

**A57 Link Roads**

**TR010034**

**9.77 Applicant's written Summary of Issue  
Specific Hearing 4**

Rule 8(1)(k)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

April 2022

# Infrastructure Planning

## Planning Act 2008

### The Infrastructure Planning (Examination Procedure) Rules 2010

### A57 Link Roads Development Consent Order 202[x ]

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#### 9.77 Applicant's written Summary of Issue Specific Hearing 4

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<b>Rule Number:</b>	Rule 8(1)(k)
<b>Planning Inspectorate Scheme Reference</b>	TR010034
<b>Application Document Reference</b>	TR010034/EXAM/9.77
<b>Author:</b>	A57 Link Roads Project Team, National Highways and Atkins

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
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## 1. Introduction

- 1.1.1. This document summarises the case made orally by National Highways, as the promoter of the A57 Link Roads scheme (the Scheme), at the fourth Issue Specific Hearing (ISH4) which took place virtually on 6 April 2022, at 15:30.
- 1.1.2. Vicky Fowler and Richard Thurling of Gowling WLG represented National Highways.
- 1.1.3. This document sets out National Highways submissions on the points raised following the agenda for the ISH4 as set out in the Examining Authority's (ExA) agenda published on the Planning Inspectorate website on 28 March 2022.

## 1.2. Agenda item 1 – Welcome, Introduction and arrangements

- 1.2.1. No questions of an introductory or preliminary nature were raised by the Applicant or by other attendees at the ISH4.

## 2. Item 2 – General Matters, Other Consents and Preamble

Response reference:	Representation Issue	National Highways Response									
9.77.1	<p><u>Other consents</u> The Applicant provided an updated Consents and Agreements Position Statement [REP7-004].</p> <p>a) Please could the Applicant summarise the position that it expects to be in at close of the Examination for protected species licensing and a letter of no impediment from Natural England?</p>	<p>a) The European Protected Species Licences for bats and badgers have been prepared in draft ahead of being submitted to Natural England. Further surveys are to be undertaken to support the application for the bat licences and the optimal time for these will be after the examination has closed. Due to this, obtaining a Letter of no Impediment will not be achievable prior to the close of examination.</p> <p>However, Natural England confirmed in their Written Representation (Ref: TR010034) and this is reconfirmed in the SoCG that <i>“The project site currently supports habitats of negligible ecological interest and all protected species issues (including any licensing requirements under the Habitats Regulations or the 1981 Act) can be addressed by the proposed draft DCO requirements”</i>.</p> <p>Natural England has, therefore, expressed no concerns in relation to impacts on protected species subject to the submission of relevant Licensing applications for Bats and Badgers (REP2-080) and there is nothing at present to suggest there is any impediment to achieving these.</p> <p>Requirement 7 ensures that no part of the development can commence until pre-construction survey work has been carried out to establish if any protected species are present or are likely to be affected by the works. All works must be carried out in accordance with a scheme approved by Natural England and under any necessary licences.</p>									
9.77.2	<p>b) Would <b>the Applicant</b> like to advise of any further updates?</p>	<p>b) The Applicant is endeavouring to hold a meeting with the EA to discuss the relevant consents and permits required for the Scheme from the EA. However, Andrew Davies (EA) advised during these discussions that we need to go through the National Permitting team for discussions around consents and permitting rather than the local EA team. Therefore, the Applicant is now pursuing this route as advised to progress this aspect of the Scheme. An update on the progress of this, with regards to consents and permitting, will be provided as part of the updated Consents and Agreement Position Statement (CAPS) at Deadline 9.</p> <p>The Applicant has held informal discussions with the EA to set up consultation meetings, the provisional dates for these meetings are presented below:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr style="background-color: #4b0082; color: white;"> <th>Meeting Topic</th> <th>Proposed Date/Time</th> <th>Applicant Comments</th> </tr> </thead> <tbody> <tr> <td>Flood Risk Assessment (FRA) / Flood Modelling</td> <td>Tuesday 19 April (10am – 11am)</td> <td>N/A</td> </tr> <tr> <td>Hydrogeological Risk Assessment / Ground Investigation</td> <td>Thursday 21 April (3pm – 4:30pm)</td> <td>Subject to Applicant taking receipt of EA comments on Hydrogeological Risk Assessment no later than Wednesday 13 April.</td> </tr> </tbody> </table>	Meeting Topic	Proposed Date/Time	Applicant Comments	Flood Risk Assessment (FRA) / Flood Modelling	Tuesday 19 April (10am – 11am)	N/A	Hydrogeological Risk Assessment / Ground Investigation	Thursday 21 April (3pm – 4:30pm)	Subject to Applicant taking receipt of EA comments on Hydrogeological Risk Assessment no later than Wednesday 13 April.
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Hydrogeological Risk Assessment / Ground Investigation	Thursday 21 April (3pm – 4:30pm)	Subject to Applicant taking receipt of EA comments on Hydrogeological Risk Assessment no later than Wednesday 13 April.									

