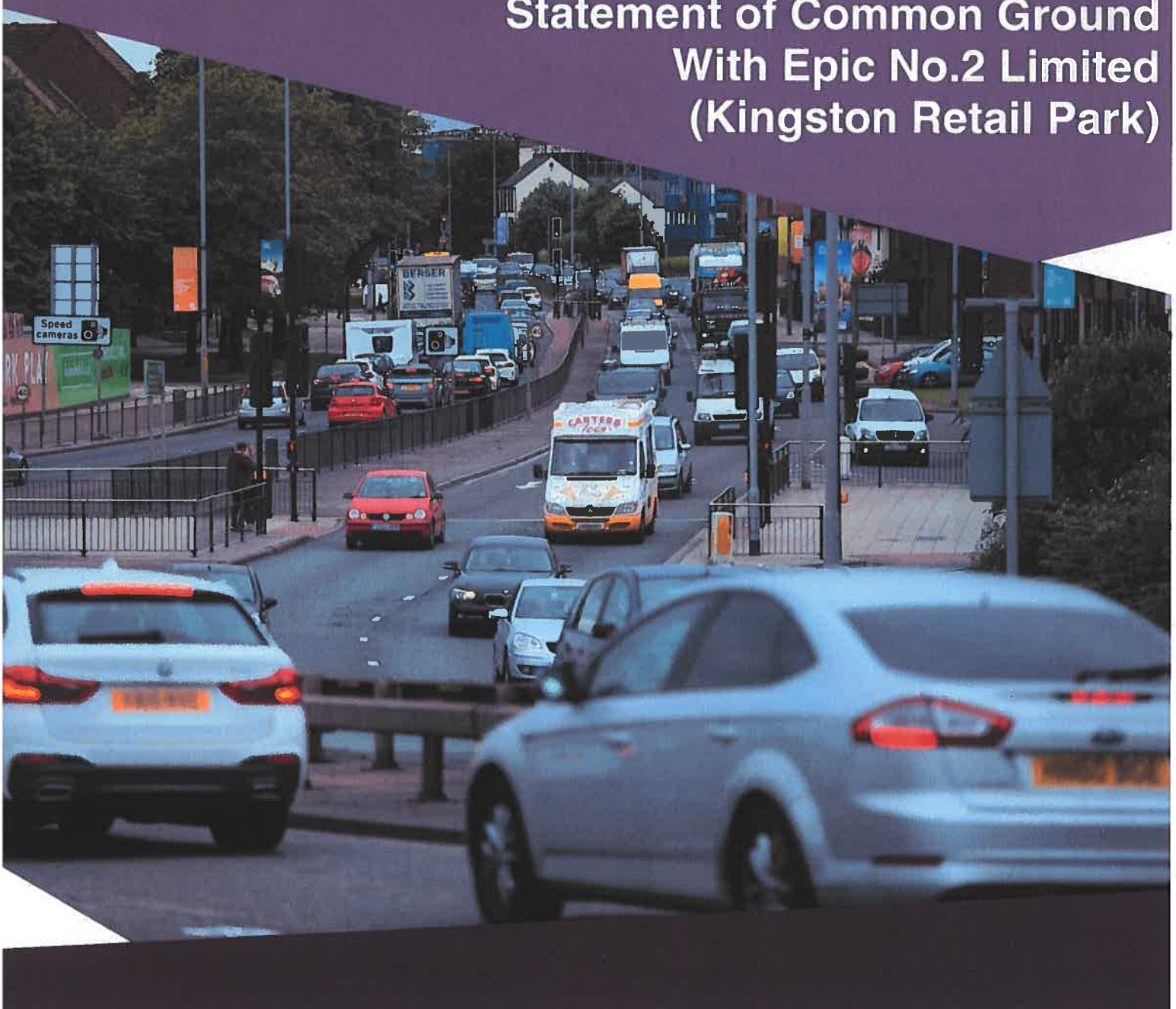


# A63 Castle Street Improvement, Hull

TR010016

Statement of Common Ground  
With Epic No.2 Limited  
(Kingston Retail Park)



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## A63 Castle Street Improvement, Hull

### Development Consent Order 20[xx]

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### STATEMENT OF COMMON GROUND

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<b>Planning Inspectorate Scheme Reference</b>	TR010016
<b>Author:</b> Bernice Beckley	A63 Castle Street Project Team
<b>Reference Number for EPIC No.2 Limited</b>	20018241

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
1	June 2019	Submitted for Examination Deadline 3
1.1	July 2019	Final Version for Examination Deadline 5

**STATEMENT OF COMMON GROUND**

**This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Epic No.2 Limited**

Signed.....  
Bernice Beckley  
Project Manager  
on behalf of Highways England  
Date: 5<sup>th</sup> August 2019

Signed.....  
Graham Lind CALUM BRUCE (ATTORNEY)  
Epic No.2 Limited  
Date: 22/08/19.

