2023	Email to HC Queried if the client has reached a decision to appeal the refusal of the CAAD.
05/05/2023	Further revised offer made including increased offer for adjoining land

09/05/2023 Email from HC questioned if the valuation overlooks consent for the sitting of the mobile home as per the attached planning application.

10/05/2023 - 29/11/2023 Ongoing correspondence regarding planning status and offer

21/12/2023 Email to HC confirming a desktop review of the property valuation would be undertaken due to time.

21/12/2023 Email to HC confirming updated position on value.

28/03/2024 Email from HC requested payment of the outstanding invoice and disagreed with valuation of the mobile home and reiterated that both interests will be agreed at the same time.

29.04.2024 MH arranged meeting with agent to discuss current position

01.05.2024 Meeting held with the agent (Henry Church) to discuss current position, the planning stats of the caravan and how a purchase could be progressed

03.05.2024 Email to Henry following meeting to ask for decision notice for static, how long it has been sited for and what services were connected

07.05.2024 Email from Henry answering some of the questions asked above.

04.06.2024 Discussions with Mr Wakefield at hearings regarding progress made with his agent to date

14/06/2024 HC requested an update on response Carter Jonas were to send to his client Mr Wakefield.

17/06/2024 JC confirmed his client GCC are committed to providing a revised offer.

17.06.2024 Arranging a meeting with agent to discuss proposed offer by the applicant as discussed at hearings

18/06/2024 HC provided availability for meeting.

19/06/2024 JC proposed new date for meeting.

19/06/2024 HC accepted proposed new meeting date.

24/06/2024 GT suggested a catchup.

24/06/2024 HC requested new meeting time.

24/06/2024 GT suggests catchup on Friday morning.

24/06/2024 HC confirmed availability after 9.30am.

24/06/2024 JC requested any initial comments from Mr Wakefield regarding the discussions.

24/06/2024 HC confirmed he invited Mr Wakefield to the call.

25/06/2024 JC commented on the previous offer.

25/06/2024 HC commented on previous offer issued.

28.06.2024 meeting held with Henry regarding offer made and his clients view on this

09/07/2024 offer made to homeowners directly from the applicant

11/07/2024 offer sent to agent to make him aware of the current position

01.08.2024 email from agent confirming he has been disinstructed by client

07.08.2024 email from Patrick Downes confirming he has been instructed to act for the homeowners

12.08.2024 email to newly instructed agent to arrange a meeting to discuss matters and find a way to progress

13.08.2024 further email from Patrick confirming when he could meet and email from JC to confirm date and time of meeting

21.08.2024 email to agent to confirm if he requires anything prior to the meeting

22.08.2024 meeting held with agent to discuss current offer, his view on the value of the property and how a purchase could be structured to advance acquisition of the property.

**Property:** [REDACTED]

**Party: Thanks For Popping in Traditional Pubs Limited & EI Group Limited.**

**Section: Link Road**

28/08/2020 James Hill (Gately Hamer) introduced himself as working on behalf of Enterprise Inn, the owners of the House in the Tree pub. James requested information on fees.

09/09/2020 James Hill emailed asking GCC to confirm if the same position is being taken regarding surveys and fees as has been taken for M5 Junction 9 and A46 Ashchurch Transport Scheme. James shared feedback from Atkins received on fees for that scheme.

14/09/2020 James followed up on his previous email.

15/09/2020 M5 J10 Inbox team confirmed the position with regard to survey fees is in line with M5 J9 and A46 Ashchurch Transport Scheme.

15/09/2020 James confirmed survey access agreements would be negotiated through the client, and requested contact to be made with Michelle Dove who represents Enterprise Inn.

04/10/2021 Mr Collacott received the attached letters from his client, for which Mr Collacott has asked Carter Jonas if scheme plans can be provided for the new roundabout on the B4634 and the connecting roads.

04/10/2021 Adam Taylor (Carter Jonas) replied that he should get in touch with the relevant project team at GCC. He provided contact details for the same.

05/10/2021 Mr Collacott raised the same query with the M5 J10 Inbox team.

04.10.2021 AT provided details of project team who can advise PC.

05.10.2021 Piers Collacott (PC) emailed Atkins with original request dated 04.10.2021

18.10.2021 M5SM advised PC of current project position, potential meetings and undertaking for fees.

27.10.2021 M5SM sent copies of letters sent to landowners affected to PC.

28.10.2021 PC requested contact details of Carter Jonas Surveyor.

01.11.2021 M5SM advised PC of GCC current position to acquire land.

01.11.2021 PC raised points regarding professional fee undertaking.

08.11.2021 PC was advised GCC are not prepared to provide a fee undertaking at current stage.

10.11.2021 PC further explained his position on his fees

12.11.2021 MD confirmed acquisition letter was received and requested an in-person meeting.

15.11.2021 Potential meeting details sent to MD to confirm.

15.11.2021 MD confirm address and title details. MD suggested new meeting time.

15.11.2021 MD was advised of the upcoming meeting being held.

15.11.2021 MD requested confirmation of venue details for meeting.

16.11.2021 M5SM confirmed all the details of the meeting.

06/12/2021 Jenna Kelly provided minutes for meetings held by GCC. This included minutes for meetings with House in the Tree. A pre-statutory consultation meeting was held on 3 December 2021

14/12/2021 Fiona Mulcahy (Carter Jonas) emailed Carter Jonas, GCC and M5 J10 inbox providing an update following from pre-consultation meetings. Fiona shared that the property owners of House in the Tree (Stonegate Group/Ei Group Ltd) requested all future correspondence go directly to them and not to the pub.

14/12/2021 Adam Taylor (Carter Jonas) confirmed Ei Group's correspondence address and details have been updated in their Land Referencing Data.

05.08.2022 Alex Kitchener (AK) of CJ sent copy of letters and plans regarding the land in question.

18.10.2022 MD requested PC to review plans and advise if more land will be acquired.

18.10.2022 MD questioned land take requirements

19.10.2022 PC requested a meeting with GCC regarding land & rights.

19.10.2022 AK questioned point of contact for communications.

31.10.2022 MD confirmed all communication is to be sent to herself.

02.11.2022 AK confirmed position of permanent land take and temporary land take.

02.11.2022 AK requested availability for meeting.

10.11.2022 AK sent details of potential meeting with project team to PC.

16.11.2022 MD advised who communications should be sent to.

16.11.2022 PC explained plans and maps of land in question. Also, PC questioned fees.

23.11.2022 PC sent comments regarding points discussed in meeting. PC raised concerns regarding fees.

24.11.2022 AK confirmed meeting notes will be circulated.

25.11.2022 PC requested professional fees undertaking.

06.12.2022 AK sent minutes of meeting and briefly advised on fees.

06.12.2022 PC requested confirmation on professional fees.

06.12.2022 PC provided feedback of notes from site meeting.

08/02/2023 Piers Collacott sent response to Further Targeted Consultation on behalf of House in the Tree.

09.02.2023 Voicemail left by Donna requesting a call back.



09.03.2023	PC requested information on works to be undertaken.
15.03.2023	AK advised PC points raised in email were sent to project team.
02.05.2023	PC requested land plans and response to points made in previous email.
02.05.2023	AK proposed site visit to discuss plans with project team
02.05.2023	PC requested draft land plans
12.05.2023	AK advised on fees which will be covered and potential dates for site meeting.
12.05.2023	AK requested PC availability for site meeting that was scheduled.
15.05.2023	PC advised AK of availability and requested response to points raised.
15.05.2023	PC requested a reschedule of site meeting.
15.05.2023	AK provided alternative date & time for site meeting.
15.05.2023	PC confirmed availability for site meeting
15.05.2023	AK confirmed site meeting time with PC.
15.05.2023	PC acknowledged meeting date and time.
15.05.2023	PC requested AK to liaise with the publican.
18.05.2023	PC requested update on fees, draft plans, and access consent.
19.05.2023	AK provided update to PC on fees, plans and access consent.
19.05.2023	PC requested updates to be made to the plan.
19.05.2023	AK confirmed request from PC and advised team are working on it.
19.05.2023	PC requested the nature of the works anticipated on the plots of land.
23.05.2023	PC requested further updates to be made to land requirement plan.
23.05.2023	AK attached requested land requirement plans from PC.
24.05.2023	meeting held with landowner and tenants to discuss the process and how it would affect the business
26.05.2023	AK advised PC the points he raised will be reviewed by the project team.
30.05.2023	AK advised PC the points he raised will be reviewed by the project team.
15/06/2023	AK provided update on finalised plans regarding scheme design.
10/07/2023	PC requested update on plans
21/07/2023	PC requested update on negotiations to acquire by agreement.
25/07/2023	AK attached satellite imagery of land take plan and advised on progress with updated plans.
02/08/2023	PC requested plans, land & rights needed.
02/08/2023	AK advised PC that plan has previously be sent.

02/08/2023 PC made comments regarding the plan previously sent. Raised concerns regarding the DCO.

06/09/2023 AK attached plan and provided detailed explanation for PC.

07/09/2023 PC requested financial offer and an outline plan. PC also raised points on overhead electricity poles and accommodation works.

23/10/2023 PC raised concerns regarding the submission of DCO application and attempts for voluntary agreement.

23/10/2023 AK confirmed points raised are being reviewed

31/10/2023 MH advised PC he will no longer be a point of contact for the scheme.

10/11/2023 AK provided a detailed breakdown of rights, permanent & temporary acquisitions of land in question. AK explanation referenced plots of land.

10/11/2023 PC made comments to the response AK provided.

13/11/2023 PC requested an extract of the dDCO.

13/11/2023 DM provided PC with update regarding Plans, DCO, NGET agreement and heads of terms.

13/11/2023 PC questioned the scope of works being done and raised points on DCO/ rights.

05/12/2023 PC raised points regarding HOTs, NGET agreement, overlay plans and scope of works.

21/02/2024 PC requested plan that overlays his client's freehold title.

21/02/2024 TA advised PC he is awaiting plans to be produced.