Response reference:	Representation Issue	National Highways Response			
		Statement of Common Ground / AOB	Friday 22 April (11am – 12:30pm)	N/A	
9.77.3	c) Please could <b>the Applicant</b> provide an updated Consents and Agreements Position Statement for Deadline 9, on Wednesday 27 April 2022?	c) The Applicant can confirm that it will provide up to date Consents and Agreements Position Statement for Deadline 9.			
9.77.4	The ExA may ask more questions or invite more oral submissions.				

### 3. Item 3 – Parts 1 to 7

Response reference:	Representation Issue	National Highways Response
9.77.5	<p><u>Article 7(a) – Limits of deviation</u></p> <p>The Applicant is seeking a horizontal limit of deviation of up to 5m and said [REP4-008] that noise levels could change by between around 1dB and 2dB for receptors closer than 40m to the alignment. It said [REP6-017] that it is not practical to undertake quantitative assessments for all scenarios, but that this would be carefully considered through the detailed design stage so that in aggregate the 'not environmentally worse than' principles could still be applied.</p> <p>Tameside Metropolitan Borough Council [REP6-037] said that change in noise levels would be around 1 dB and 2dB which is unlikely to be that significant, but that if the deviation was to be greater then this would need re-assessing.</p> <p>a) Please could <b>the Applicant</b> itemise the sensitive receptors that would be closer than 40m to the alignment and, if necessary, update its estimate of how much noise levels at those receptors would be expected to change if the main carriageway moved 5m closer or 5m further away?</p> <p>Given the proximity of the carriageway to receptors, including a number of residences, the ExA is considering whether the degree of uncertainty is acceptable and whether an aggregate approach be sufficient for effects on individual receptors. The ExA is therefore considering a requirement to limit the horizontal deviation to 1m when the carriageway is within 40m of residential receptors and / or a requirement for the limits of deviation not to result in any materially new or worse effects for any receptor.</p> <p>b) Please could <b>the Applicant</b> comment?</p>	<p>a) The figure below identifies all noise sensitive receptors within 45m of the newly constructed roads. 45m has been selected to be 40m from the alignment plus the 5m limit of deviation. These properties are in three areas: The Mottram Underpass, Mottram Moor Junction and the tie-in at Woolley Bridge at the eastern end of the Scheme.</p>  <p>At ISH2 (see Written summary of Applicant's case at Issue Specific Hearing 2 (REP4-008) item 2n) properties within approximately 40m of the scheme were identified to have potential for changes in noise between 1 and 2dB where the carriageway moves the maximum within the limits of deviation. The greatest potential for this change in noise is where properties have an unobstructed view of the road and are not influenced by noise from other sources.</p> <p>Properties with a relatively unobstructed view of the road are highlighted in red, and these properties have the greatest potential for changes in noise from changes in alignment.</p> <p>Properties in green are affected by noise from other roads, and the noise from other roads is likely to mask any changes due to realignment. In these cases realignment is less likely to result in changes to the noise assessment.</p> <p>Properties in yellow are between these situations, and either:</p> <ul style="list-style-type: none"> <li>• have a combination of noise from both the newly constructed road and existing roads, and potential changes in noise are likely to be smaller than 1-2dB.</li> <li>• are properties where the line of sight of the Scheme is screened by other properties or structures, resulting in potential for changes in noise smaller than 1-2dB.</li> </ul>

