

M25 junction 28 improvement scheme

TR010029

9.12 Statement of Common Ground with National Grid

Rule 8(1)(e)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

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The Infrastructure Planning (Examination Procedure) Rules 2010

M25 junction 28 scheme Development Consent Order 202[x]

9.12 STATEMENT OF COMMON GROUND WITH NATIONAL GRID

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Author:	M25 junction 28 scheme, Project Team, Highways England

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1	20 May 2021	Deadline 7
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STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) National Grid

Signed

[REDACTED]

Project Manager
on behalf of Highways England
Date: 20/05/21

Signed

[REDACTED]

Associate Director
BCLP on behalf of National Grid
Date: 20/05/21

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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 application (“the Application”) for the M25 junction 28 improvement scheme (“the Scheme”) submitted by Highways England Company Limited (“Highways England”) to the Secretary of State (“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 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 as the Applicant and (2) National Grid.
- 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 National Grid operates and maintains the Feeder 18 national high-pressure gas pipeline which runs through the site and owns, operates and maintains the 275kV overhead electricity power cables which run through the site.

1.3 Terminology

- 1.3.1 In Table 3-1 in the Issues section of this SoCG:
- “Agreed” indicates area(s) of agreement
 - “Under discussion” indicates area(s) of current disagreement where resolution remains possible, and where parties continue discussing the issue to determine whether they can reach agreement by the end of the examination
 - “Not agreed” indicates a final position for area(s) of disagreement where the resolution of divergent positions will not be possible, and parties agree on this point.

2. Record of engagement

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and National Grid 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)
11.02.16	Phone call	Initial call to outline scheme and the requirement to understand principles in crossing high pressure gas and overhead infrastructure.
27.11.18	Meeting	Meeting at National Grid's office near Stevenage to discuss working near the 275kV overhead line and clearance requirements conductors.
30.11.18	Letter	Notification of statutory consultation as a prescribed consultation body and statutory undertaker.
28.01.19	Letter	National Grid response to statutory consultation.
03.04.19	Letter	National Grid advised they have 'No Objection to the proposal which is in close proximity to a High-Pressure Gas Pipeline & High Voltage Transmission Overhead Line.'
26.04.19	Email	Request for information regarding access to pylons potentially affected by the proposed scheme.
13.06.19	Meeting	Meeting at Atkins office Chelmsford. Scheme update and discussion of effect on 275kV overhead line including maintenance access.
28.06.19	Meeting	Meeting at Atkins office Chelmsford to discuss the proposed scheme and the required clearance between the new roads and the overhead lines and maintenance access requirements.
15.08.20	Letter	National Grid advised that they have 'No Objection to the above proposal which is in close proximity to a High-Pressure Gas Pipeline – Feeder'.
11.10.19	Letter	National Grid advised they have 'no objections to the proposal which is in close proximity to a High Voltage Transmission Overhead Line –Low Pressure Gas Mains, Medium Pressure Gas Mains, Local High Pressure Gas Mains, Gas Mains, Overhead Electricity Line, Electricity Tower.'
22.10.19	Email	Confirmation that 7.4m clearance have been achieved

2.1.2 Side discussions have additionally taken place between Highways England's and National Grid's respective legal advisers.

2.1.3 It is agreed that this is an accurate record of the key meetings and other forms of consultation and engagement undertaken between (1) Highways England and (2) National Grid in relation to the issues addressed in this SoCG.

3. Issues

3.1 Introduction and general matters

3.1.1 This section sets out the 'issues' which are agreed, not agreed, or are under discussion between National Grid and Highways England. On 12 November 2020, the Examining Authority issued a letter under Section 88 of the Planning Act 2008 and Rules 4, 6 and 9 of The Infrastructure Planning (Examination Procedure) Rules 2010 (known as the '*Rule 6 Letter*'). Annex D sets out a request for Statements of Common Ground (SoCG) between Highways England and various parties, including National Grid. For the National Grid, the '*Rule 6 Letter*' advises that the following issues should be in the SoCG:

- The effects on existing services, apparatus and infrastructure
- Protective Provisions contained within the draft DCO
- The provisions set out in section 127 of the Planning Act 2008.

