

**A57 Link Roads**

**TR010034**

**9.23 Statement of Common Ground with  
Electricity North West**

Rule 8(1)(e)

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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#### 9.23 STATEMENT OF COMMON GROUND WITH ELECTRICITY NORTH WEST

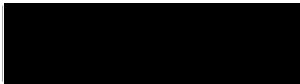
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<b>Author:</b>	A57 Link Roads Project Team, National Highways and Atkins

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Rev 1.0	January 2022	Deadline 2
Rev 2.0	April 2022	Deadline 9

## STATEMENT OF COMMON GROUND

**This Statement of Common Ground has been prepared and agreed by (1) National Highways Limited and (2) Electricity North West**

Signed   
**Andrew Dawson**  
**Project Manager**  
**On behalf of National Highways**  
**Date: 26<sup>th</sup> April 2022**

Signed   
**Jane Newton**  
**Design Engineer, Asset Diversion**  
**On behalf of Electricity North West**  
**Date: 26<sup>th</sup> April 2022**

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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 A57 Link Roads scheme (previously known as Trans-Pennine Upgrade) ("the Scheme") and the application ("the Application") made by National Highways Limited ("National Highways") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order (DCO) under section 37 of the Planning Act 2008 ("the Act").
- 1.1.2. This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Planning Inspectorate website.
- 1.1.3. This SoCG has been produced to confirm to the Examining Authority where agreement has been reached between the parties to the SoCG, 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) National Highways as the Applicant and (2) Electricity North West (ENW).
- 1.2.2. National Highways (formerly 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 the then 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 (now National Highways) .
- 1.2.3. Electricity North West is one of the UK's electricity distribution network operators. It is responsible for the administration and maintenance of the network, and distribution of electricity to the North West of England.

## 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, 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 Electricity North West.

## 1.4. Addressing Rule Six requirements

1.4.1. The document evidences the meeting of conditions set out within Annex E of the Rule Six letter from the Examining Authority, dated 19 October 2021. Electricity North West is a Category E interested party. The SoCG will address the following requirements within Annex E through the associated sections outlined in tables 1.1 below.

**Table 1.1: Section Six Letter Annex E Requirement for category E interested parties - statutory undertakers.**

Annex E Requirement	Statutory Undertaker Issues
Impacts on rights/apparatus and on the transmission/distribution systems that could be interfered with and their mitigation	1. Impacts on rights/apparatus and on the transmission/distribution systems that could be interfered with and their mitigation
The acquisition of any statutory undertakers' land or rights over such land and the detriment that may be caused to the carrying on of the undertaking in question. The adequacy and agreement of protective provisions in the draft Development Consent Order; any necessary side agreements; and compliance with s127 and s138 of the Planning Act 2008	2. The acquisition of any statutory undertakers' land or rights over such land and the detriment that may be caused to the carrying on of the undertaking in question. The adequacy and agreement of protective provisions in the draft Development Consent Order; any necessary side agreements; and compliance with s127 and s138 of the Planning Act 2008
The protection of the Mottram Longdendale Aqueduct.	3. The protection of the Mottram Longdendale Aqueduct.
The adequacy of the Protective Provisions set out in the draft Development Consent Order to safeguard relevant interests	4. The adequacy of the Protective Provisions set out in the draft Development Consent Order to safeguard relevant interests
The Outline Environmental Management Plan	5. The Outline Environmental Management Plan
Any other relevant matters included in the ExA's Initial Assessment of Principal Issues	6. Any other relevant matters included in the ExA's Initial Assessment of Principal Issues
Any other matters on which agreement might aid the smooth running of the Examination and assist the ExA's recommendation to the Secretary of State	7. Any other matters on which agreement might aid the smooth running of the Examination and assist the ExA's recommendation to the Secretary of State

## 2. Record of Engagement

2.1.1. A summary of the meetings and correspondence that has taken place between National Highways and Electricity North West between 2016 and January 2022 in relation to the Application, is outlined in Table 2-1.

