

Your ref: TR010034  
Our Ref: HE551473-BBA-OSI-A57\_AL\_SCHEME-  
LN-ZL-000094

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16 May 2022

By email to:

[A57LinkRoads@planninginspectorate.gov.uk](mailto:A57LinkRoads@planninginspectorate.gov.uk)

Dear Mr Cowperthwaite and Mr Dyer,

**A57 Link Roads scheme**  
**Development Consent Order application reference: TR010034**  
**National Highways' Deadline 12 submission – 16 May 2022**

Further to the Examining Authority's (ExA's) updated Rule 8 letter dated 11 April 2022, please find enclosed with this letter the following documents, which have been requested from the Applicant at Deadline 12 (16 May 2022):

1. An updated Guide to the Application **(TR010034/EXAM/9.1(12))**;
2. The Applicant's Comments on Deadline 10 Submissions **(TR010034/EXAM/9.87(1))**;
3. The Applicant's Comments on Deadline 11 Submissions **(TR010034/EXAM/9.88(1))**;
4. A Guide to Schedule 10 Documents **(TR010034/EXAM/9.89(1))**. National Highways has provided this guide to Schedule 10 Documents to identify for certification the latest version final version of each document submitted with the application and during the examination in response to the Examining Authority's Third Written Question 1.11.
5. An updated Consents and Agreements Position Statement **(TR010034/APP/3.3(6))**;
6. An updated Book of Reference **(TR010034/APP/4.3(6))** (clean version) and tracked version **(TR010034/EXAM/9.57(4))**;

7. An updated Schedule of changes to the Book of Reference **(TR010034/EXAM/9.58(4))**;
8. An updated Statement of Reasons **(TR010034/APP/4.1(6))**;
9. An updated Compulsory Acquisition Schedule **(TR010034/EXAM/9.2(6))**;
10. An updated draft Development Consent Order **(TR010034/APP/3.1(8))** (clean version), a version showing all changes since the previously submitted version **(TR010034/EXAM/9.3(8))**, a version showing all changes since the application version **(TR010034/EXAM/9.8(7))** and an associated validation report **(TR010034/EXAM/9.65(4))**. National Highways has provided a word version of the draft Development Consent Order at the request of the Examining Authority's Third Written Question 1.11.
11. An updated Explanatory Memorandum **(TR010034/APP/3.2(7))**;
12. An updated Schedule of Changes to the draft Development Consent Order **(TR010034/EXAM/9.34(7))**;
13. An updated Environment Management Plan (EMP) (First Iteration) **(TR010034/APP/7.2(5))** (clean version). The following amendments have been made to the annexes within the EMP:
  - a. An updated Annex C.1 Design Approach Document **(TR010034/EXAM/9.73(2))** submitted as a stand-alone document at this deadline has been incorporated into the EMP.
  - b. The updated Annex B.2 Noise and Vibration Management Plan, previously submitted as an updated stand-alone document at Deadline 11 [REP11-009], has been incorporated into the EMP.

### Statements of Common Ground

The following Statements of Common Ground are submitted:

14. A final Statement of Common Ground with High Peak Borough Council **(TR010034/APP/8.3(3))**;
15. A final Statement of Common Ground with Transport for Greater Manchester **(TR010034/APP/8.4(4))**;
16. A final Statement of Common Ground with Peak District National Park Authority **(TR010034/EXAM/9.13(2))**; and
17. A final Statement of Common Ground with the Environment Agency **(TR010034/EXAM/9.16(5))**; and

18. A final Statement of Common Ground with United Utilities  
(**TR010034/EXAM/9.17(2)**).

Whilst the Statement of Common Ground regarding the A57 Link Road Scheme with Cornerstone Telecommunications Infrastructure Limited will not be agreed before the end of the Examination, discussions with Cornerstone are ongoing. It is hoped that a response and agreement with Cornerstone will be concluded prior to the end of the Reporting Period, or as a worst case during the period for issue of the Secretary of State's decision. However, it should be noted that the Scheme proposals only temporarily affect access which would be via the main worksite for a limited period. National Highways respectfully refers the Examining Authority to the response provided to written question 1.11 which address both the limited nature of Cornerstone's interest and matters relating to S127 and S138 of the Planning Act 2008 (the "Act") (see REP11-010). Additionally a draft version of the SoCG as it stands was submitted into the examination at deadline 2 (**REP2-031**).

As the Examining Authority will be aware, National Highways provided CPRE PDSY with an initial template Statement of Common Ground (SoCG) identifying suggested areas for discussion in December 2021 following the preliminary meeting. However engagement from CPRE PDSY on the SoCG has been limited and CPRE PDSY has elected to pursue matters through the examination and no comments or revisions to the draft SoCG have been received. Therefore it has not been possible to progress a draft and conclude a final SoCG with CPRE PDSY.

### Side Agreements

As set out in the Consent and Agreements positions statement, a legal side agreement has been completed with Cadent Gas Limited (Cadent) on 10 May 2022. Cadent has confirmed to National Highways that it has no outstanding concerns. Cadent submitted written confirmation at Deadline 11 enclosing a copy of the protective provisions that have been included in Schedule 9 Part 5 of the draft Development Consent Order (dDCO) and confirming that agreement has been reached and formally withdrew its objection to the Order (**REP11-019**).

In respect of National Grid protective provisions in the form required by National Grid are contained in Schedule 9 Part 4 of the dDCO. The final form of the supporting legal side agreement has been agreed and is in the process of being signed by both parties. The Applicant and National Grid will advise as soon as the agreement has been formally completed.

The Consents and Agreements Position Statement and the SoCG with United Utilities record that protective provisions are included in the dDCO and record the confirmations provided by United Utilities for the purposes of S127 and S138 of the Act (sections 3.2 and 3.3 of the SoCG refer). National Highways and United Utilities have agreed to enter into a side agreement following a meeting on 12 May 2022. A legal side agreement has been prepared to support the protective provisions within the dDCO and provide operational clarity for both parties. That side agreement is with United Utilities for approval. The Applicant and United Utilities will advise as soon as the agreement has been formally completed.

As part of the Examining Authority's Third Written Question 15.2, National Highways was requested to provide an updated version of the Schedule of Progress in relation to S127 and S138 since its last submission at Deadline 9 [REP9-022] and the Funding Statement [APP-024]. National Highways can confirm that there have been no updates to these documents since the last submitted version.

In respect of escheat land, as the escheat relates to land rights rather than freehold National Highways is seeking clarification from the Government Legal Department (formerly the Treasury Solicitor) investigations are ongoing to confirm whether this should be vested in the Government Legal Department or the Crown Estate. The Book of Reference submitted at Deadline 12 continues to reference the Crown Estate in the absence of such confirmation.

I should be grateful if you would acknowledge safe receipt of this letter and arrange for a copy of it and its enclosures. If you require any further information on the above, please do not hesitate to contact the Scheme Project Manager, Emma Simpson, or I on the following email address:  
[A57LinkRoads@nationalhighways.co.uk](mailto:A57LinkRoads@nationalhighways.co.uk).

Yours sincerely,



**Andrew Dawson**  
**Senior Project Manager**  
**A57 Link Road**