21/02/2024 PC raised points regarding specific land plots.

23/02/2024 TA advised PC points raised will be reviewed.

23/02/2024 PC requested specific details to be changed in plan he received.

11/03/2024 PC requested an update regarding progress on requested plan.

11/03/2024 George Tiley (GT) of CJ provided update on progress with requests from PC.

11/03/2024 PC requested plan to be sent.

12/03/2024 PC requested plan to be sent and raised points regarding the current position of the scheme.

19/03/2024 PC attached invoice & Time sheets for professional fees.

25/03/2024 TA requested PC to provide supporting docs for invoice.

25/03/2024 PC provided invoice and supporting docs.

04.04.2024 PC requested an update on invoice sent for review.

04.04.2024 PC advised his position on the invoice submitted for review.

04.04.2024 GT advised PC invoice has been recommended to be paid.

04.04.2024 PC raised points regarding dDCO, timesheets and temporary rights.

09.04.2024 PC attached next interim invoice.

11.04.2024 GT requested if PC client is VAT registered and confirmed invoice address

11.04.2024 PC confirmed his client is VAT registered. Advised he is unable to raise invoice for GCC.

18.04.2024 GT agreed to fees PC suggested.

23.04.2024 PC sent final invoice to be reviewed by GT client

08.05.2024 GT emailed PC regarding HoTs. GT attached draft summary for key terms for option agreement and Land plan.

08.05.2024 PC advised he will be bringing the occupier along to the negotiations. Also raised points regarding HoTs.

15.05.2024 PC requested update on previous request.

15.05.2024 GT proposed meeting to get an agreement made.

15.05.2024 PC confirmed availability for meeting dates.

17.05.2024 GT proposed new meeting dates.

17.05.2024 PC agreed to new proposed meeting date.

22.05.2024 GT proposed meeting time.

22.05.2024 PC agreed to meeting time of 1pm.

23.05.2024 GT confirmed meeting for 1pm.

23.05.2024 PC confirmed meeting room name and details.

30.05.2024 meeting held between PC and GT to discuss proposed HoT's and other issues raised by PC, including rights to be retained by the scheme.

04.06.2024 PC requested minutes of meeting to be issued.

06.06.2024 PC requested meeting minutes/ actions.

06.06.2024 GT advised minutes and actions will be issued at the end of the day.

07.06.2024 PC requested docs be sent in a different format.

10.06.2024 GT sent minutes of meeting in requested format.

20.06.2024 PC raised points regarding HoTs and proposed he redraft and send to GT to review.

27.06.2024 GT advised payment should be received by end of day.

28.06.2024 PC confirmed fees were part received.

04.07.2024 PC requested update on comments made regarding lands right tracker and applicants' response to initial representation.

08.07.2024 GT replied to PC comments and confirmed plot 16/5b would be downgraded and advised revised HoTs will be drafted.

16.07.2024 PC raised points relating to land plots, temporary plans and Heads of Terms.

16.07.2024 PC raised points regarding compensation for permanent land take.

17.07.2024 PC requested GT to issue draft heads of terms

17.07.2024 GT confirmed heads of terms will be issued by the end of the week.

24.07.2024 GT issued heads of terms with compensation for the land take included

29.07.2024 GT advised PC of discussions regarding non-intrusive surveys with the tenants at house of tree.

30.07.2024 PC provided comments to draft Heads of Terms.

12.08.2024 PC requested update on comments made to the draft Heads of Terms. Also questioned plot numbers on plans.

14.08.2024 meeting held between PC, GT and tenants of the house in the tree to discuss proposed terms with PC suggesting he will draft HoT's for tripartite agreement

**Property: Land south of Old Gloucester Road**

**Party: Mr Neil and Mrs Teresa Hadley**

25/09/2020 Follow up mail by Lucy for the letter sent on 21/08/2020 and suggested to have a meet for the discussions

14/10/2020 Neil stated that the proposal affects some of his land, so he requested for a copy of the documents to the address

15/10/2020 Holding response was issued to Neil with a request to confirm his address. As per the Database, its recorded as [Address Redacted] with Teresa Hadley as the main contact.

15/10/2020 Neil confirmed that their address has changed and send the doc to his wife Tessa & himself. He also added that the scheme will seriously affects his land, so he requested to provide contact details of the person he needs to correspond and the probable time frame for these works.

15/10/2020 Lucy updated his address to [Address Redacted] She assured that she will be the point of contact and will arrange the meeting with Project management team

20/10/2020 Neil confirmed that he had received the hard copies which do not address our concerns and he requested to arrange a meeting "

20/10/2020 Following to the call, Lucy proposed a Zoom meeting Friday 30th October from 1500-1600.

29/10/2020 Neil attached the plan showing his land ownership

01/10/2020 Lucy reminded Lars and Adam for drawing to be prepared for the Call with Neil. Nel wanted to speak about maintaining access to his land with the new planned development site.

30/10/2020 Lars stated that Currently Neil has access off Hayden Lane, and not off old Gloucester Road.

09/11/2020 Neil followed up to confirm whether the meeting minutes has been prepared yet

10/11/2020 Lucy replied stating that minutes will be finalised today/tomorrow and will be sent once approved"

14/11/2020 Subject: M5 Junction 10 Improvements Scheme Drawings and Minutes

Minutes of the meeting issued on 14/11/2020

30/11/2020 Neil amended the meeting minutes and send to Lucy

08/12/2020 Lucy shared the amended minutes with Adam and Lars for the review (attached)

15.02.2021 Email from SM to NH with notes from LO meeting held on 6th December 2021.

11/03/2021 Neil sent an email to Adam (cc'd Lucy) asking for the confirmation if he is the 'Acquiring Authority' and he will be responsible for his fees going forward.

14/05/2021 Subject: M5 Junction 10 Improvements Scheme – invitation to discuss a potential impact on your land

02/06/2021 Follow-up email to meet the project team members and book the meeting"

14/05/2021 Subject: M5 Junction 10 Improvements Scheme – invitation to discuss a potential impact on your land

02/06/2021 Follow up email by Gemma to book a meeting with the project team

02/06/2021 Neil stated that he will respond this email only if Adam Bunce response to his.

03/06/2021 Gemma mentioned that she has forwarded the email to Adam, but he was unsure of any outstanding emails.

14/05/2021 Subject: M5 Junction 10 Improvements Scheme – invitation to discuss a potential impact on your land

04/06/2021 Neil forwarded the email to Gemma for which he has not received the reply

04/06/2021 Gemma mentioned that email was cut due to copy pasting issue and requested to re-send the email again

04/06/2021 Neil sent the attached terms of engagement attachment with the email

04/06/2021 Gemma mentioned that she has only received the attachment, but the email query again not in the trailing email

04/06/2021 Neil sent the email again

04/06/2021 Lucy forwarded this letter again to Adam and mentioned that Mr Hadley is not willing to accept a meeting until he has heard back."

16/06/2021 Subject -M5 Junction 10 Improvements Scheme preferred route announcement

16/06/2021 Neil Mentioned that he's still awaiting a reply from Adam Bunce regarding my CPO surveyor's fees.

16/06/2021 Holding response sent to Neil

16.06.2021 Email sent from SM to Mr & Mrs Hadley regarding update on scheme progress.

16.06.2021 Email from NH to SM requesting update on CPO surveyor fees.

23/07/2021 Response provided to Mr and Mrs Hadley

23.07.2021 Email sent from SM to NH regarding agent fees and negotiations.

14/10/2021 Mr. Hadley emailed Lucy and requested a plan of his proposed land take with measurements.

04.11.2021 NH emailed SM responding to the letter sent on 27.10.2021.

05.11.2021 AK emailed NH advising points raised will be addressed shortly.

15.11.2021 Email sent from SM to NH advising of rescheduled meeting details.

17.11.2021 Email sent from SM to NH requesting availability for a digital meeting.

07/12/2021 Mr. Hadley emailed to express his dissatisfaction with the meeting and sent an attachment with queries to be answered in detail.

23/12/2021 Response sent to Mr. Hadley

29/12/2021 Mr Hadley responded to email sent by AB.

25/01/2022 A response to these further questions was sent to Mr Hadley"

18.05.2022 SM emailed NH with minutes of meeting.

08.09.2022 Mr Hadley Meeting

13.10.2022 NH emailed MH regarding highways queries and fees.

02.11.2022 MH issued response to NH confirming queries had been raised with GCC for instruction.

06.12.2022 Landowner Teams Meeting – N Hadley

29/12/2022 Mr Hadley responded to Adam's email with follow up questions to Adam's responses.

17.02.2023 Letter issued to NH by Carter Jonas containing land take plans and offer of meeting.

13.03.2023 Email from AK to NH regarding offer of meeting.

21.03.2023 MH received correspondence from Ann Morton/Angus Hudson regarding appointment and fees.

24.03.2023 MH contacted Ann Morton/Angus Hudson (Sworders) regarding appointment and fees.

08.05.2023 NH emailed MH regarding concerns over cost contribution for highways consultant and agent appointment.

10.05.2023 MH responded to NH offering to assist with agent query. MH and NH exchanged emails to arrange meeting.

01.06.2023 MH exchanged emails with NH regarding land take requirements, justification and proposed meeting.

14.06.2023 MH and NH exchanged emails ahead of meeting on 21.06.

21.06.2023 MH and LB met with NH on site to discuss scheme.

26.06.2023 MH sent email to NH with confirmation that meeting actions had been followed up and actioned. MH provided details of agents to assist with appointment by NH.

22.08.2023 MD emailed regarding appointment as land agent. Also listed fees.

24.08.2023 MH advised fee undertaking will be confirmed in due course.

05.09.2023 MH confirmed GCC are supportive of the fee proposal but request cap of £5,000. MH also advised of the DCO submission.

08.09.2023 Following on from our previous communications and engagement, Luke issued a formal written response on the development position at this time.

24/10/2023 Neil Hadley emailed back to Luke regarding the concern he has, and he is in process of making a formal complaint before taking the matter to the Ombudsman.