Response reference:	Representation Issue	National Highways Response																
		<p>The number of receptors in each band in each of these areas with the Scheme in place is shown:</p> <table border="1" data-bbox="1151 506 1798 898"> <thead> <tr> <th>Area</th> <th>Red</th> <th>Yellow</th> <th>Green</th> </tr> </thead> <tbody> <tr> <td>Mottram Underpass</td> <td>10</td> <td>6</td> <td>0</td> </tr> <tr> <td>Mottram Moor Junction</td> <td>9</td> <td>6*</td> <td>23</td> </tr> <tr> <td>Woolley Bridge</td> <td>0</td> <td>4*</td> <td>25*</td> </tr> </tbody> </table> <p>*each of these counts includes one non-residential receptor</p> <p>This assessment reports potential for changes in noise at 83 receptors, of which the greatest potential for changes in noise occurs at 19 receptors. In practice the actual changes in noise at receptors would depend on the changes to their distance from the Scheme, screening and modifications to the design of noise mitigation to mitigate any changes in impact.</p> <p>b) National Highways is content that changes in horizontal deviation greater than 1m are subject to a requirement for these changes not to result in any materially new or worse effects for any receptor where the carriageway is within 40m of residential receptors. National Highways proposes to update the Work Plans at Deadline 9 to reduce the limits of deviation to 1m in the locations where a proposed carriageway is within 40m of a noise sensitive receptor. Article 7 will be updated to permit the identified horizontal limits of deviation to be exceeded where National Highways demonstrates to the Secretary of State's satisfaction in consultation with the relevant planning authority that such increased limits of deviation do not give rise to materially new or materially worse environmental effects.</p>	Area	Red	Yellow	Green	Mottram Underpass	10	6	0	Mottram Moor Junction	9	6*	23	Woolley Bridge	0	4*	25*
Area	Red	Yellow	Green															
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9.77.6	<p><u>Article 10 – Street Works</u></p> <p><u>Article 11 - Application of the 1991 Act and the 2004 Act</u></p> <p>The Applicant [REP6-017] said that Derbyshire County Council and Tameside Metropolitan Borough Council's permit schemes would no longer be disapplied and has updated the dDCO [REP7-003], removing Article 11(8).</p> <p>c) Do <b>Derbyshire County Council</b> or <b>Tameside Metropolitan Borough Council</b> have any comments on the updates? Are there any remaining concerns about their permit schemes?</p>	<p>No response from National Highways required.</p>																
9.77.7	<p><u>Article 12(5) - Construction and maintenance of new, altered or</u></p>	<p>No response from National Highways required.</p>																



Response reference:	Representation Issue	National Highways Response
	<p><u>diverted streets and other structures – responsibility for maintenance</u></p> <p>Derbyshire County Council [REP6-026] provided an update on discussions with the Applicant regarding maintenance liabilities, said that agreement had been reached and that the matter could be secured through the Environmental Management Plan.</p> <p>d) Does <b>Derbyshire County Council</b> have any remaining concerns regarding provisions related to maintenance in the dDCO [REP7-003] or in the Environmental Management Plan (First Iteration) [REP6-007 and REP6-008]?</p>	
9.77.8	<p><u>Articles 14(6), 18(11), 19(8), 21(6) – Deemed consent</u></p> <p>The Applicant has updated the dDCO [REP7-003] to require authorities to be notified of the provisions for deemed consent when it makes an application for consent.</p> <p>e) Do <b>Tameside Metropolitan Borough Council, Derbyshire County Council</b> or <b>High Peak Borough Council</b> have any comments on the updates? Are there any remaining concerns about deemed consent?</p>	No response from National Highways required.
9.77.9	<p><u>Article 15(2)(b) - Permanent stopping up and restriction of use of highways, streets and private means of access - Temporary alternative routes for private means of access dDCO reference</u></p> <p>The Applicant has updated the dDCO [REP7-003] to reword the provisions regarding the maintenance of access.</p> <p>Do <b>Tameside Metropolitan Borough Council, Derbyshire County Council</b> or <b>High Peak Borough Council</b> have any comments on the updates? Are there any remaining concerns about the maintenance of access?</p>	No response from National Highways required.
9.77.10	The ExA may ask more questions or invite more oral submissions.	