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## **1 INTRODUCTION**

### **1.1 Purpose of this document**

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared in respect of the proposed A63 Castle Street Improvement, Hull ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("DCO") under section 37 of the Planning Act 2008 ("2008 Act").
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.3 The SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to it, and where agreement has not (yet) been reached. SoCGs are an established means in the planning process of allowing all parties to identify and to focus on specific issues that may need to be addressed during the examination.

### **1.2 Parties to this Statement of Common Ground**

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) EPIC No.2 Limited and is associated with the site at Kingston Retail Park (KRP).
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. It is the highway authority in England for the strategic road network and has the necessary powers and duties to operate, manage, maintain and enhance the network. Regulatory powers remain with the Secretary of State. The legislation establishing Highways England made provision for all legal rights and obligations of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 Epic No.2 Limited is the owner of the KRP which is multi-unit retail space located to the south west of the A63 Mytongate junction. The site is also bounded by Commercial Road to the east, Kingston Street to the south and Spruce Road to the west.

### **1.3 Terminology**

- 1.3.1 In the tables in the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" indicates issues which will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved (see 3.1.2).
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to EPIC No.2 Limited, and therefore have not been the subject of any discussions between the parties. As

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such, those matters can be read as agreed, only to the extent that they are either not of material interest or relevance to EPIC No.2 Limited.

- 1.3.3 It can be taken that the matters specifically referred to in the Issues chapter of this SoCG are those of material interest or relevance to EPIC No.2 Limited. This note records the issues that have been discussed in relation to entering into a private agreement.

## 2 RECORD OF ENGAGEMENT

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Epic No.2 Limited in relation to the Application is outlined in Table 2.1.

**Table 2.1 Record of Engagement**

Date	Form of correspondence	Key topics discussed
11 April 2018	Meeting 1 on site	Consultation on using Arco as a site compound. Meeting 2 arranged.
01 May 2018	Meeting 2	Loss of car parking. Traffic management at Mytongate and signs from Daltry Street during construction. Temporary working area to modify car park required for two weeks at the most phased to suit KRP. Arco consultation. Lister Street access. Compensation. Meeting 3 planned.
08 August 2018	Meeting 3	DCO process. Programme. Traffic Management. 3m working strip for slip road construction. Car park modification plans. 10 weeks required for car park modifications. Permanent and temporary car park spaces lost. Lister Street access. Access and deliveries to be maintained at all times. Modifications to service yard. Compensation. Hoarding signs. Totem signs. Directional signs. Shuttle bus.
09 November 2018	Meeting 4	Written correspondence exchanged. DCO progress. Arco is preferred compound site. Visualisations of compound sites. Traffic management. Car park modification plans. Permanent and temporary car park spaces lost. 3m working strip for slip road construction. Pedestrian crossing at north eastern corner of KRP to be retained for the first two years. For three years of underpass construction only Princes Quay and Porter Street bridges will be available for pedestrian routes. Provision of a free shuttle bus is being considered. Lister Street access. Hoarding visuals are essential to maintain visibility of KRP from A63. Appropriate signing will be provided. Compensation. Local network improvements. Landscaping proposals. Meeting 5 planned.
31 January 2019	Meeting 5 teleconference	DCO progress. 3m working room strip for slip road construction and utility diversions. Car park reconfiguration will take 10 weeks timing to suit KRP. Hoardings. Pedestrian access during construction will be via Princes Quay