14.11.2023 MD emailed timesheets and requested address for invoice.

27.11.2023 MD requested an update on previous email sent on 14.11.2023.

11.12.2023 MD requested an update regarding fee undertaking. MH issued holding response pending response from DM.

22.12.2023 Letter issued to NH by GCC.

20/03/2024 MH exchanged emails with Mark Davey (Arden) with copy of letter issued by GCC dated 08.09.23 [referenced above] in response to queries raised and discussed planning matters.

25.03.2024 MD requested confirmation of timesheet acceptance.

12.04.2024 GT confirmed timesheets and requested MD to send invoice for processing.

13.04.2024 MD confirmed invoice will be sent and his client isn't VAT registered.

15.04.2024 GT requested invoice to be sent.

18.04.2024 MD attached invoice.

22.04.2024 GT confirmed invoice is being processed and requested any outstanding invoices.

22.04.2024 MD confirmed there are no other outstanding invoices.

13.05.2024 GT issued draft Heads of Terms to MD for review and requested a meeting with the landowner and agent to discuss.

15.05.2024 MD advised Heads of Terms will be discussed with his client.

21.05.2024 MD raised points to be addressed regarding Heads of Terms.

22.05.2024 GT addressed points raised regarding Heads of Terms and further requested a meeting with agent and landowner

22.05.2024 MD requested the offer figure to be sent.

24.06.2024 GT requested access to undertake inspections of the affected properties. GT advised offers will be made

25.06.2024 MD confirmed his client is happy to grant access to his land to undertake valuation.

26.06.2024 MD advised they're happy to receive payment with the shortfall of £90 which will be collected later.

01.07.2024 GT issued land interest plan alongside survey agreement for voluntary agreement to be come to.



03.07.2024 MD advised documents will be reviewed with his client.

17.07.2024 MD confirmed license was discussed with his client. Feedback from client was to make progress with the heads of terms for the acquisition.

29.07.2024 GT issued heads of terms with offer for the land and further asking to discuss survey access and a meeting

29.07.2024 MD requested an explanation of betterment.

27.08.2024 GT emailed MD to arrange a meeting to discuss the heads of terms and the details of the conversation Mr Hadley had with Craig Jones.

**SCHEME: M5**

**SECTION: A4019**

**Property:** [REDACTED]  
[REDACTED]

**Party:** Harry John Carter & Shirley Cynthia Carter, Jacqueline Margaret Pinkerton and Gillian Mary Moore

23/10/2020 Subject: M5 Junction 10 Improvements Scheme Drawings. Minutes of meeting sent to Tom Pullin (Voyce Pullin) and Kevin (Bloor Homes). Meeting was held on 8 October 2020.

22/03/2021 Lucy sent the notification to the impacted landowner to understand the effects of the proposed scheme on farming activities.

18/05/2021 Tom Pullin left voicemail asking to get a meeting booked on Wednesday 9<sup>th</sup> June.

18/05/2021 Lucy booked a meeting on Friday 11<sup>th</sup> June

19/05/2021 Tom Pullin agreed with the proposed slot.

09/06/2021 Meeting with Tom Pullin

29/06/2021 Email to TP with Meeting Minutes and the Plan attached with it.

29/06/2021 Tom Pullin has attached an annotated plan and he points of query

02/07/2021 Tom Pullin left a voicemail requested a site meeting.

02/07/2021 LJ suggested meeting and addressed queries.

17/08/2021 LJ asked when Tom Pullin is available.

18/08/2021 - Tom Pullin confirmed he was available both the days. He also queried if anyone had been putting metal stakes in the ground as part of surveys recently as Mr Carter was alarmed to find a couple of metal stakes in the ground which luckily were noticed before any machinery went over the field.

19/08/2021 - Lars replied to Tom Pullin that he had left a voicemail. He asked Tom to call and confirm if a meeting can be arranged around 12:30pm or 1pm for 45 mins.

27.10.2021 Email sent from Shared Mailbox to Tom Pullin regarding correspondence sent to landowner.

28.10.2021 TP emailed M5SM requesting plans of the amended area.

01.11.2021 M5SM provided an update on TP request for plans.

08.11.2021 M5SM emailed TP confirming plans cannot be shared prior to the meeting.

01.12.2021 TP emailed M5SM to clarify if meetings are proceeding in person.

02.12.2021 M5SM replied to TP confirming meeting are still taking place.

18.05.2022 AK emailed TP requesting confirmation on upcoming site surveys

05.08.2022 AK emailed TP with plans relating to Mr & Mrs Carters land.

05/08/2022 Tom Pullin emailed Alex (Carter Jonas) about the use of Mr and Mrs Carters land to mitigate ecology with new hedgerows and requested a meeting.

11/08/2022 Alex sent response to Tom Pullin.

11/08/2022 Tom Pullin responded that he was on annual leave next week, and queried why certain hedgerows were not surveyed and that it would remain an objection. He asked if Atkins could come back with alternative plan prior to the meeting on 25th August.

12/08/2022 Alex responded noting his comments and saying she will respond when she had an update.

12.08.2022 AK emailed TP advising an update regarding points raised previously is still pending.

18.08.2022 AK emailed TP regarding points previously made and attached plans which reflected the change

25.08.2022 TP emailed M5SM raising several concerns and advised potential for concerns must be satisfied to prevent objections to the proposal being submitted.

26.08.2022 AK emailed TP advising MH will respond to points raised in previous email

30.08.2022 MH emailed TP advising an update will be provided soon by the project team.

30.08.2022 Email from MH to TP advising the project team require more time to provide a response to points raised in earlier email.

31.08.2022 TP responded to MH previous email. TP raised concerns about plans and response time to other concerns raised.

31.08.2022 TP emailed M5SM with response to additional targeted consultations.

01.09.2022 M5SM sent confirmation of receipt for TP response to additional consultations.

01.09.2022 MH emailed TP requesting availability for future meetings

12.10.2022 MH emailed TP suggesting a meeting to discuss concerns previously raised.

20.10.2022 TP emailed MH questioning if onsite meeting on 26th is going ahead. Also advised time preference would be early/ afternoon.

20.10.2022 MH advised TP he is still awaiting confirmation.

12.12.2022 AK sent TP copies of letters that were sent to MR & Mrs Carter. Also, confirmation of receipt was requested.

22.12.2022 TP emailed AK requesting plans.

22.12.2022 AK sent follow up to TP advising plans are still being prepped.

16/02/2023 Tom Pullin sent a representation to the further targeted consultation on behalf of Mr and Mrs Carter.

16/02/2023 Acknowledgement email sent to Tom Pullin.

17.02.2023 AK emailed TP with plans and letters sent to Mr & Mrs Carter.

03.03.2023 TP emailed AK requesting update on site meeting. Also raised concerns on the plans sent.

06.03.2023 AK emailed TP advising permanent rights/ hedgerows require clarification. Also requested TP preference on meetings.

06.03.2023 TP requested potential onsite meeting with project team.

13.03.2023 AK advised potential meet when project team are available.

13.04.2023 AK emailed TP providing availability of several site meeting dates with landowners.

10.05.2023 AK emailed TP advising project teams availability at upcoming public consultation events.

15.05.2023 TP emailed AK requesting meeting booked for June 7th.

15.05.2023 AK requested time confirmation of meeting.

22.05.2023 TP emailed AK requesting meeting time confirmation.

23.05.2023 AK confirmed meeting, attendees, date and time.

23.05.2023 TP emailed AK confirming Bloor representative.

13.06.2023 AK emailed TP requesting access for an external bat roosting assessment.

19.06.2023 AK emailed TP questioning whether access for bat survey had been considered.

01/12/2023 Tom Pullin emailed response/objection to scheme on behalf of Mrs J Pinkerton and Mrs G Moore. The response (attached to email) sets out a number of ongoing issues which require resolution. Tom requested an acknowledgement of receipt by Kath Haworth and for an update on when to expect a response.

20/02/2024 JC (Carter Jonas) responded that a response has been sent out but needs to be followed up and he will chase next week.

14/05/2024 Heads of Terms have been issued to the agent a meeting has been proposed

22/05/2024 Swept path analyses sent to agent and further request to meet to discuss proposed voluntary acquisition and email back from agent requesting dates for meeting

28/05/2024 email to agent suggesting dates for a meeting

03/06/2024 emailing chasing agent to meet

27/06/2024 Licences agreement sent to agent to agree voluntary access to undertake surveys.

08/07/2024 further email regarding licences agreement sent to agent offering incentive payment for surveys

12/07/2024 Plan shared with agent showing level of the proposed road to the existing field level. Further request for meeting to discuss voluntary acquisition of land

18/07/2024      call to office and email to agent chasing up a responds

26/07/2024      Updated Heads of Terms issued with further details regarding compensation and proposed acquisition offer

28.07.2024      email from agent to arrange a meeting to discuss heads of terms and licences agreement

05.08.2024      meeting with agent on site to discuss his concerns and how we can progress matters

08.08.2024      email to agent clarifying his concerns which were raised at the meeting, including how the rights for the hedgerow would be secured and the access going forward

14.08.2024      call with agent to discuss his meeting which he was holding with his client later in the day and confirm area to be purchased

21.08.2024      call to agent and voicemail left to get an update following his meeting with his client

27.08.2024      email to agent to ask for an update following his meeting with his client.

