

A19 Downhill Lane Junction Improvement

Scheme Number: TR010024

7.12(1) Joint Statement of Common Ground with South Tyneside Council and Sunderland City Council

APFP Regulation 5(2)(q)
Planning Act 2008
Infrastructure Planning (Applications: Prescribed Forms and Procedure)
Regulations 2009

Volume 7

~~September~~ October 2019

Infrastructure Planning

Planning Act 2008

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

A19 DOWNHILL LANE JUNCTION IMPROVEMENT

The A19 Downhill Lane Junction Development Consent Order 202[]

JOINT STATEMENT OF COMMON GROUND WITH SOUTH TYNESIDE COUNCIL AND SUNDERLAND CITY COUNCIL

Regulation Number:	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010024
Application Document Reference	TR010024/APP/7.12(1)
Author:	A19 Project Team

Version	Date	Status of Version
Rev 1	October 2019	DCO Examination Deadline 3 Submission
Rev 0	September 2019	DCO Examination Deadline 2 Submission

Page Left Intentionally Blank

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) South Tyneside Council and (3) Sunderland City Council.

Signed.....
Helen Apps
Project Manager
on behalf of Highways England
Date: [DATE]

Signed.....
[NAME]
[POSITION]
on behalf of South Tyneside Council
Date: [DATE]

Signed.....
[NAME]
[POSITION]
on behalf of Sunderland City Council
Date: [DATE]

Page Left Intentionally Blank

CONTENTS

1	INTRODUCTION.....	1
1.1	Purpose of this document.....	1
1.2	Parties to this Statement of Common Ground	1
1.3	Terminology	1
2	RECORD OF ENGAGEMENT	3
3	ISSUES AND AGREED MATTERS	5
3.1	Issues related to the Draft Development Consent Order (Application Document Ref: TR010024/APP/3.1)	5
3.2	Issues and agreed matters related to the Environmental Statement (ES) (Application Document Ref: TR010024/APP/6.1).....	6
3.3	Issues related to the Interrelationship between schemes (Application Document Ref: TR010024/APP/7.3)	10
3.4	Other matters	11

Page Left Intentionally Blank

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 A19 Downhill Lane Junction Improvement ("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 ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit 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 so focus on specific issues that may need to be addressed during the examination.

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England ("HE") as the Applicant, (2) South Tyneside Council ("STC") and (3) Sunderland City Council ("SCC").
- 1.2.2 HE 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 HE 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 HE.
- 1.2.3 STC and SCC are the local authorities for the land within the DCO boundary of the Scheme.

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" where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to the STC and SCC, and therefore have not been the subject of any discussions between the parties. As such, those matters can be read as agreed, only to the extent that they are either

not of material interest or relevance to the STC and SCC.

2 RECORD OF ENGAGEMENT

2.1.1 A summary of the meetings and correspondence that has taken place between HE, STC and SCC in relation to the Application is outlined in Table 2-1.

Table 2-1 - Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
17/10/2017	SCC - Meeting	A1290 & Local road network
20/12/2017	STC & SCC - Meeting	Integration with IAMP TM & environmental mitigation. ES draft to be issued.
04/06/2018	STC & SCC - Meeting	EIA Update focussing on Ecology & Landscape
06/06/2018	SCC - Meeting	Drainage meeting
10/06/2018	STC - Email	Local authority comments on DCO
11/06/2018	STC - Meeting	Testo's & DLJ update - discussed Follingsby Lane access, public transport, traffic modelling etc.
18/06/2018	STC - Meeting	Highway operations / coordination - mostly Testo's, but some DLJ
22/06/2018	SCC - Email	DCO Cumulative Effects
02/07/2018	STC - Email	DCO Cumulative Effects
31/07/2018	SCC - Telcon	Discuss HOMP
21/08/2018	SCC - Letter	Response to DLJ Further consultation
22/08/2018	STC & SCC - Meeting	A19 working group
03/09/2018	SCC - Letter	Regarding HOMP
19/09/2018	SCC - Meeting	Discuss HOMP
22/08/2018	STC - Letter	Response to DLJ Further consultation
30/08/2018	SCC - Meeting	Discussions around DLJ DCO
26/09/2019	STC & SCC - Telecon	IAMP ONE and DLJ Scheme discussion
14/11/2018	STC - Meeting	Scheme update - Testo's & DLJ. Discussed LIRs, SoCG etc
18/01/2019	STC - Email	Draft DCO and EM to LA for review
22/01/2019	SCC - Email	Draft DCO and EM to LA for Review
08/02/2019	STC & SCC - Email	LA Response to PINs regarding adequacy of consultation, detailed design and Statement of Common Ground
12/03/2019	STC & SCC - Meeting	See meeting note

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) HE, (2) STC and (3) SCC in relation to the issues

addressed in this SoCG.