## 4. Item 4 – Schedules 1 and 2

Response reference:	Representation Issue	National Highways Response
9.77.11	<p><u>Comments from the Environment Agency</u></p> <p>The Environment Agency [REP6-039] has made a number of comments regarding dDCO [REP7-003] Requirements 4 (Second Iteration EMP), 6 (Contaminated land and groundwater) and 9 (Flood risk assessment).</p> <p>The ExA intends to address those matters during Issue Specific Hearing 3. Any outstanding matters from Issue Specific Hearing 3 may be considered under this Item 5, at the ExA's discretion.</p>	<p>National Highways has summarised its current position in relation to each Requirement identified by the Environment Agency. However, as indicated during the hearing, the Applicant is continuing to liaise with the EA and has agreed a series of meetings to resolve any outstanding issues.</p> <p><u>Requirement 4 – EMP (Second iteration)</u></p> <p>The Applicant is continuing to pursue attempts to meet with the Environment Agency (EA) to discuss the EA's concerns regarding the protection of water quality and to ensure these are fully addressed by Requirements 4(1) and 4(2).</p> <p>The EA stated that they have reviewed the Hydrogeological Risk Assessment (REP3-025) submitted into examination at Deadline 3 by the Applicant. The Applicant is waiting to receive the EA's comments.</p> <p>Due to the natural high groundwater levels in the area, it is anticipated that groundwater discharge will be required to surface watercourses. It is understood that an Environmental Permit may be required for this groundwater discharge based on the quality of the discharge water and/or the location(s) of the discharge.</p> <p>The Applicant is looking forward to discussing the permitting approach (abstraction and discharge) to the dewatering operation at a meeting with the EA.</p> <p>The EA's proposed solution of a Groundwater Management Plan (GWMP) will be discussed at this meeting. However, the Applicant believes that the probable content of a GWMP would be included in the Dewatering Management and Construction Water Management Plans which are already included in the list of plans to be consulted upon with the EA and submitted when the second iteration EMP is prepared. As a result no amendment to Requirements 4(1) and 4(2) is expected to be required.</p> <p><u>Requirement 6 – Contaminated Land and Groundwater</u></p> <p>Since the EA's Deadline 6 representation (REP6-039), the Supplementary Ground Investigation Report (REP7-027) was submitted into the examination at Deadline 7. The findings of the supplementary GI do not differ greatly from those presented within Chapter 9 and 13 of the Environmental Statement. Following the submission of the Supplementary Ground Investigation Report (2021), it is considered that sufficient information has been provided to adequately characterise the soil and groundwater contamination with respect to the proposed development. Therefore, it is unlikely that a revision to Requirement 6 will be necessary.</p>