**SCHEME: M5****SECTION: M5 J10****Property:** [REDACTED]**Party: Cheltenham Borough Council**

<b>Date</b>	<b>Type</b>	<b>Communication Between</b>	<b>Summary</b>
<b>24/05/2021</b>	Email	Laura Harris (LH) to Lars Jorgensen (LJ) and Gareth Herbert (GH)	Discusses concerns made by Andrew Bower (AB) regarding Ridge and Furrow and Sewerage
<b>May 2022</b>	Meeting	CJ and Cheltenham Borough Council (CBC)	Meeting to discuss land take
<b>06/06/2022</b>	Email	Peter Woodley (PW) to Derry Mockett (DM)	Requesting revised red line plan for land take
<b>07/06/2022</b>	Email	DM to GH and response	Requesting permission to send plan to CBC and response accepting
<b>10/06/2022</b>	Email	DM to PW and response	Sent red line boundary, PW responded asking for update on temp and perm land take
<b>05/08/2022</b>	Letter	Alexandra Kitchener (AK) to PW	Sent copy of letter sent to T regarding agreed targeted consultation
<b>16/08/2022</b>	Email	PW to DM and response	Provided summary of his understanding and query on site compound, DM will provide update
<b>17/08/2022</b>	Email	DM to Atkins	Sent summary and queries to Atkins for input
<b>17/08/2022</b>	Email	Tony Thomas (TT) to DM	Provided answers to be sent to council's agent
<b>18/08/2022</b>	Email	AK to PW	Sent Atkins response
<b>18/08/2022</b>	Email	PW to AK	Query regarding access once scheme is complete
<b>18/08/2022</b>	Email	AK to TT	Asking to advise on PW query
<b>21/08/2022</b>	Email	TT to AK	Confirming access at each point
<b>23/08/2022</b>	Email	AK to PW	Sent Atkins response
<b>22/12/2022</b>	Letter	AK to PW	Letter for CBC to state acquisition process has begun
<b>03/01/2023</b>	Email	PW to AK	Requested call, warned of site being submitted to

			'call for sites' and requested tenant of Barn Farm be included in meeting
<b>January 2023</b>	Letter	CJ to CBC	Regarding targeted consultation
<b>22/02/2023</b>	Email	PW to AK and DM and DM response	Requesting fees be covered as part of settlement, DM states all reasonable fees be paid
<b>10/03/2023</b>	Email	PW to DM	Requesting meeting
<b>28/03/2023</b>	Email	PW to DM	Chaser regarding meeting
<b>03/04/2023</b>	Email	AK to PW and response	Sent dates for landowner meetings and locations, PW accepts
<b>04/04/2023</b>	Email	AK to PW and Charles Daniell (CD) and response	Further meeting dates provided; meeting arranged
<b>05/04/2023</b>	Email	AK to LJ, PW, CD, Matthew Reid (MR) and James Cattermole (JC)	Sent meeting agenda
<b>20/04/2023</b>	Meeting	AK, LJ, PW, MR, JC	Meeting to discuss acquisition
<b>05/05/2023</b>	Email	AK to PW and CD	Sent draft meeting minutes
<b>01/12/2023</b>	Email	PW to DM	Requesting update on scheme
<b>04/12/2023</b>	Email	DM to PW	Advised that Heads of Terms will be issued shortly
<b>05/05/2024</b>	Email	GT to CD	Heads of Terms were sent out
<b>10/05/2024</b>	Email	PW to Chris Beattie (CB) and GT	PW requested meeting to discuss project progress.
<b>23/05/2024</b>	Email	Graham Bown (GB) to PW	GB provided update on the position of the DCO.
<b>30/05/2024</b>	Email	GT to PW	GT provided availability for potential meetings.
<b>31/05/2024</b>	Email	PW to GT	PW questioned whether Atkins will be attending the meetings.
<b>31/05/2024</b>	Email	PW to GT	PW requested confirmation of attendees from the client team.
<b>31/05/2024</b>	Email	GT to PW	GT confirmed meeting will be with Carter Jonas representatives.

<b>03/06/2024</b>	Email	GT to PW	GT advised his client is looking to attend meeting. GT requested availability for 10 <sup>th</sup> June.
<b>04.06.2024</b>	Email	PW to GT	PW confirmed availability for the 10 <sup>th</sup> .
<b>06.06.2024</b>	Email	GT to PW	GT proposed new meeting date for 18 <sup>th</sup> June.
<b>06.06.2024</b>	Email	PW to GT	PW proposed meeting time of 11am.
<b>06.06.2024</b>	Email	Charles Daniell (CD) to GT/PW	CD confirmed availability for 11am on 18 <sup>th</sup> June.
<b>07.06.2024</b>	Email	GT to PW	GT proposed new meeting time of 2pm.
<b>07.06.2024</b>	Email	PW to GT	PW proposed new meeting date due to availability.
<b>24.06.2024</b>	Email	GT to PW	GT suggested meeting on 9 <sup>th</sup> July.
<b>24.06.2024</b>	Email	PW to GT	PW confirmed attendance to meeting on 9 <sup>th</sup> July.
<b>26.06.2024</b>	Email	PW to GT	PW requested meeting invite be sent.
<b>26.06.2024</b>	Email	GT to PW	GT requested confirmation of meeting time and date.
<b>09/07/2024</b>	Meeting	PW, GT and JC	Meeting to discuss acquisition of land and access to Barn farm following the scheme.
<b>26.07.2024</b>	Email	GT to CD	GT issued Heads of Terms for review.
<b>30.07.2024</b>	Email	CD to GT	CD sent confirmation of receipt of GT previous email.



**SECTION: M5J10****Property:** [REDACTED]**Party: James, Michael, Michael and Antony Doran**

<b>Date</b>	<b>Type</b>	<b>Communication Between</b>	<b>Summary</b>
<b>Pre 30/11/2022</b>	Notice	Carter Jonas (CJ) and Carl Lewis (CL)	S.42 Notice placed on site.
<b>29/10/2021</b>	Letter	CJ and CL	Request for information reminder letter.
<b>18/07/2023</b>	Call	AP and MD	AWP called Mr Doran (thought to be Michael but unclear) and he was not able to discuss matters at that point in time. A number of other calls were subsequently received from members of the Doran family and Mrs Rooney. Contact details were provided from Alan Borland of DAB Legal, who we were advised were dealing with the registration of the land.
<b>06/10/2023</b>	Text and Call	AP and Martin Doran (Mr D)	Text from MD requesting a call. Short follow up call with MD to discuss current position with scheme and registration of land as advised by Hujan & Co.
<b>16/10/2023</b>	Call	AP and Mr D	Call from MD to advise that Hujan & Co were making progress.
<b>07/11/2023</b>	Call	AP and MD	Call from Michael Doran wanting open discussions for acquisition of land. AWP explained position with registration of land as advised by Hujan & Co.
<b>10/01/2024</b>	Call	AP and Mr D	Call with MD and update on position with registration of land as last advised by Hujan & Co.
<b>11/01/2024</b>	Call	AP and Mr D	Voice message over Whatsapp asking whether Hujan & Co could provide papers to enable discussions to progress.
<b>12/01/2024</b>	Text	AP and Mr D	AWP Whatsapp to MD advising that we had chased Hujan & Co 10 January and been advised that registration of the land was in progress. Voicemail from MD acknowledging.
<b>29/02/2024</b>	Call	James Doran (JD)	Owns the land on Tewkesbury Road. Stated has not yet been

		and Karen Pearman (KP)	contacted regarding the DCO.
<b>04/03/2024</b>	Unclear	Matthew Reid (MR) and JD	JD owns an equal share in the Rule Meadow site with Martin, Michael and Antony Doran. (Martin Doran is not named on the title).
<b>04/03/2024</b>	Call and email	Andrew Prowse (AP) and JD	Property not yet registered.
<b>05/03/2024</b>	Call and Text	AP and MD	Call and text engage with Michael Doran. Link to PINS website provided by text to 07717 359624.
<b>11/04/2024</b>	Text and Call	AP and MD	Text to request email so that scheme could request reps from newly identified interest. Follow up call, during which Michael advised that the correspondence could come through him and his brother James Doran. He advised that the other Michael and Anthony named on title were cousins. Martin Doran is his uncle.
			Email provided
<b>April 2024</b>	Note		CL No longer has an interest - registration to James Doran and co completed April 2024. (GR146674)
<b>15.04.2024</b>	Call	AP to M Doran	AP gave an update on the scheme, MD updated on land ownership
<b>02.05.2024</b>	Call	AP to MD	Call to MD arrange site visit which is he happy for applicants to undertake
<b>17.05.2024</b>	Site visit		Site inspection undertaken by applicant agent. Landowner present at start of inspection and discussions regarding scheme were had
<b>10/06/24</b>	Call	AP to M Doran (MD)	AP called M Doran to advise that report on remediation advised of significant clean-up costs and would need to be considered more widely before an offer can be made.
<b>11.07.2024</b>	Email	George Tiley to MD	Email to licences agreement to undertake surveys
<b>17.06.2024</b>	Email	AP to MD	AP confirmed planning inspectorate site visit for 16 August 2024.
<b>11.07.2024</b>	Email	GT to MD & Doran's	GT issues land interest plans and license agreement.