3.1.2 Table 3-1 shows those matters which have been agreed or yet to be agreed by the parties, including a reference number for each matter, and the date and method by which it was agreed (if relevant).

Table 3-1 Table of issues and matters to be agreed – Version as at 20 May 2021

SoCG reference number	Document reference	Relevant issue	Position as regards agreement Highways England and National Grid and reasons for any different in views	Matters to be addressed/agreed
1.0 The effects on existing services, apparatus and infrastructure				
1.1		<p>National Grid have reviewed the proposed Scheme and the impact of the proposed works on National Grid assets and can confirm that they are acceptable subject point 1.2 below and to the amended alignment of the UKPN diversion as shown on drawings:</p> <ul style="list-style-type: none"> • WORK PLANS SHEET 1 OF 4 - TR010029/APP/2.3. HE551519-ATK-LDC-M25_L1-DR-ZL-020301-P01.2, and • WORK PLANS SHEET 3 OF 4 - TR010029/APP/2.3 Rev3. HE551519-ATK-LDC-M25_L1-DR-ZL-020303-P01.2. 	Agreed	
1.2		The proposed alterations to the existing access arrangements provided to National Grid are acceptable and subject to the grant of the necessary easements on appropriate terms would ensure National Grid's rights of access to inspect, maintain, renew and repair such apparatus is retained.	Under discussion. This will be agreed once a Side Agreement securing the new grant of necessary rights to National Grid is in place.	
1.3		A minimum clearance of 7.4m will be provided to the lowest sag of all overhead electrical conductors to the proposed carriageways in the operational phase of the development in agreement with National Grid's requirements. The Scheme will not infringe on the minimum clearances required to electrical conductors owned by National Grid.	Agreed	
1.4		No plant, machinery, equipment, buildings or scaffolding will encroach within 4.6m of any high-voltage conductors at the point where the conductors are under their maximum 'sag' or 'swing' conditions.	Agreed	

SoCG reference number	Document reference	Relevant issue	Position as regards agreement Highways England and National Grid and reasons for any different in views	Matters to be addressed/agreed
1.5	REP5-014	An appropriate assessment of the vibration levels arising from the construction phase of the development is set out within ES Chapter 6 (REP5-014) and ground monitoring is secured through the PP's were necessary.	Agreed	
1.7		Folding Lighting Columns to be provided on all new highway shown in Work Plan 1 or 4 where it falls under overhead electrical conductors	Agreed	
1.8		Rolling road closures of the slip road off the M25 to A12 and also over the A12 and A12 slip roads may be required in order to allow re-stringing if an engineering solution is no longer possible in light of the Scheme	Highways England agrees to work with National Grid to when required to ensure that a safe engineering solution to re-stringing and works to overhead lines can be found. This agreement will be secured in a side agreement between the parties.	
2.0 Protective Provisions contained within the draft DCO.				
2.1	REP6-005	Schedule 9 of the draft DCO (REP6-005) will outline the protective provisions afforded to utility undertakers including National Grid. The provisions outlined adequately protect the interests of National Grid and ensure compliance with the relevant safety standards.	Agreed	National Grid and Highways England have agreed protective provisions and these will be submitted in the dDCO at Deadline 7
3.0 The provisions set out in section 127 of the Planning Act 2008				
3.1	REP6-005	Adequate protective provisions for the protection of National Grid's statutory undertaking are set out within Schedule 9 of the draft DCO (REP6-005) and are acceptable for National Grid.	Agreed	As above

3.1.3 The list below sets out the relevant examination documents used in Table 3-2.

Table 3-2 Examination documents

Reference	Title
REP6-005	3.1 Draft Development Consent Order
REP5-014	6.1 Environmental Statement - Chapter 6 - Noise and Vibration
REP5-027	7.2 Outline Construction Environmental Management Plan

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