3 ISSUES AND AGREED MATTERS

3.1 Issues related to the Draft Development Consent Order (Application Document Ref: TR010024/APP/3.1)

Section	Paragraph Reference	Sub-section	Local Authority Comment	Highways England Comment	Status
All	All			STC and SCC is satisfied with the drafting of the DCO.	Agreed
Article 10	Paras (1) to (5)			It is agreed that any street to be constructed, altered or diverted which is to be maintained by the local highway / street authority, will be subject to a side agreement between HE, STC and SCC. The side agreement shall cover matters regarding inspections during construction, notifications of defects, rectification of defects and future maintenance liabilities.	Under-discussion Agreed
Schedule 2 Part 1 Construction Environmental Management Plan (CEMP) Requirements	Paras 1 to 164			STC and SCC are satisfied with the current drafting of the Requirements 4 with regard to the approval of the CEMP following consultation with STC and SCC including the process for consulting on and discharging those Requirements.	Agreed
Schedule 2 Part 1 Detailed Design Surface and Foul Water Drainage	3 8			HE will consult with STC and SCC during the development of the detailed design, particularly in respect of	Agreed

Section	Paragraph Reference	Sub-section	Local Authority Comment	Highways England Comment	Status
				those features that shall be handed over to the relevant local authority for future operation and maintenance in accordance with Requirement 3(1). In addition, HE is in discussion with STC and SCC on the pre-construction surveys to be carried out by HE.	

3.2 Issues and agreed matters related to the Environmental Statement (ES) (Application Document Ref: TR010024/APP/6.1)

ES Chapter	Paragraph Reference	Sub-section	Local Authority Comment	Highways England Comment	Status
Chapter 6: Air Quality	6.3	Method of Assessment		STC and SCC agree with the methodology used in Chapter 6 of the Environmental Statement.	Agreed
	6.7	Mitigation		It is agreed that the CEMP to be produced in accordance with Requirement 4 will include a dust, noise and nuisance management plan. HE must, under Requirement 4, consult with STC and SCC as the relevant planning authorities.	Agreed
Chapter 7: Cultural Heritage	7.3	Method of assessment		It is agreed that the methodology used for the archaeological chapter of the ES is satisfactory	Agreed
	7.6	Potential impacts		It is agreed that the impacts foreseen are of a negligible and low value.	Agreed

ES Chapter	Paragraph Reference	Sub-section	Local Authority Comment	Highways England Comment	Status
Chapter 8: Landscape and visual	8.3	Method of assessment		It is agreed that the methodology used to assess the impacts in Chapter 8 of the ES is sufficient including the selection of viewpoints.	Agreed
	8.7	Mitigation		STC and SCC are satisfied that the loss of any vegetation and habitat will be fully mitigated in the design year as set out in the REAC and that under Requirement 5 the landscape scheme must reflect the mitigation measures set out in the REAC.	Agreed
Chapter 9: Ecology and Nature Conservation	Appendix 1.3	Mitigation		The Register of Environmental Actions and Commitments ("REAC", at appendix 1.3 of the Environmental Statement) contains all of the mitigation commitments made in the ES. This is the primary mechanism to ensure that environmental mitigation is secured by the Order. The REAC will be certified by the Secretary of State as part of the ES in accordance with Article 41.	Agreed
	9.10	Summary and conclusion		In light of the above, STC and SCC are content that the measures and processes to be developed by HE under those requirements,	Agreed