**Table 2.1: Record of Engagement between National Highways and Electricity North West**

Date	Form of correspondence	Key topics discussed and key outcomes (the topics should align with the Issues tables)
01/08/2016	Email	A C2 inquiry was carried out in Spring and Summer 2016. Electricity North West response suggested that Options A and B would be affected.
02/06/2017	ENW email	Electricity North West provided C3 estimates for Options A and B.
05/06/2018	HE email	HE requested a revised C3 estimate.
Revised C3 estimate Received: 03/08/2018	ENW email	At PCF Stage 2 a revised estimate of £980,000 was received which was an increase of £60,000 from the previous C3 estimate received 02 June 2017 to carry out diversion works for equipment affected by the scheme.  ENW also provided information regarding diversions / protections.
04/02/2021	Meeting	Meeting between Electricity North West (ENW) and Balfour Beatty (BBA) to discuss various issues.
10/03/2021	Email	Protective Provisions outreach email sent
22/03/2021	Email	Protective Provisions Follow up email sent
09/04/2021	Email	PB to check if there have been any issues recently. RE contacted Jo Cleghorn @ ENWL to check on legal contact.
09/04/2021	Email	Forwarded to RB at Legal Council - response received regarding PPs
27/04/2021	Email	The Protective Provisions set proposed were agreed by Richard Bingham (ENW) via email on 27 April 2021
05/10/2021	Meeting	Meeting between ENW, Paige and BBMU. John Grayston to provide CAD modelling and lengths of proposed LV cable diversions. Team to discuss further with wider project team re legal strategy
05/10/2021	Email	Email to share actions from 05/10/2021 meeting
23/11/2021	Meeting	Meeting with ENW to review design for diversions on scheme. Project team to provide diversion routes fully coordinated with scheme model to JN.
20/12/2021	Meeting	Meeting held with ENW to review C4 progress, 33kv diversion routes, and SOCG review meeting

Note: Meeting invites are not included in the table above

- 2.1.2. It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) Electricity North West in relation to the issues addressed in this SoCG.



### 3. Table of issues and matters related to Rule Six Letter Annex E to be agreed

**Table 3.1: Statement of Common Ground (SoCG) Between National Highways and Electricity North West Table of Issues/Matters - Final Version dated 7 January 2022**

SoCG Ref. Number	Relevant examination document	Relevant Issue	ENW comment	National Highways response	Status
<b>1. Impacts on rights/apparatus and on the transmission/distribution systems that could be interfered with and their mitigation</b>					
1.1		Proximity to electricity cables  Diversions / protections	<p>Following the C3 process, it has been identified that the scheme has 32no potential interfaces with existing ENW assets.</p> <p>Electricity North West identified the following required diversions/ protections:</p> <ul style="list-style-type: none"> <li>• Diversion of LV underground cable from Roe Cross Road onto stats bridge/temporary road.</li> <li>• Diversion of LV underground cable from Old Hall Lane onto temporary stats bridge.</li> <li>• Diversion of LV underground cable along Old Road onto central stats bridge</li> <li>• Multiple diversion of 33kv OHL and underground cable routes at M67 roundabout, Mottram Moor and Carrhouse Lane areas</li> <li>• Multiple diversion of 11kv OHL and underground cable routes in the vicinity of Old Road, Mottram Moor and the M67 Roundabout</li> <li>• An existing 132kv OHL route crosses the scheme, the scheme design has been developed to avoid requirement for diversion/protection of this asset. The access arrangements to</li> </ul>	<p>Numerous meetings have been held between the project team, design team and ENW team to develop the scheme design to minimise impact on existing utilities, and where this is not possible, plan and programme diversions/protection of existing assets to minimise disruption to surrounding areas.</p> <ul style="list-style-type: none"> <li>• ENW have produced C4s for the scheme in early 2022 which will be paid to allow detailed planning of the works to proceed ahead of the DCO.</li> </ul> <p>Post-DCO:</p> <ul style="list-style-type: none"> <li>• Final detailed design of diversions and protection</li> <li>• Finalisation of programme for sequencing of diversions &amp; outages.</li> </ul>	Agreed