Date	Form of correspondence	Key topics discussed
		Bridge and at Porter Street. Fire exits at KRP will be maintained. KRP central walkway. Service Yard access. Construction of Lister Street access will require a 48-hour restriction on service yard access. Access to service yard to be maintained via a temporary southern route. Alternatively, the work could be carried out at night. Shuttle bus. Meeting 6 planned.
27 March 2019	Meeting 6 on site	Arco is the preferred compound site. Lister Street access. 48-hour restriction on service yard access and ways this can be avoided. Deliveries from the west can approach via Daltry Street. Totem signs. Boots and B&M Relevant Representations. KRP fire exits and eastern pedestrian access to be maintained throughout construction. Car park reconfiguration.
14 May 2019	Meeting 7 teleconference	DCO progress. Arco to relocate. Service Yard access for HGVs will have to be via Roger Millward Way roundabout. Alternative HGV access routes were discussed. Lister Street TROs. Car park reconfiguration. Pedestrian access. Traffic modelling for diversion routes Signage strategy. Totem signs. Hoardings. Construction Management Plan. Noise, vibration and dust monitoring. Compensation. Shuttle bus. Meeting 8 confirmed. Valuation Meeting planned. KRP information request.
16 May 2019	Meeting 8 on site	Land take boundaries. Temporary car park reconfiguration. Service Yard access. Arco production compound. Pedestrian access. Shuttle bus. Totem poles. KRP fire exits. Parking on Lister Street. Traffic management. Diversion routes. Construction and permanent signage strategy. Hoarding.
06 June 2019	Meeting 9	Draft HoTs/Compensation. SoCG.
16 July 2019	Meeting 10 (Skype)	To discuss and agree final amendments to Heads of Terms agreement

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Epic No.2 Limited in relation to the issues addressed in this SoCG.



### 3 ISSUES

3.1.1 A summary of issues identified are outlined in Table 3.1 below.

3.1.2 The 'Agreed' status reflects the principle that a satisfactory private agreement will be entered into between Highways England and EPIC No.2 Limited prior to the close of the examination period.

**Table 3.1 Summary of issues**

Issue	Epic No.2 Limited Comment	Highways England Response	Status
<b>Service Yard Access</b>	Access to be maintained to both service yards at KRP for vehicles up to 16.5m articulated HGVs at all times (24hrs a day, seven days a week) during construction and operation.	Highways England will ensure that access is maintained at all times for delivery vehicles accessing KRP at both access points to the service yards. There may be occasions where advance notice of works may be required by Highways England which may mean aligning those works with delivery times for the stores. Such timing of works will be discussed and agreed with EPIC No.2.	<b>Agreed</b>
	Access to the western service yard will be either by the existing Spruce Road access from the A63 or the new services access road to be provided by the Highways England from Lister Street.	The access to the western service yard will be from Spruce Road until the new access road is completed. Epic No.2 will be kept fully informed of the programme around this works phase.	<b>Agreed</b>
	The HGV delivery route from the A63 eastbound for the Lister Street route would be via the Roger Millward Way junction and the Kingston Street roundabout	This is the agreed route for delivery vehicles from both directions when the new access road from Lister Street is completed up until the completion of the new Mytongate bridge.	<b>Agreed</b>
	Vehicle parking on Lister Street would need to be restricted during the construction and operational phases to enable this access to be used by HGVs. Temporary and	Highways England will work with Hull City Council to ensure the successful implementation of permanent and temporary traffic regulation orders in the vicinity of Lister Street. Such orders ensure safe use of the routes involved.	<b>Agreed</b>

Issue	Epic No.2 Limited Comment	Highways England Response	Status
	then permanent traffic regulation orders will need to be made		
<b>Car Parking</b>	Highways England will minimise the extent of both the land take required to deliver the works and additional land to be temporarily acquired to enable construction of car parking and service yard reconfiguration.	The area shown within the Land Plans (Ref: 3/5e) is indicated as the maximum area required to offset the impact on the car park of the permanent (3/5a) and temporary (3/5b) acquisition of KRP. Highways England will work with Epic No.2 Limited to mitigate the impact of the loss of spaces and provide the optimum number of spaces possible within the land during the construction phase.	<b>Agreed</b>
	A temporary rearrangement of the car park will be agreed for the construction period. EPIC will prepare the preliminary design which will be agreed with Highways England. Highways England will carry out the detailed design and construction of the works.	Highways England will work with Epic No.2 and their consultants on the temporary arrangement of the car park. Highways England will complete the detailed design and construction of the agreed layout at their cost subject to agreement.	<b>Agreed</b>
	The permanent rearrangement of the car park will also be agreed. Again, EPIC will prepare the preliminary design and specification which will be agreed with Highways England who will carry out the detailed design and construction of the works.	Highways England will work with Epic No.2 and their consultants on the permanent arrangement of the car park. Highways England will complete the detailed design and construction of the agreed layout at their cost subject to agreement.	<b>Agreed</b>
	These design matters will include the provision of new car parking spaces and service yard configuration and related surfacing, drainage, hard and soft landscaping and lighting to agreed	Highways England will work with Epic No.2 and their consultants to agree the required specification for the works in both the temporary and permanent layouts	<b>Agreed</b>