Response reference:	Representation Issue	National Highways Response
		<p><u>Requirement 9 – Flood Risk Assessment (FRA)</u></p> <p>The Applicant confirms that updating FRA data to accommodate additional climate change flows will be sent to the Environment Agency for their review w/c 11th April 2022.</p> <p>The Applicant has a high degree of confidence that the proposed development design is feasible even with the increased climate change flows.</p> <p>The updated FRA (REP5-010) has been submitted to represent the Climate Change allowance of 53% in accordance with the July 21 values:</p> <p>Insert 4-5 on p32 of the updated FRA submitted at Deadline 8 provides the compensatory flood storage area provision as part of the design. The total volume available within the storage area is 6200m<sup>3</sup> but only 2190m<sup>3</sup> is displaced by the scheme and so the compensatory flood storage volume provided has been designed to mitigate the latest July 2021 climate change flows.</p> <p>Insert 4-6 on p34 of the FRA (REP5-010) shows a significant lowering of the water levels within the vicinity of the River Etherow bridge crossing and several hundred metres upstream and downstream as a result of the compensatory storage provision which is also demonstrated by comparison of flood depth outlines pre and post scheme in Insert 4-4 and Insert 4-7 respectively.</p> <p>Consequently, the Applicant considers that once the EA has considered this additional information, it is unlikely that a further amendment to Requirement 9 will be required.</p> <p>Notwithstanding the Applicant's position and subject to the Applicant securing an opportunity to discuss these matters with the EA, should the EA pursue changes to requirements 4, 6 and 9, the Applicant expects such changes to be minimal and capable of being agreed.</p>
9.77.12	<p><u>Requirement 4 – second iteration EMP</u></p> <p>The ExA [PD-009, EV-014 and PD-012] questioned whether dDCO provisions were required for the second iteration EMP to:</p> <ul style="list-style-type: none"> <li>incorporate the measures for the construction stage referred to in the ES as being incorporated in the EMP</li> <li>contain a record of the consents, commitments and permissions resulting from liaison with statutory bodies</li> <li>be kept up to date with any material changes during construction and for consultation to be required on those changes</li> </ul> <p>Provisions have been supported by the local authorities [REP2-051, REP2- 053, REP2-056, REP6-026, REP6-027, and REP6-</p>	<p>a &amp; b) The Applicant agreed at the hearing to propose a revised form of words to cover the matters the ExA has identified. The Applicant can confirm that it has incorporated these matters into new sub-requirements at Requirement 4(2)(e) to (g) in the latest iteration of the dDCO submitted at Deadline 8.</p>

Response reference:	Representation Issue	National Highways Response
	<p>037].</p> <p>In its latest response, the Applicant [REP6-017] referred to the processes secured for refining and updating the EMP, for later iterations to accord with those that have gone before them, and to related provisions in the DMRB.</p> <p>The ExA is reflecting on the responses, the firmness with which any mitigation relied on in the assessment is secured, the need to ensure that key principles are followed in the second iteration EMP, and the degree to which it can rely on DMRB provisions. On balance, the ExA is minded to include the provisions in the dDCO [REP7-003].</p> <p>a) Does <b>the Applicant</b> have anything to add to its earlier submissions?</p> <p>b) Please could <b>the Applicant</b> advise whether the addition of these provisions to the DCO would cause it any difficulty?</p>	
9.77.13	<p><u>Requirement 4(2)(c) - second iteration EMP - Working hours</u></p> <p>The Applicant has added Requirement 4(2)(c)(x) to the dDCO [REP7-003] to require notification of activities outside normal working hours.</p> <p>c) Do <b>Tameside Metropolitan Borough Council, Derbyshire County Council or High Peak Borough Council</b> have any comments on the update? Are there any remaining concerns about dDCO provisions for working hours?</p>	No response from National Highways.
9.77.14	<p><u>Requirement 4(4) and 4(5) – third iteration EMP.</u></p> <p>The ExA [PD-009, EV-014 and PD-012] questioned whether dDCO provisions were required for the third iteration EMP to:</p> <ul style="list-style-type: none"> <li>• incorporate the measures for the management and operation stage referred to in the ES as being incorporated in the EMP</li> <li>• be substantially in accordance with the measures for the management and operation stage included in the first iteration EMP</li> <li>• be consulted on with relevant planning authorities, the local highway authorities and the Environment</li> </ul>	<p>d) The Applicant agreed at the hearing to propose a revised form of words for Requirement 4 in the dDCO to be submitted at Deadline 8.</p> <p>e) The Applicant explained that its preferred approach was not to include additional requirements necessitating re-approval of an already approved process for developing the third iteration EMP. The Applicant therefore agreed to propose a revised form of words for Requirement 4 in the dDCO to be submitted at Deadline 8. The ExA will see that a new sub-requirement has been included at 4(2)(h) to give certainty that the process for preparing the third iteration EMP is included in the second iteration EMP which needs to be approved by the Secretary of State and is subject to consultation with the planning and highway authorities and the Environment Agency. This approach secures the final two bullets. The first two bullets have been incorporated into Requirement 4(5) thereby addressing each of the points raised by the ExA.</p>