<b>17.07.2024</b>	Call	James Doran (JD) to AP	Call in from James Doran regarding acquisition of order land. He requested that any offer be issued to 51 Haymaker Road, Bishops Cleave, GL51 8FF
<b>17.07.2024</b>	Call	AP to MD	Multiple calls with Michael Doran discussing approach to land valuation in shadow of powers.
<b>30.07.2024</b>	Email	GT to MD/ JD	GT issued Heads of Terms for acquisition of land illustrated in issued plan.
<b>20.08.2024</b>	Email	George Tiley to MD	Email to licences agreement to undertake surveys
<b>21.08.2024</b>	call	GT to MD	Call to discuss survey access agreement
<b>22.08.2024</b>	Email	MD to GT	Email from MD attaching signed survey agreement

**SECTION: Link Road****Property:** [REDACTED]**Party:** Andrew John Hulbert & Sara Louise Hulbert

<b>Date</b>	<b>Type</b>	<b>Communication Between</b>	<b>Summary</b>
<b>10.05.2021</b>	Email	Laura Harris (LH) to Andrew Hulbert (AH)	LH sent attached a copy of survey license for AH to review.
<b>10.05.2021</b>	Email	Mike Cluley (MC) to LH	MC requested proposed timescales of works, description of the works and size of the excavations/ pits.
<b>10.05.2021</b>	Email	LH to MC	LH provided explanation of the works being done.
<b>10.05.2021</b>	Email	Jake Carolan (JC) to Laura Harris (LH)	JC emailed LH regarding the license and suggested agreeable terms for AH.
<b>12.05.2021</b>	Email	LH to JC	LH addressed the license fee, termination date and Site Extent.
<b>19.05.2021</b>	Email	LH to MC	LH emailed MC to get access license agreed before archaeological digs commence.
<b>19.05.2021</b>	Email	MC to LH	MC raised issues surrounding the access license. MC also commented on plans and compensation.
<b>19.05.2021</b>	Email	LH to MC	LH emailed MC responding to issues raised regarding access license.
<b>19.05.2021</b>	Email	MC to LH	MC requested a confirmed plan.
<b>19.05.2021</b>	Email	LH to JC	LH requested confirmation of the proposed amendments to the survey license.
<b>20.05.2021</b>	Email	JC to LH	JC proposed terms to be offered in the license which would be agreeable for AH.
<b>26.05.2021</b>	Email	MC to LH	MC proposed a solution to access license that he could recommend to AH.
<b>26.05.2021</b>	Email	LH to AH	LH advised AH the revised license can be based on the revised number of archaeological trenches
<b>26.05.2021</b>	Email	MC to LH	MC suggested a revised license for the area where there are concerns of how much crops will be destroyed.
<b>26.05.2021</b>	Email	JC to LH	JC requested changes to the license agreement

before work onsite commences.

<b>02.06.2021</b>	Email	Mark Hurrell (MH) to MC	MH proposed the option for license fee and crop loss.
<b>02.06.2021</b>	Email	MC to MH	MC questioned whether license fee will cover more than the crop loss.
<b>02.06.2021</b>	Email	MH to JC	MH provided a breakdown of license fees.
<b>02.06.2021</b>	Email	JC to MH	JC raised concerns regarding the higher rates for archaeological trenches, trial pits and bore holes. Also requested photo evidence of drain if contractors come across it.
<b>03.06.2021</b>	Email	MH to JC	MH notified JC of the proposed start date of the works. MH confirmed land drains will be repaired if damaged and photographic evidence is required to be provided upon completion of works.
<b>09.06.2021</b>	Email	JC to MH	JC requested MH to draft license and include terms agreed via email.
<b>09.06.2021</b>	Email	MH to JC	MH provided the full breakdown for the license fee
<b>09.06.2021</b>	Email	MC to MH	MC requested confirmation of the number of trenches, pits and holes to be done.
<b>09.06.2021</b>	Email	JC to MH	JC confirmed AH is willing to accept the proposed license fee and requested amended license to be sent.
<b>10.06.2021</b>	Email	MH to JC	MH sent license agreement.
<b>10.06.2021</b>	Email	JC to MH	JC raised points regarding termination date and ground investigations outside of the red hatched area.
<b>10.06.2021</b>	Email	LH to JC	LH confirmed license will be updated. Also, LH suggested ground investigations should be kept within the hatching were possible.
<b>10.06.2021</b>	Email	JC to LH	JC requested ground investigations to be kept within the hatching were possible.
<b>10.06.2021</b>	Email	MH to JC	MH advised JC that ground investigation surveys can be kept within pink hatched area.
<b>10.06.2021</b>	Email	LH to MC	LH requested thoughts on license and crop loss fees.
<b>10.06.2021</b>	Email	MC to LH	MC provided a rough measured plan of hatched area to assist with assessment of fees.
<b>11.06.2021</b>	Email	MH to JC	MH amended the survey license to reflect change

			in the number of archaeological trial trenches.
<b>11.06.2021</b>	Email	MH to MC	MH amended the survey license to reflect change in the number of archaeological trial trenches.
<b>11.06.2021</b>	Email	MC to MH	MC confirmed his client has agreed to license fee and agent fees.
<b>11.06.2021</b>	Email	MC to MH	MC provided new contact address for AH. MC also raised concerns regarding termination date.
<b>11.06.2021</b>	Email	MH to MC	MH advised license will be updated and commented on the duration of the works.
<b>11.06.2021</b>	Email	MC to MH	MC raised points regarding the termination date.
<b>11.06.2021</b>	Email	MH to MC	MH sent revised license agreement relating to the Hulbert's.
<b>14.06.2021</b>	Email	MC to MH	MC raised points regarding the record of condition and access route.
<b>14.06.2021</b>	Email	MH to MC	MH advised contractors will undertake record of condition on entry to site.
<b>14.06.2021</b>	Email	MC to MH	MC requested confirmation on contractors entering site. MC also advised of another farmer having crops on land.
<b>15.06.2021</b>	Email	LH to MC	LH requested MC to confirm time he can meet contractors onsite. LH also requested the return of the signed license.
<b>15.06.2021</b>	Email	MC to LH	MC attached signed license and invoice for the license fee/ fee contribution.
<b>15.06.2021</b>	Email	LH to MC	LH provided details of project team who will be attending site.
<b>15.06.2021</b>	Email	MC to LH	MC sent attachment of signed license to LH
<b>16.06.2021</b>	Email	MC to LH	MC advised LH that site team have been given gate code for access.
<b>23.06.2021</b>	Email	MC to LH	MC requested updated on whether invoice for license fee and agent fees have been submitted to Gloucestershire County Council for review.
<b>23.06.2021</b>	Email	LH to MC	LH confirmed invoices and license fee are being reviewed by Gloucestershire County Council.
<b>28.06.2021</b>	Email	LH to MC	LH requested MC include purchase order number and reference provided in email on invoice.
<b>28.06.2021</b>	Email	MC to LH	MC attached revised invoice.

<b>28.06.2021</b>	Email	LH to MC	LH confirmed revised invoice has been sent to Gloucestershire County Council for review.
<b>06.07.2021</b>	Email	MC to LH	MC requested LH to assist with payment issue regarding invoice sent.
<b>06.07.2021</b>	Email	LH to MC	LH advised invoice should be reissued using Gloucestershire County Council address.
<b>08.09.2021</b>	Email	LH to MC	LH emailed MC regarding borehole monitoring.
<b>09.09.2021</b>	Email	MC to LH	MC attached photos of damages and provided costing explanations.
<b>22.09.2021</b>	Email	LH to MC	LH confirmed reinstatement proposal was submitted to Gloucestershire County Council.
<b>29.09.2021</b>	Email	MC to LH	MC requested update on reinstatement proposal.
<b>26.10.2021</b>	Email	LH to MC	LH confirmed reinstatement cost has been authorised by Gloucestershire County Council.
<b>27.10.2021</b>	Email	MC to LH	MC requested fee review for his involvement in assessing the damage and compiling the claim.
<b>27.10.2021</b>	Email	MH to MC	MH sent license agreement covering boreholes and subsequent monitoring.
<b>11.04.2022</b>	Email	Alexandra Kitchener (AK) to MC	AK requested non-intrusive ground level tree survey.
<b>11.04.2022</b>	Email	MC to AK	MC confirmed this would be fine.
<b>13.04.2022</b>	Email	AK to MC	AK confirmed surveyors are onsite.
<b>19.04.2022</b>	Email	AK to MC	AK requested access for bat tree climb and habitat surveys.
<b>27.04.2022</b>	Email	AK to MC	AK requested update on request for survey access.
<b>27.04.2022</b>	Email	MC to AK	MC advised a license agreement will need to be drafted and agreed for the barn owl surveys.
<b>04.05.2022</b>	Email	AK to MC	AK advised Barn Owl survey is no longer required.
<b>23.05.2022</b>	Email	AK to MC	AK requested second Barn Owl survey.
<b>23.05.2022</b>	Email	MC to AK	MC advised it is fine to conduct surveys for requested date.
<b>30.05.2022</b>	Email	AK to MC	AK requested survey to be rescheduled for 13 <sup>th</sup> June 2022.
<b>01.06.2022</b>	Email	AK to MC	AK requested access for Surveyors to undertake MoRPH survey.

<b>06.06.2022</b>	Email	MC to AK	MC advised access to conduct survey is fine subject to caveats.
<b>06.06.2022</b>	Email	AK to MC	AK advised surveyors will be notified.
<b>14.06.2022</b>	Email	AK to MC	AK requested access for Habitat surveys.
<b>16.06.2022</b>	Email	MC to AK	MC advised access to conduct survey is fine subject to caveats.
<b>16.06.2022</b>	Email	AK to MC	AK advised surveyors will be notified.
<b>23.06.2022</b>	Email	AK to MC	AK requested extended access to conduct surveys.
<b>23.06.2022</b>	Email	MC to AK	MC advised extended access is fine.
<b>23.06.2022</b>	Email	AK to MC	AK advised surveyors will be notified.
<b>05.08.2022</b>	Email	AK to MC	AK emailed MC plans and copy of letters on all dates listed.
<b>22.12.2022</b>	Email	AK to MC	AK emailed MC plans and copy of letters on all dates listed.
<b>17.02.2023</b>	Email	AK to MC	AK emailed MC plans and copy of letters on all dates listed.
<b>13.03.2023</b>	Email	AK to MC	AK emailed agent confirming engagement meeting dates.
<b>15.03.2023</b>	Email	MC to AK	MC emailed SM stating availability to catchup.  AK confirmed awaiting confirmation of project team before meeting can be confirmed.
<b>16.03.2023</b>	Email	AK to MC	Ak confirmed time, place and attendees of meeting at CK.
<b>27.03.2023</b>	Email	MC to AK	MC emailed in raising a number of issues flagged by his clients.
<b>27.03.2023</b>	Email	Derry Mockett (DM) to MC	DM Responded stating issues will be discussed with CJ client.
<b>13.06.2023</b>	Email	AK to MC	AK emailed Mike regarding access to site for bat emergence surveys.
<b>13.06.2023</b>	Email	MC to AK	MC requested previous issues raised should be dealt with prior to granting access.