Issue	Epic No.2 Limited Comment	Highways England Response	Status
	<p>quality level and specification for the reinstated car park.</p> <p>The timing, working hours and detailed arrangements for the temporary and permanent car park works would be agreed. The duration of the temporary possession of car parking/service yard and works being carried out on the land during the temporary possession will also be minimised.</p>	<p>Highways England and their supplier Balfour Beatty will employ a Stakeholder Liaison Officer (SLO) who will be responsible for agreeing with Epic No.2 the phasing of the works and minimising any impact on KRP.</p>	<p><b>Agreed</b></p>
<p><b>Junction and Link Capacity</b></p>	<p>Highways England will carry out further modelling of the effects on the Daltry Street roundabout and the route to the Retail Park along English Street of the construction phases. EPIC will input into that process.</p>	<p>Highways England will carry out traffic modelling on the Daltry Street roundabout to determine what the impact on the diversion route would be for customers. The route from Daltry Street via English Street to the retail park is part of the wider study being undertaken by Highways England and Hull City Council (see below). Highways England is keen to understand any adverse impacts so that mitigation measures can be considered as appropriate. Highways England recognise that traffic behaviour is such that locals will tend to use the local routes to access KRP.</p>	<p><b>Agreed</b></p>
	<p>Highways England will carry out mitigation measures to ameliorate effects of the construction phase which are shown by the modelling.</p>	<p>Highways England are working with Hull City Council on a study to assess potential improvements to routes that may become congested during the main works phase to construct the underpass (2022 – 2025). This aim of this study and any subsequent measures provided is to make the local network more resilient. This study will include the route from Daltry Street via English Street to the retail park and it is worth noting that the study area is significantly bigger than just this route. Additional traffic modelling may be required once the results of the study have been evaluated by Highways England and Hull City Council.</p> <p>Any mitigation measures identified will be carried out where practicable.</p>	<p><b>Agreed</b></p>

Issue	Epic No.2 Limited Comment	Highways England Response	Status
		Highways England would welcome any suggestions from Epic No.2 Limited they feel may improve this area of the local network.	
<b>Signage Strategy</b>	Highways England will arrange vehicular and pedestrian signage to an agreed specification and at agreed locations to direct customers to the Retail Park throughout the works period.	Highways England and their supplier Balfour Beatty will employ a Traffic Management Officer and Stakeholder Liaison Officer (SLO) who will be responsible for agreeing with Epic No.2 the signage required for vehicles and pedestrians around the works.	<b>Agreed</b>
	This will include signage for the Retail Park to customers from the A63 eastbound via the Daltry Street / Madeley Street / Rawling Way / Hessle Road Roundabout, Daltry Street, Jackson Street and English Street.	Highways England and their supplier Balfour Beatty will employ a Traffic Management Officer and Stakeholder Liaison Officer (SLO) who will be responsible for discussing and agreeing the signage requirements, which will ensure the safest route to KRP is sign posted for eastbound traffic. Highways England recognise that traffic behaviour is such that locals will tend to use the local routes to access KRP.	<b>Agreed</b>
<b>Pedestrian Routes (Works Period)</b>	It is agreed that Highways England will maintain a direct pedestrian route from Ferensway to the Retail Park for as long as possible during the construction period and restore it at the earliest opportunity.	Highways England and their supplier Balfour Beatty will employ a Traffic Management Officer and Stakeholder Liaison Officer (SLO) who will be responsible for ensuring the pedestrian diversion routes into KRP remain operational and safe for as long as possible prior to the main construction phase for the underpass works. Phasing dates will be confirmed in advance of the closure.	<b>Agreed</b>
	<p>EPIC's view is that given the importance of pedestrian connectivity between the city centre and the retail park, a pedestrian route at Mytongate should be maintained throughout the construction period.</p> <p>If the pedestrian route is severed, Highways England will make alternative arrangements,</p>	<p>Highways England have assessed and confirm a pedestrian route at Mytongate is impractical as it conflicts with the works phasing and also raises safety and maintenance concerns.</p> <p>Alternative pedestrian diversion routes will be provided at the Princes Quay and Porter Street NMU bridges and signposted and communicated.</p> <p>Highways England will continue to liaise with EPIC No.2 Limited and agree measures to ensure a pedestrian route is maintained throughout the construction period. Before construction</p>	<b>Agreed</b>

