

Lower Thames Crossing

5.4.3.15 Statement of Common Ground between (1) National Highways and (2) NextGen Access

APFP Regulation 5(2)(q)

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This is a draft Statement of Common Ground with matters outstanding and is unsigned. The draft Statement of Common Ground has been drafted by the Applicant but the stakeholder has not yet been able to complete their review in line with their governance process. The Applicant considers that this Statement of Common Ground presents an accurate description of the matters raised and the status of each matter, based on the engagement that has taken place to date.

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1 Introduction

1.1 Purpose of the Statement of Common Ground

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared in respect of the Development Consent Order (DCO) application for the proposed A122 Lower Thames Crossing (the Project) made by National Highways Limited (National Highways) to the Secretary of State for Transport (Secretary of State) under section 37 of the Planning Act 2008.
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application Documents. All documents may be available on 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 named below, 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 matters 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 in respect of the Project by (1) National Highways, and (2) NextGen Access.
- 1.2.2 National Highways 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 National Highways made provision for all legal rights and obligations of the Highways Agency, including in respect of the Project, to be conferred upon or assumed by National Highways.
- 1.2.3 NextGen Access is a neutral host, managed fibre infrastructure service provider specialising in custom, scalable cost-effective core and access network dark fibre connectivity solutions. NextGen Access customers are carriers, data centre operators, service providers, mobile network operators and public sector bodies.
- 1.2.4 NextGen Access is a privately-owned company with interests in digital and other public infrastructure, sustainable energy and real estate.
- 1.2.5 NextGen Access have been asked by National Highways to provide cost and lead times to remove/replace their network to support Project.
- 1.2.6 NextGen Access have agreed to support this Project.

1.3 Terminology

- 1.3.1 In the matters table in section 2 of this SoCG, “Matter not agreed” indicates agreement on the matter could not be reached, and “Matter 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. “Matter agreed” indicates where the issue has been resolved.

1.4 Overview of previous engagement

- 1.4.1 A summary of the meetings and correspondence undertaken between the two parties in relation to the Project is outlined in Appendix C.

1.5 Status of the Statement of Common Ground

- 1.5.1 NextGen Access has not yet been able to complete their review of this Statement of Common Ground in line with their governance process. This Statement of Common Ground is therefore presented as an ‘unsigned’ Statement of Common Ground.
- 1.5.2 National Highways considers that this Statement of Common Ground is an accurate description of the matters raised by the NextGen Access and the status of each matter, based on the engagement that has taken place to date, as set out in Appendix C.

2 Matters

2.1 Matters agreed, not agreed or under discussion

2.1.1 Table 2.1 details the matters which have been agreed, not agreed, or are under discussion between (1) National Highways and (2) NextGen Access.

2.1.2 It is acknowledged there are some matters where further discussion may take place during the detailed design stage of the Project to finalise detail, but the matter is agreed in principle.

Table 2.1 Matters

| Topic | Item number | NextGen Access comment | National Highways comment | Document Reference | Status |
|--|-------------|--|--|--------------------------------------|---------------|
| DCO and Consents | | | | | |
| Protection of Existing Assets | 2.1.1 | NextGen Access requires adequate protection of its assets and for this to be outlined in the standard Protective Provisions. | National Highways have addressed this within the Protective Provisions. | Draft DCO (Application Document 3.1) | Matter Agreed |
| Design – Road, Tunnels, Utilities | | | | | |
| Coordinated Design | 2.1.2 | Design Release (3.2) has no direct impact on the design of NextGen Access assets. | National Highways issued Design Release DR3.2 for the consideration of NextGen | N/A | Matter Agreed |

Appendix A Documents considered within this Statement of Common Ground

N/A

Appendix B Glossary

| Term | Abbreviation | Explanation |
|----------------------------|--------------|--|
| Development Consent Order | DCO | Means of obtaining permission for developments categorised as Nationally Significant Infrastructure Projects (NSIP) under the Planning Act 2008. |
| Statement of Common Ground | SoCG | This document detailing the issues agreed, under discussion or not agreed at the time of examination. |

Appendix C List of engagement activities

- C.1.1 A summary of the meetings and correspondence undertaken between the two parties in relation to the Project is outlined in Table C.1 below.
- C.1.2 It is agreed that this is an accurate record of the key meetings and correspondence undertaken between (1) National Highways and (2) NextGen Access in relation to the issues addressed in this SoCG.

Table C.1 Engagement activities between National Highways and NextGen Access

| Date | Form of contact/ correspondence | Key topics discussed and key outcomes |
|-------------|--|--|
| 21/02/2022 | Meeting | Introduction to the Project meeting |
| 22/06/2022 | Email | SoCG development |
| 14/07/2022 | Meeting | SoCG development |
| 18/07/2022 | Email | SoCG development |
| 02/08/2022 | Email | SoCG development |

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