<b>13.06.2023</b>	Email	AK to MC	AK commented a response to the issues will be followed up.
<b>12.07.2023</b>	Email	MC to MH	MC requested an update to the License in reference to the water monitoring and bat surveys.
<b>25.07.2023</b>	Email	AK to MC	Countersigned Access License sent over for records. Clarification being sought over Borehole Monitoring Pipes.
<b>31.07.2023</b>	Letter	DM to AH	Change to flood depths because of Link Road. Seeking agreement for change in flood depth levels.
<b>03.08.2023</b>	Email	DM to MC	Copy of letter sent to AH sent over to MC.
<b>03.08.2023</b>	Email	MC to DM	MC requested a response to issues highlighted in email dated 27.03.2024. Raised query with regards to HoTs. Also requested a license for water monitoring equipment which has been left in situ.
<b>03.08.2023</b>	Email	MC to DM	Updated address provided for A&S Hulbert
<b>03.08.2023</b>	Email	DM to MC	DM states that GCC are considering options available with regards to email sent on 27 <sup>th</sup> March and Water monitoring. Confirmation HoTs are being drafted.
<b>08.12.2023</b>	Email	MC to DM	MC comments that DCO had been withdrawn. Request for update from GCC for points raised in email on 27 <sup>th</sup> March. MC comments that they are waiting on HoTs.
<b>08.12.2023</b>	Email	DM to MC	DM comments that GCC are looking at a solution with regards to severance. HoTs have been delayed and will hopefully be issued by Christmas.
<b>13.05.2024</b>	Email	George Tiley (GT) to MC	GT issued Heads of Terms to be reviewed by MC.
<b>29.05.2024</b>	Email	GT to MC	GT questioned whether draft terms have been reviewed.
<b>05.06.2024</b>	Email	MC to GT	MC advised he no longer works for Carver Knowles
<b>06.06.2024</b>	Email	GT to MC	GT advised he is awaiting a response from GCC and suggested a virtual meeting to discuss new option agreement.
<b>09.06.2024</b>	Email	GT to MC	GT attached plans.
<b>24.06.2024</b>	Email	GT to MC	GT advised of plans to start discussions surrounding survey access.
<b>27.06.2024</b>	Email	GT to MC	GT issued land interest plans and license

agreement.

<b>25.07.2024</b>	Email	GT to MC	GT issued Draft Heads of Terms agreement.
<b>30.07.2024</b>	Email	MC to GT	MC advised he will provide a response in due course.
<b>30.07.2024</b>	Email	GT to MC	GT requested walking access to be undertaken on the 16 <sup>th</sup> August.
<b>30.07.2024</b>	Email	MC to GT	MC requested explanation of blue land plot on plan.
<b>30.07.2024</b>	Email	GT to MC	GT provided explanation of land plot on plan questioned by MC.
<b>30.07.2024</b>	Email	MC to GT	MC requested plot numbers be linked to explanation
<b>30.07.2024</b>	Email	GT to MC	GT provided comments to specific plots of land as requested by MC.
<b>01.08.2024</b>	Email	MC to GT	MC emailed regarding amendments wanted to survey licences. GT replied attaching changed agreement and confirming why other bit won't be changed
<b>06.08.2024</b>	email	MC to GT	Further email from MC outlining further issues with survey licence
<b>12.08.2024</b>	Call and email	GT to MC	Call to further discuss survey agreement and email attaching revised document
<b>15.08.2024</b>	Email	MC to GT	Email from MC attaching signed survey agreement

**SECTION: Link Road****Property:** [REDACTED]**Party:** John Gideon Olney and Grace Gray

<b>Date</b>	<b>Type</b>	<b>Communication Between</b>	<b>Summary</b>
<b>12.04.2021</b>	Email	Jill Matthews (JM) to Gareth Herbert (GH)	Jill Matthews requested a plan detailing the land in question.
<b>12.04.2021</b>	Email	GH to JM	Gareth Herbert advised JM on progress with producing plans and standard fees for affected landowners.
<b>11.05.2021</b>	Email	GH to JM	Email from GH to JM providing information on upcoming surveys.
<b>19.05.2021</b>	Email	Laura Harris (LH) to Gavin Olney (GO)	Laura Harris emailed GO with plans.
<b>23.05.2021</b>	Email	JM to GO	JM emailed GO and his agent with compensation prices and fees to be paid out to landowners and agents.
<b>26.05.2021</b>	Email	Andrew Troughton (AT) to JM	AT emailed JM requesting further explanation of fees.
<b>26.05.2021</b>	Email	JM to AT	JM emailed AT providing brief explanation on fees.
<b>26.05.2021</b>	Email	LH to AT	LH emailed AT with a comprehensive breakdown and explanation of fees.
<b>27.05.2021</b>	Email	AT to LH	AT advised LH of his fees per hour.
<b>27.05.2021</b>	Email	AT to Alexandra Kitchener (AK)	AT emailed requesting AK to assist with access agreement whilst LH is away.
<b>22.06.2021</b>	Email	LH to GO	LH emailed GO requesting access for the survey team.

<b>22.06.2021</b>	Email	GO to LH	GO emailed LH granting access for the survey team.
<b>12.07.2021</b>	Email	AT to LH	Email from AT to LH advising of site condition. Also, AT requested extracts from method statement.
<b>13.07.2021</b>	Email	LH to AT	LH emailed AT confirming project manager and attached plans.
<b>13.07.2021</b>	Email	AT to LH	AT emailed LH requesting details of soil onsite.
<b>13.07.2021</b>	Email	LH to AT	LH emailed AT with plans and requested access for survey team to complete additional works
<b>14.07.2021</b>	Email	LH to AT	LH emailed AT providing update on requested compound information.
<b>19.07.2021</b>	Email	LH to AT	LH emailed AT sketch of construction and confirmation of works to be undertaken.
<b>19.07.2021</b>	Email	AK to AT	AK emailed to check if draft access license and plan have been reviewed.
<b>26.07.2021</b>	Email	LH to AT	LH emailed AT requesting confirmation of additional ground investigation works.
<b>26.07.2021</b>	Email	AT to LH	AT responded he is chasing an update.
<b>26.07.2021</b>	Email	LH to AT	LH requested if AT could pick up asap
<b>27.07.2021</b>	Email	GO to LH	GO emailed LH requesting work plan and detailed location of planned works.
<b>27.07.2021</b>	Email	LH to GO	LH sent GO the requested plans and advised timescales of works
<b>27.10.2021</b>	Email	M5J10 Shared Mailbox (M5SM) to AT	M5SM emailed AT with correspondence sent to GO.
<b>08.11.2021</b>	Email	LH to AT	LH emailed AT regarding Heras fencing and borehole monitoring.
<b>08.11.2021</b>	Email	AT to GO	AT confirmed GO can provide access to site.
<b>06.01.2022</b>	Email	M5SM to GO	M5SM emailed GO with minutes of meeting from 3 <sup>rd</sup> December 2021.
<b>10.05.2022</b>	Email	AK to AT	AK emailed AT requesting survey access for water monitoring, Bat, Barn Owl and phase 1 habitat/

			hedgerow.
<b>31.05.2022</b>	Email	AK to AT	AK emailed AT with further details relating to the access requests for surveys.
<b>31.05.2022</b>	Email	AT to AK	AT requested a proposal of a further license to conduct surveys requested.
<b>01.06.2022</b>	Email	AK to AT	AK sent draft access license and plan to AT for review.
<b>14.06.2022</b>	Email	AK to AT	AK emailed AT to see if draft access license and plan have been reviewed.
<b>05.10.2022</b>	Email	GO to Derry Mockett (DM)	GO emailed DM advising of new contact address.
<b>05.10.2022</b>	Email	DM to GO	DM acknowledged GO new contact address.
<b>22.02.2023</b>	Email	John Gideon Olney (JGO) to M5J10 Shared Mailbox (M5SM)	Email from Gideon Olney advising of new address for future correspondence to be sent.
<b>02.03.2023</b>	Email	Alexandra Kitchener (AK) to JGO	AK sent acknowledgement reply.
<b>13.03.2023</b>	Email	AK to JGO	AK emailed JGO to confirm meeting details.
<b>14.04.2023</b>	Email	Gavin Olney (GO) to AK	Gavin Olney confirmed both him and JGO can attend meetings.
<b>26.04.2023</b>	Email	GO to AK	Requested meeting at 10am Friday 28th April 2023.
<b>27.04.2023</b>	Email	AK to GO	AK confirmed appointment
<b>28.04.2024</b>	Meeting		Meeting held between applicant agent and landowner
<b>05.06.2023</b>	Email	GO to AK	Email regarding what is being proposed for land within the scheme.
<b>13.05.2024</b>	Email	George Tiley (GT) to AT	GT issued draft Heads of Terms to be reviewed by AT
<b>29.05.2024</b>	Email	GT to AT	GT questioned whether AT has reviewed Heads of Terms
<b>30.05.2024</b>	Email	AT to GT	AT confirmed terms have not yet been reviewed.
<b>06.06.2024</b>	Email	GT to Matilde Spyvee (MS)	GT proposed potential meeting dates for 18 <sup>th</sup> June.
<b>06.06.2024</b>	Email	MS to GT	MS confirmed 18 <sup>th</sup> would be fine.

<b>07.06.2024</b>	Email	GT to MS	GT proposed afternoon meeting on 18 <sup>th</sup> June.
<b>07.06.2024</b>	Email	MS to GT	MS suggested meeting for 3pm.
<b>09.06.2024</b>	Email	GT to MS	GT requested meeting site details.
<b>10.06.2024</b>	Email	MS to GT	MS proposed meeting at Carver Knowles offices.
<b>17.06.2024</b>	Email	GT to MS	GT confirmed meeting at Carver Knowles offices, attached plan of parcels to be acquired and explained the rights to be acquired.
<b>19.07.2024</b>	Email	AT to DM	AT requested confirmation of temporary possession of his client's land parcels.
<b>25.07.2024</b>	Email	GT to AT	GT provided explanation of access plans of the contractors that will be attending site.
<b>25.07.2024</b>	Email	AT to GT	AT advised it is important the existing drainage pipes and ditches are not compromised. AT also requested notification of when contractors are onsite.
<b>25.07.2024</b>	Email	GT to AT	GT issued Draft Heads of Terms and plan of affected land.
<b>25.07.2024</b>	Email	GT to AT	GT advised he will send confirmation when the work will be undertaken.