Issue	Epic No.2 Limited Comment	Highways England Response	Status
	<p>including a shuttle bus and other measures, in consultation and agreement with EPIC.</p>	<p>commences, both parties will agree a timetable for regular meetings to continually review accessibility for pedestrians throughout the construction phase and agree alterations to improve accessibility where practicable.</p> <p>If the pedestrian route is severed, Highways England will make alternative arrangements, where practicable.</p> <p>Highways England and Hull City Council are considering additional mitigation options, including the feasibility of a shuttle bus to connect the north of the A63 to the south. Highways England will liaise collaboratively with Epic No.2 Limited and their consultants upon completion of this piece of work and also welcome any feedback on the proposal. A shuttle bus will need to be well used if it is to be successful.</p>	
<b>Pedestrian Access (After Completion of Works)</b>	<p>Pedestrian access would be provided over the new Mytongate junction. Highways England will reinstate permanent level pedestrian access to the Retail Park in agreement with EPIC.</p>	<p>Highways England and their supplier Balfour Beatty will work with Epic No.2 Limited and their consultants on this layout and the SLO will agree the timescales and phasing associated with the works.</p>	<b>Agreed</b>
<b>Totem Poles</b>	<p>Highways England will relocate the two existing totem poles, during the works period and after completion of the works, to locations agreed with EPIC.</p>	<p>Highways England will work with Epic No.2 Limited to relocate the two totem poles during and after the works.</p>	<b>Agreed</b>
<b>Construction Hoarding</b>	<p>Highways England will provide construction hoarding throughout the works period along the altered Retail Park boundary. Advertisements for the Retail Park and its occupiers will be included</p>	<p>Highways England will work with Epic No.2 Limited on the design and finish of the hoarding on each side of the works. It is assumed that the design on the A63 facing side will be of similar standard to that at the current Princes Quay Bridge site with a combination of KRP and Highways England panels.</p>	<b>Agreed</b>

Issue	Epic No.2 Limited Comment	Highways England Response	Status
	<p>on the A63 side of the hoarding. The treatment of the Retail Park side of the hoarding will be agreed with EPIC.</p>	<p>Those hoardings facing the car park will be provided as designed and agreed by Epic No.2.</p> <p>The size, length and advertisement detail will be developed with EPIC No.2 during the detailed design phase.</p>	
<p><b>Construction and Environment Management Plan</b></p>	<p>The Authority and the Landowner are to agree a management plan in respect of operations affecting the Retail Park, which will include details of:</p> <ul style="list-style-type: none"> <li>• Advance notification of works;</li> <li>• Parking and movement of constructor vehicles;</li> <li>• Restrictions on noise, dust, vibration and working hours;</li> <li>• Agreed methods to monitor adherence to the CEMP in respect of the Retail Park, reporting and corrective action; and</li> <li>• Health, safety and security requirements.</li> </ul>	<p>A detailed CEMP is required to be completed prior to any works commencing and this can be shared.</p> <p>Localised method statements for the works in the vicinity of KRP will be shared with Epic No.2 and communicated by Highways England's SLO for comment in advance of any works. This will cover all of the bullet points listed adjacent.</p>	<p><b>Agreed</b></p>
<p><b>Noise Monitoring</b></p>	<p>Noise monitoring stations to be sited adjacent to the Retail Park.</p> <p>Baseline noise monitoring carried out by Highways England and reported to EPIC.</p>	<p>As part of the scheme Highways England are required to monitor noise before and during the Scheme construction phase and we will not commence the authorised development on the Kingston Retail Park land until we have submitted a detailed noise and vibration management plan in respect of that part of the</p>	<p><b>Agreed</b></p>

Issue	Epic No.2 Limited Comment	Highways England Response	Status
	<p>Noise monitoring will be carried out during the works and reported to EPIC.</p> <p>Arrangements will be put in place for the reporting of noise concerns to Highways England and addressing any issues.</p>	<p>authorised development and the plan has been approved by EPIC No.2 Limited (such approval not to be unreasonably withheld or delayed).</p> <p>Highways England will agree the noise and vibration levels for the whole scheme with Hull City Council</p> <p>Locations will need to be agreed with Hull City Council prior to the start of the works.</p> <p>Highways England would be willing to share the results of the monitoring with Epic No.2.during the works</p> <p>Highways England are seeking an agreement from Hull City Council on the provision of a Section 61 Notice to allow Balfour Beatty to set and control noise and vibration limits as part of their methodology.</p>	