ES Chapter	Paragraph Reference	Sub-section	Local Authority Comment	Highways England Comment	Status
				including consultation with STC and SCC, enables its comments to be satisfactorily addressed in due course through the discharge of the Requirements. It is agreed that no further changes to the Requirements are needed to address STC and SCC's comments concerning ecology and nature conservation.	
Chapter 10: Geology and Soils	10.3	Method of assessment		It is agreed that Chapter 10 of the Environmental Statement (ES) submitted with HE application has adequately assessed the potential for land contamination and, should any unsuspected contamination be discovered during construction, the mitigation measures in terms of pollution control measures and the assessment of potential impacts on flow paths from underground work/structures will be dealt with in a satisfactory manner	Agreed
	10.7	Mitigation		It is agreed the proposed pollution control measures as set out in the draft Construction Environment Management Plan (CEMP) are adequate to mitigate concerns to human health from contamination left from unsuitable fill material.	Agreed
Chapter 11: Materials	11.6	Potential impacts		It is agreed that the CEMP to be produced in accordance with	Agreed

ES Chapter	Paragraph Reference	Sub-section	Local Authority Comment	Highways England Comment	Status
				Requirement 4 will include a Site Waste Management Plan (SWMP), a Materials Management Plan (MMP) and a soils management plan. HE must, under Requirement 4, consult with STC and SCC as the relevant planning authorities.	
	11.7	Mitigation		It is agreed that a traffic management plan will be produced in accordance with Requirement 10 and STC and SCCs will be consulted on the draft traffic management plan as the relevant planning authority. The traffic management plan will include the transportation of materials and waste during construction.	Agreed
Chapter 12: Noise and Vibration	12.3	Method of assessment		It is agreed that the noise methodology used in the ES is suitable for the purposes of determining the noise impacts of construction vibration, construction and operational noise.	Agreed
	12.7	Mitigation		It is agreed that exception to standard operating times shall be agreed in consultation between HE, STC and SCC prior to operation including proposed mitigation measures. No specific	Under discussion <u>Agreed</u>

ES Chapter	Paragraph Reference	Sub-section	Local Authority Comment	Highways England Comment	Status
				noise monitoring requirements have has been identified, however † The parties will remain in consultation regarding potential monitoring during the construction and operation phase of the Scheme. HE will record baseline noise measurements prior to the commencement of construction.	
Chapter 13: People and Communities	13.8.13	Summary and conclusion		STC and SCC support the provision of facilities for non-motorised Users and recognize the benefits of the proposed segregated route encouraging modal shift for local commuters to Nissan and other education and employment sites in the area.	Agreed
Chapter 14: Road Drainage and Water Environment	14.1	Introduction		It is agreed that STC and SCC have been consulted adequately in their roles as Lead Local Flood Authorities	Agreed
	Appendix 14.2	Flood Risk Assessment		It is agreed that the flood risk assessment (FRA) that has been carried out is appropriate to the scale and nature of the Scheme.	Agreed

3.3 Issues related to the Interrelationship between schemes (Application Document Ref: TR010024/APP/7.3)

Section	Paragraph Reference	Sub-section	Local Authority Comment	Highways England Comment	Status
Section 2 and Appendix B				The Applicant, STC and SCC recognise the need for close collaboration between IAMP LLP and HE to coordinate the delivery of the schemes.	Agreed

3.4 Other matters

Relevant Document / Topic Area	Document Reference	Section paragraph /	Local Authority Comment	Highways England Comment	Status
Transport Assessment	7.4	1.5-1.10		It is agreed that the Transport Assessment Report (DCO Document Reference: TR010024/APP/7.4) adequately sets out the existing traffic flows and assesses the impact of the proposed Scheme.	Agreed
Transport Assessment	7.4	3.11 3.12		STC and SCC are in agreement with the approach taken with regard to the Transport Assessment scenarios and are content with the baseline assessments and validation undertaken.	Agreed
Planning Statement	7.1			It is agreed that the proposals are in substantial accordance with the Local Development Plan, Draft Local Plan and Strategic	Agreed

Relevant Document / Topic Area	Document Reference	Section paragraph /	Local Authority Comment	Highways England Comment	Status
				Economic Plan	
Construction Traffic				It is agreed that statutory consultees, including STC and SCC, will work collaboratively with HE to produce the Traffic Management Plan (TMP).	Agreed
Road Safety				It is agreed that the Scheme offers significant road safety improvements to non-motorised users. HE will provide Road Safety Audit reports to STC and SCC for information. STC and SCC will also have the opportunity to be involved in future Road Safety Audits.	Agreed