Response reference:	Representation Issue	National Highways Response
	<p>Agency</p> <ul style="list-style-type: none"> <li>be submitted to and approved in writing by the Secretary of State</li> </ul> <p>Provisions have been supported by the local authorities [REP2-051, REP2-053, REP2-056, REP6-026, REP6-027, and REP6-037].</p> <p>In its latest response, the Applicant [REP6-017] referred to the processes secured for refining and updating the EMP, for later iterations to accord with those that have gone before them, to related provisions in the DMRB, and to the second iteration being consulted on and approved.</p> <p>The ExA is reflecting on the responses, the firmness with which any mitigation relied on in the assessment is secured, the need to ensure that key principles are followed in the third iteration EMP, and the degree to which it can rely on DMRB provisions. On balance, the ExA is minded to include the provisions in the dDCO [REP7-003].</p> <p>d) Does <b>the Applicant</b> have anything to add to its earlier submissions?</p> <p>e) Please could <b>the Applicant</b> advise whether the addition of these provisions to the DCO would cause it any difficulty?</p>	
9.77.15	<p><u>Requirement 5 – Landscaping</u></p> <p>The Applicant has updated the dDCO [REP7-003] to require that no part of the authorised development can commence unless a written landscaping scheme for that part has been consulted on and approved.</p> <p>f) Do <b>Tameside Metropolitan Borough Council, Derbyshire County Council or High Peak Borough Council</b> have any comments on the update? Are there any remaining concerns about Requirement 5?</p>	No response from National Highways required.
9.77.16	<p><u>Requirement 10 – Archaeological remains</u></p> <p>The Applicant has updated the dDCO [REP7-003] to add a requirement for any programme of archaeological reporting, post excavation and publication to be consulted on and / or agreed in writing.</p> <p>g) Do <b>Tameside Metropolitan Borough Council, Derbyshire County Council or High Peak Borough Council</b> have any comments on the update? Are there any remaining concerns about Requirement 10?</p>	No response from National Highways required.

Response reference:	Representation Issue	National Highways Response
	<p><b>Council</b> have any comments on the update? Are there any remaining concerns about Requirement 10?</p>	
9.77.17	<p><u>Requirement 12(1) Details of consultation – minimum period</u>            h) Please could <b>Tameside Metropolitan Borough Council, Derbyshire County Council or High Peak Borough Council, Tameside Metropolitan Borough Council, Derbyshire County Council and High Peak Borough Council</b> provide an update on discussions regarding the consultation period, for which periods ranging from 14 days to 28 days have been suggested?</p>	<p>National Highways understands that at the hearing all parties stated they were able to agree to a period of 21 days. National Highways has updated the dDCO at Deadline 8 accordingly.</p>
9.77.18	<p>The ExA may ask more questions or invite more oral submissions.</p>	