**SECTION: A4019****Property:** [REDACTED]**Party: Henry Arkell, Ann Arkell and Charles Arkell**

<b>Date</b>	<b>Type</b>	<b>Communication Between</b>	<b>Summary</b>
<b>10/11/2021</b>	Meeting	Derry Mockett (DM), Landowner, Tenant and James North (JN)	Discuss land take, flooding, fees etc.
<b>22/11/2021</b>	Email	DM to JN and response	DM sends meeting minutes, JN request word version
<b>24/11/2021</b>	Email	DM to JN	Sends word version of minutes
<b>30/11/2021</b>	Email	JN to DM	Send minutes with changes, landowner requests justification and requests meeting
<b>02/12/2021</b>	Email	Gareth Herbert (GH) to JN and response	Proposed meeting time, JN requested location change
<b>09/12/2021</b>	Meeting	CJ, JN, Chris Jones (CJ), Atkins and GH and landowner	Landowner meeting to discuss acquisition
<b>04/01/2022</b>	Email	JN to DM	Requesting draft licence agreement for surveys and plans
<b>21/04/2022</b>	Email	DM to JN and response	Request for call to discuss surveys and sent spreadsheet, JN states licence required
<b>29/04/2022</b>	Email	DM to JN and response	Request to see if client is open to allow access, JN requested a licence to be created
<b>18/05/2022</b>	Email	DM to JN and CJ	Draft access licence sent
<b>23/05/2022</b>	Email	DM to CJ	Requested further information for surveys
<b>24/05/2022</b>	Email	CJ to DM	Responded to requested information in red

<b>24/05/2022</b>	Email	Mark Hurrell (MH) to CJ and response	Multiple emails requesting access for surveys, CJ responds asking for licence
<b>30/05/2022</b>	Email	DM to CJ	Sent updated licence agreement
<b>14/06/2022</b>	Email	DM to CJ	Requesting confirmation that licence is agreed
<b>29/06/2022</b>	Email	DM to JN and CJ, JN response	Asking for permission to carry out surveys on land, JN requests licence to be sent
<b>29/06/2022</b>	Email	DM to JN and responses	Sends licence, JN requests sign off from client, DM requests access by agreement, JN states deadlines are short and needs to clarify with CJ
<b>18/07/2022</b>	Email	DM to JN and CJ and JN response	Requesting update on licences, JN states no access until licence agreed
<b>18/07/2022</b>	Email	DM to JN	Confirmed some surveys took place in May by agreement
<b>19/07/2022</b>	Email	CJ to DM	Requesting DM update licence and granting access
<b>20/07/2022</b>	Email	DM to CJ	Update on surveys
<b>05/08/2022</b>	Letter then Email	CJ to Landowner then CJ to JN	Letter informing of targeted consultation
<b>15/08/2022</b>	Email	JN to Alexandra Kitchener (AK) and DM and response	Requesting update on licences, DM will call
<b>06/09/2022</b>	Email	CJ to DM	Requesting update on licences and payments
<b>05/10/2022</b>	Email	CJ to DM and response	Requesting update on above email, DM requests meeting
<b>27/10/2022</b>	Meeting	DM, Lars Jorgensen (LJ), Matthew Reid (MR), JN, CJ and Landowner	Meeting to discuss acquisition
<b>27/10/2022</b>	Email	DM to JN and CJ	Sent updated plan
<b>28/10/2022</b>	Email	JN to DM	Requested completed licences
<b>03/11/2022</b>	Email	CJ to DM	Requested completed licences
<b>09/12/2022</b>	Email	JN to DM	Sent invoice to be paid to landowner
<b>12/12/2022</b>	Email	JN to DM	Chaser on above email



<b>15/12/2022</b>	Email	JN to DM	Concerned with lack of communication, requested completed licences
<b>20/12/2022</b>	Email	DM to JN and response	Stated payments will be made in the new year, JN sent list of outstanding items
<b>04/01/2023</b>	Email	JN to DM	Requesting update on outstanding items
<b>08/01/2023</b>	Email	DM to JN and response	Stated outstanding items should be resolved by end of month, JN requested signed agreements and requested to hold off on meeting until payments made
<b>25/01/2023</b>	Email	JN to DM	Requesting update on outstanding licence and payment
<b>30/01/2023</b>	Email	DM to JN	Final drafts supplied to GCC, query on licence fee
<b>31/01/2023</b>	Email	JN to DM	Supplied updated time sheets
<b>11/02/2023</b>	Email	JN to DM	Requesting update on scheme and payments and licence
<b>15/02/2023</b>	Email	DM to JN	Attached signed licence and requested invoice for fee
<b>15/02/2023</b>	Email	JN to DM	Requested payment of fees, no access without signed licence
<b>16/02/2023</b>	Email	DM to JN	Confirmed invoices will be passed to accounts
<b>16/02/2023</b>	Email	JN to DM and response	Informed of large land drain and trough and requested plan, DM sends plan and queries on water pipe
<b>17/02/2023</b>	Email	JN to DM and response	Sent plan from landowner and answers to queries, DM states further investigation required
<b>17/02/2023</b>	Letter	CJ to Landowner	Letter informing of land take and copy sent to JN
<b>19/02/2023</b>	Email	JN to DM	Sent invoice for landowner, requested outstanding signed licence
<b>19/02/2023</b>	Email	JN to AK	Requested timeline for scheme and sent availability for meeting
<b>20/03/2023</b>	Email	JN to DM	Requested signed licence agreement
<b>16/05/2023</b>	Email	JN to AK	Request that meeting attendees are limited
<b>25/05/2023</b>	Email	AK to JN	Sent confirmation of meeting attendance
<b>02/06/2023</b>	Email	AK to JN and CJ	Sent updating copy of land take plans
<b>05/06/2023</b>	Email	AK to JN and CJ	Sent agenda for meeting
<b>05/06/2023</b>	Email	AK to JN and CJ	Circulated amended land take plan

<b>06/06/2023</b>	Meeting	JN, DM, Lars Jorgensen (LJ), Luke Beddoes (LB) and Landowner	Landowner meeting to discuss acquisition
<b>12/07/2023</b>	Email	JN to MH	JN sends article and requested comment
<b>31/10/2023</b>	Email	JN to DM	Requesting payment of invoice to client
<b>24/11/2023</b>	Email	JN to DM	Requesting update on payment
<b>30/11/2023</b>	Email	JN to DM and response	Chaser on above email, DM requested bank detail confirmation
<b>12/01/2024</b>	voicemail	Henry Arkell (MA) to M5J10	Called regarding an updated address.
<b>15/01/2024</b>	Email	M5J10 to MA	Provided address that is on file to check it is correct.
<b>15/01/2024</b>	Email	MA to M5J10	Provided updated address.
<b>29.03.2024</b>	call	JC to JN	Call to discuss any outstanding payments and the progress of the scheme going forward
<b>03.04.2024</b>	Email	George Tiley (GT) to JN	Email setting out when survey fees will be paid, asking for dates for a meeting and setting out HoT's would be sent out within the month
<b>12.04.2024</b>	emails	GT and JN	Email proposing dates and reply confirming date to meet
<b>03.05.2024</b>	Email	GT to JN	Sending draft heads of terms to agent prior to meeting and confirming date and time of meeting.
<b>08.05.2024</b>	Meeting	GT, JN and Chris Jones	Meeting to discuss HoT's, scheme progress and laying out timescale to try to get a deal done
<b>06.06.2024</b>	call	GT to JN	Call to JN to discuss his clients muck which has been put on GCC land
<b>21.06.2024</b>	call	GT to JN	Call to discuss survey access
<b>25.06.2024</b>	email	GT to JN	Email attaching proposed survey licences
<b>02.07.2024</b>	call	JN to GT	Call to further discuss proposed surveys
<b>02.07.2024</b>	Email	GT to JN	Email chasing up a response on proposed survey agreement, further email from JN with comments
<b>03.07.2024</b>	Email	GT to JN	Email to agent attaching revised survey agreement
<b>16.07.2024</b>	Email	GT to JN	Email to JN chasing up a response on the survey

			agreement
<b>18.07.2024</b>	Email	JN to GT	Email from agent a response regarding progressing survey agreement
<b>25.07.2024</b>	Email	GT to JN	Email to JN attaching updated HoT's for his client's land
<b>31.07.2024</b>	call	GT to JN	VM left regarding survey licences and progressing HoT
<b>02.08.2024</b>	Email	GT to JN	Email to chase up progress on HoT's and survey access
<b>08.08.2024</b>	Email	CJ to GT	Email from agent attaching revised survey agreement
<b>12.08.2024</b>	email	GT to CJ	Email to agent attaching comments to changes
<b>20.08.2024</b>	Email	GT to CJ	Email to agent chasing up progress on agreements
<b>02.09.2024</b>	call	GT to JN	VM left regarding survey access progress and any progress on the HoT

**SECTION: Link Road****Property:** [REDACTED]**Party:** Malcolm James Hulbert & Susan Joan Hulbert

<b>Date</b>	<b>Type</b>	<b>Communication Between</b>	<b>Summary</b>
<b>28.04.2021</b>	Email	Laura Harris (LH) to Jake Carolan (JC)	License agreement sent to be discussed.
<b>28.04.2021</b>	Email	JC to LH	JC suggested alternative date to discuss license agreement.
<b>28.04.2021</b>	Email	LH to JC	LH suggested a catchup for the following week to discuss license agreement.
<b>28.04.2021</b>	Email	JC to LH	JC requested confirmation of the commencement date.
<b>28.04.2021</b>	Email	LH to JC	LH advised of delay with the start of works but keen to get access agreed.
<b>04.05.2021</b>	Email	JC to LH	Points were raised regarding the trial pits and holes. JC advised location of works is tenanted to another farmer.
<b>10.05.2021</b>	Email	JC to LH	JC proposed £250 per week for any works past termination date. License fee of £10,000 was proposed.
<b>12.05.2021</b>	Email	LH to JC	LH addressed the license fee, termination date and Site Extent.
<b>19.05.2021</b>	Email	LH to JC	LH emailed JC to get access license agreed before archaeological digs commence.
<b>20.05.2021</b>	Email	JC to LH	JC proposed terms to be offered in the license which would be agreeable for Mr Hulbert.
<b>26.05.2021</b>	Email	JC to LH	JC requested changes to the license agreement before work onsite commences.