SoCG Ref. Number	Relevant examination document	Relevant Issue	ENW comment	National Highways response	Status
			the OHL towers within the red line boundary have been considered and are under review with ENW.		
1.2		Scheme options and payments	<p>During coordination meetings between Electricity North West (ENW) and Balfour Beatty Atkins (BBA), the following points were highlighted:</p> <ul style="list-style-type: none"> <li>ENW would normally place an objection in for any scheme until the diversions had been paid for, BBA went through how in this case with the timescales they would not be in a position to pay this amount but would be able to make a payment to commence the C4 design 'to show intent'</li> <li>The C3 estimates were produced in 2017 to cover option 0 and option 5 schemes, the current design aligns closely to option 0 so the proposed diversions on paper are still current, and are being developed as the detailed design progresses on both sides</li> <li>ENW interested in a joint stats workshop to see if any locations we could have multi utility corridors, this is due to be held in Dec 2021</li> </ul>	<p>The following actions emerged from the discussions:</p> <ul style="list-style-type: none"> <li>NH to raise payment to stats.</li> <li>ENW to share Option 0 detailed diversion plans which give an indication of potential diversion routes</li> <li>BBA to check consultation responses as currently we do not believe any objection has been received from ENWL following the issue of the Section 42 letters</li> </ul>	Agreed
<p><b>2. The acquisition of any statutory undertakers' land or rights over such land and the detriment that may be caused to the carrying on of the undertaking in question. The adequacy and agreement of protective provisions in the draft Development Consent Order; any necessary side agreements; and compliance with s127 and s138 of the Planning Act 2008</b></p>					
2.1		Protective Provisions	The Protective Provisions set proposed were agreed by Richard Bingham (ENW) via email on 27 April 2021	Noted	Agreed
2.2		Land rights	ENW advised that land rights will be required to be obtained prior to construction and commissioning of any diverted apparatus to avoid any delays to the project's timescales.	ENW are to progress negotiation with land owners ahead of the DCO decision for the diversion of the existing 33kV OHL route to the north of Mottram Moor,	Agreed

SoCG Ref. Number	Relevant examination document	Relevant Issue	ENW comment	National Highways response	Status
				and 33kV Cable route in the Carrhouse Lane area.	
2.3		Easements	ENW advised that in any location where proposed diversions fall outside of adopted highway land (proposed or existing), easement/wayleaves will be required	NH confirm that the intention of the design is to ensure that all diversions fall within adopted highway land where possible. Once the design process is completed, any resulting diversions falling outside of this land will require an easement.	Agreed
2.4	4.3 Book of Reference [REP5-009]	Acquisition of existing land in the ownership of statutory undertaker (s127)	ENW confirms that there is no land identified in the Book of Reference as being land currently within the ownership of ENW which is to be subject of acquisition for this Scheme.		Agreed
2.5	4.3 Book of Reference [REP5-009]	Extinguishment of rights, and removal of apparatus, of statutory undertakers (s138)	ENW confirms that the acquisition of land identified in the Book of Reference as being land over which ENW has a relevant right, or there is on, under or over the land relevant apparatus is necessary for the purpose of carrying out the development to which the order relates and that, where required, suitable arrangements are in place for the replacement of rights and apparatus.		Agreed
<b>3. The protection of the Mottram Longdendale Aqueduct</b>					
3.1			Not applicable to ENW.		

SoCG Ref. Number	Relevant examination document	Relevant Issue	ENW comment	National Highways response	Status
<b>4. The adequacy of the Protective Provisions set out in the draft Development Consent Order to safeguard relevant interests</b>					
4.1		Agreement of Protective Provisions	The Protective Provisions set proposed were agreed by Richard Bingham (ENW) via email on 27 April 2021	Noted	Agreed
<b>5. The Outline Environmental Management Plan</b>					
5.1	7.2 Outline Environmental Management Plan [APP-183]		ENW is aware that the EMP and other DCO commitments will need to be adhered to for any works it undertakes that form part of the Scheme.	Noted	Agreed
<b>6. Any other relevant matters included in the ExA's Initial Assessment of Principal Issues</b>					
6.1			N/A		
<b>7. Any other matters on which agreement might aid the smooth running of the Examination and assist the ExA's recommendation to the Secretary of State</b>					
7.1		<i>Paragraph 7.4.4 states that none of the land that is proposed to be acquired is Statutory Undertakers'</i>	N/A	N/A	

SoCG Ref. Number	Relevant examination document	Relevant Issue	ENW comment	National Highways response	Status
		<i>land for the purposes of s127(3) of the PA2008. Do any Statutory Undertakers disagree? If so, why?</i>			

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