## 5. Item 5 – Schedules 3 to 10

Response reference:	Representation Issue	National Highways Response																							
9.77.19	<p><u>Schedule 3, 4 and 5</u></p> <p>a) Has <b>Tameside Metropolitan Borough Council</b> reviewed the latest versions? Does it have any further comments, please?</p> <p>b) Do <b>Derbyshire County Council</b> or <b>High Peak Borough Council</b> have any remaining concerns?</p>	No response from National Highways required.																							
9.77.20	<p><u>Schedule 9 – Protective Provisions</u></p> <p>The Applicant [REP6-017] reported on progress in agreeing the Protective Provisions, any side agreements, and obtaining written evidence of any agreement.</p> <p>c) Please could <b>the Applicant</b> provide an update? What matters are still subject to agreement with each party, what the steps being taken to resolve them and when will any updates be provided to the Examination?</p>	<p>c)</p> <table border="1"> <thead> <tr> <th style="background-color: #4b0082; color: white;">Statutory Undertaker</th> <th style="background-color: #4b0082; color: white;">Status of Protective Provisions</th> <th style="background-color: #4b0082; color: white;">Status of side agreement</th> </tr> </thead> <tbody> <tr> <td>Cadent Gas Limited</td> <td>Agreed (subject to legal agreement being signed)</td> <td>Side agreement now approved by Cadent and with each party for execution.</td> </tr> <tr> <td>Cornerstone Telecommunications Infrastructure Limited</td> <td>Wording is included in the form approved by other telecommunications operators. Approval awaited</td> <td>None</td> </tr> <tr> <td>Electricity North West Limited</td> <td>Agreed [REP2-033 2.1]</td> <td>None</td> </tr> <tr> <td>Environment Agency</td> <td>Approval awaited following insertion of EA's preferred wording from A1 Morpeth to Ellingham</td> <td>None</td> </tr> <tr> <td>National Grid Electricity Transmission plc</td> <td>Agreed (subject to legal agreement being signed)</td> <td>Side agreement in an advanced form. NGET has provided comments for approval.</td> </tr> <tr> <td>Openreach Limited</td> <td>Agreed [REP2-030 4.1]</td> <td>None</td> </tr> </tbody> </table>			Statutory Undertaker	Status of Protective Provisions	Status of side agreement	Cadent Gas Limited	Agreed (subject to legal agreement being signed)	Side agreement now approved by Cadent and with each party for execution.	Cornerstone Telecommunications Infrastructure Limited	Wording is included in the form approved by other telecommunications operators. Approval awaited	None	Electricity North West Limited	Agreed [REP2-033 2.1]	None	Environment Agency	Approval awaited following insertion of EA's preferred wording from A1 Morpeth to Ellingham	None	National Grid Electricity Transmission plc	Agreed (subject to legal agreement being signed)	Side agreement in an advanced form. NGET has provided comments for approval.	Openreach Limited	Agreed [REP2-030 4.1]	None
Statutory Undertaker	Status of Protective Provisions	Status of side agreement																							
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Environment Agency	Approval awaited following insertion of EA's preferred wording from A1 Morpeth to Ellingham	None																							
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Openreach Limited	Agreed [REP2-030 4.1]	None																							

Response reference:	Representation Issue	National Highways Response		
		United Utilities plc	Wording is included in the form approved by other sewerage undertakers. Approval awaited	None
9.77.21	<p><u>Schedule 10</u></p> <p>The Register of Environmental Statement Changes is a record of the latest versions of the Environmental Statement documents that would be certified under Schedule 10.</p> <p>The Applicant [REP6-017] has suggested that the Register of Environmental Statement Changes does not need to be a separately certified document.</p> <p>d) Please could <b>the Applicant</b> comment on how is it possible to be certain that the correct versions of the Environmental Statement documents are certified if the Register of Environmental Statement Changes is not certified?</p>	d) National Highways is content to include the Register of Environmental Statement Changes (REP7-021) as a certified document.		
9.77.22	The ExA may ask more questions or invite more oral submissions.			



## 6. Item 6 – Any Other Draft Development Consent Order Matters

Response reference:	Representation Issue	National Highways Response
9.77.23	a) Please could <b>the Applicant</b> provide a written summary of its responses for Deadline 8, on Wednesday 13 April 2022?	This document is National Highways' written summary of its responses.
9.77.24	b) Please could <b>the Applicant</b> provide any updates to its final dDCO, Explanatory Memorandum and tracked versions for Deadline 8, on Wednesday 13 April 2022?  The ExA will publish a schedule of changes to the dDCO no later than Wednesday 20 April 2022. Comments on that are required for Deadline 9, on Wednesday 27 April 2022.	National Highways can confirm that it has provided an updated dDCO and Explanatory Memorandum and tracked versions at Deadline 8. Upon receipt of the ExA's schedule of changes, National Highways will provide comments and/or final versions, as appropriate, for Deadline 9.
9.77.25	The ExA may ask more questions or invite more oral submissions.	

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