<b>28.05.2021</b>	Email	JC to LH	JC confirmed Prices of proposed works on similar scheme are similar.
<b>15.06.2021</b>	Email	LH to JC	LH attached signed license on behalf of GCC.
<b>15.06.2021</b>	Email	JC to LH	JC raised points regarding the license.
<b>15.06.2021</b>	Email	LH to JC	LH sent revised license to reflect points raised by JC.
<b>15.06.2021</b>	Email	JC to LH	JC confirmed receipt of revised license.
<b>05.07.2021</b>	Email	LH to JC	LH confirmed GCC will raise a purchase order for the license and agent fees.
<b>05.07.2021</b>	Email	Sam Canning (SC) to LH	SC questioned whether two payments can be made. One to Mr Hulbert and separate one to agents.
<b>05.07.2021</b>	Email	LH to SC	LH confirmed each name will require a separate purchase order.
<b>05.07.2021</b>	Email	LH to SC	LH questioned access through the farmyard for archaeological team to arrange traffic management measures.
<b>05.07.2021</b>	Email	SC to LH	SC advised he will speak with Mr Hulbert regarding this.
<b>14.07.2021</b>	Email	JC to LH	JC confirmed Mr Hulbert would like the money paid directly to him.
<b>14.07.2021</b>	Email	LH to JC	LH acknowledged request for fund to be paid to Mr Hulbert.
<b>12.08.2021</b>	Email	SC to LH	SC requested PO numbers.
<b>17.08.2021</b>	Email	LH to SC	LH provided update on the delay and proposed a site meeting.
<b>18.08.2021</b>	Email	SC to LH	SC proposed site meeting for 25 <sup>th</sup> August at 2pm.
<b>18.08.2021</b>	Email	LH to SC	LH agreed to meeting details
<b>24.08.2021</b>	Email	LH to SC	LH requested invoice to be sent through for payment to be processed.
<b>31.08.2021</b>	Email	SC to LH	Sc requested meeting notes and attached invoices for payment.
<b>31.08.2021</b>	Email	LH to SC	LH confirmed invoices have been submitted for payment.
<b>08.09.2021</b>	Email	LH to SC	LH requested confirmation Mr Hulbert is happy for monitoring works to be conducted for onsite boreholes.

<b>09.09.2021</b>	Email	SC to LH	SC advised he will update his client and provide a response.
<b>10.09.2021</b>	Email	SC to LH	SC advised Mr Hulbert is happy to allow inspections until March 1 <sup>st</sup> , 2022, providing £2,750 is settled as the license expires 14 <sup>th</sup> December 2021.
<b>14.10.2021</b>	Email	SC to LH	SC requested an update.
<b>22.12.2021</b>	Email	Alexandra Kitchener (AK) to SC	AK requested access for topographic surveys.
<b>04.01.2022</b>	Email	SC to AK	SC agreed to the surveys.
<b>06.01.2022</b>	Email	AK to SC	AK confirmed dates of surveys.
<b>07.01.2022</b>	Email	SC to AK	SC advised his client has been updated.
<b>10.01.2022</b>	Email	SC to AK	SC confirmed both survey dates are acceptable.
<b>02.02.2022</b>	Email	AK to SC	AK requested drainage chamber survey to be undertaken on the 14 <sup>th</sup> of February.
<b>11.02.2022</b>	Email	SC to AK	SC proposed new date for surveys and requested latest plans/ key project dates.
<b>14.02.2022</b>	Email	AK to SC	AK proposed new date for surveys on March 8 <sup>th</sup> and provided key dates.
<b>16.02.2022</b>	Email	SC to AK	SC confirmed dates which his client is available to grant access for surveys.
<b>17.02.2022</b>	Email	AK to SC	AK attached latest plans and proposed dates for surveys.
<b>18.02.2022</b>	Email	Daniel Milton (DM) to AK	DM advised he will be assisting SC with queries relating to Mr Hulbert. DM also confirmed survey on 9 <sup>th</sup> March can go ahead.
<b>18.02.2022</b>	Email	AK to DM	AK confirmed receipt of DM previous email.
<b>21.02.2022</b>	Email	DM to AK	DM confirmed receipt of AK previous email.
<b>25.02.2022</b>	Email	AK to DM	AK provided update regarding red line boundary
<b>28.02.2022</b>	Email	DM to AK	DM requested confirmation of additional info being released prior to the DCO submission.
<b>02.03.2022</b>	Email	AK to DM/SC	AK advised more info will be provided.
<b>04.03.2022</b>	Email	AK to DM/SC	AK requested tree and barn owl surveys for 9 <sup>th</sup> March
<b>08.03.2022</b>	Email	AK to DM	AK provided details of the surveys.

<b>08.03.2022</b>	Email	DM to AK	DM advised he will update his client.
<b>08.03.2022</b>	Email	DM to AK	DM requested change in time for drainage chamber survey.
<b>08.03.2022</b>	Email	AK to DM	AK advised survey team will arrive closer to the request time.
<b>04.04.2022</b>	Email	AK to DM	AK requested access for surveyors to collect equipment.
<b>05.04.2022</b>	Email	DM to AK	DM requested AK to confirm access date.
<b>05.04.2022</b>	Email	AK to DM	AK confirmed date.
<b>06.04.2022</b>	Email	DM to AK	DM confirmed site access is agreed.
<b>07.04.2022</b>	Email	AK to DM	AK provided update on the land take requirements.
<b>05.05.2022</b>	Email	AK to DM	AK requested access for survey team.
<b>06.05.2022</b>	Email	DM to AK	DM confirmed access has been granted for the proposed dates.
<b>13.05.2022</b>	Email	AK to DM	AK advised survey dates have been confirmed
<b>16.05.2022</b>	Email	DM to AK	DM advised survey team need to contact his client via text upon arrival at site.
<b>16.05.2022</b>	Email	Mark Hurrell (MH) to DM	MH confirmed details have been left for the survey team.
<b>14.06.2022</b>	Email	DM to AK	DM requested process for submitting invoices.
<b>17.06.2022</b>	Email	AK to DM	AK requested invoice to be submitted via email.
<b>17.06.2022</b>	Email	DM to AK	DM questioned what details to include in the invoice.
<b>20.06.2022</b>	Email	AK to DM	AK confirmed details to include on invoice.
<b>05.07.2022</b>	Email	DM to AK	DM advised invoice is being prepared.
<b>07.07.2022</b>	Email	AK to Martin SFPlanning (MSFP)	AK emailed MSFP regarding ecology surveys.
<b>07.07.2022</b>	Email	AK to DM	AK advised MH will be taking over whilst away from work.
<b>17.02.2023</b>	Letter	AK to MH	Letter sent to landowner regarding updates to the scheme and land plans
<b>March 2023</b>	Email	AK to DM	Email to arrange meeting and then confirm meeting date
<b>21.03.2024</b>	meeting	DM, JC and MH	Meeting held at farm to discuss the acquisition of

land and the progression of the scheme

<b>04.01.2024</b>	Email	Laura Lilly (LL) to Alexandra Kitchener (AK)	LL emailed AK with invoice for the period 31.12.23.
<b>04.03.2024</b>	Email	AK to Daniel Milton (DM)	AK requested amendments be made to the invoice.
<b>22.03.2024</b>	Email	DM to AK	DM requested AK to confirm with GCC they agree to time billed and hourly rate.
<b>11.04.2024</b>	Email	George Tiley (GT) to DM	GT advised he will be taking over from AK, and he is getting an update on the invoice.
<b>17.04.2024</b>	Email	DM to GT	DM advised he is still awaiting his clients VAT status.
<b>18.04.2024</b>	Email	DM to GT	DM requested an update on the overall project.
<b>23.04.2024</b>	Email	Maher Abdulrazak (MA) to GT	MA confirmed that the Hulbert's are not VAT registered.
<b>01.05.2024</b>	Email	MA to GT	MA emailed regarding the invoice being processed for payment.
<b>09.05.2024</b>	Email	MA to GT	MA questioned whether invoice has been processed.
<b>13.05.2024</b>	Email	GT to MA	GT confirmed invoice has been approved and is being processed.
<b>13.05.2024</b>	Email	GT to DM	GT sent draft Heads of Terms to be reviewed
<b>17.05.2024</b>	Email	MA to GT	MA requested update on payment date of invoice.
<b>17.05.2024</b>	Email	GT to MA	GT advised payment should be received in June.
<b>29.05.2024</b>	Email	MA to GT	MA requested details of payment date for the invoice submitted previously.
<b>29.05.2024</b>	Email	DM to GT	DM confirmed receipt of Heads of Terms.
<b>29.05.2024</b>	Email	GT to DM	GT attached plan.
<b>31.05.2024</b>	Email	DM to GT	DM provided feedback regarding Heads of Terms.
<b>04.06.2024</b>	Email	MA to GT	MA requested details of payment date.
<b>04.06.2024</b>	Email	GT to MA	GT advised payment to be made W/C 24 <sup>th</sup> June
<b>28.06.2024</b>	Email	GT to DM	GT issued land interest plans and license agreement.
<b>15.07.2024</b>	Email	DM to GT	DM reviewed and requested an amended license.



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