

A47 North Tuddenham to Easton Dualling

Scheme Number: TR010038

Volume 8

8.10 Statement of Common Ground Hornsea Project Three Offshore Wind Farm

The Infrastructure Planning (Examination Procedure) Rules 2010
Rule 8(1)(e)

Planning Act 2008

~~January~~ February 2022

Infrastructure Planning

Planning Act 2008

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

The A47 North Tuddenham to Easton
Development Consent Order 202[x]

**STATEMENT OF COMMON GROUND – HORNSEA PROJECT THREE
OFFSHORE WIND FARM**

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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) Hornsea Project Three Offshore Wind Farm.

Signed

Chris Griffin

Programme Lead

On behalf of National Highways ~~England Company~~ Limited (formerly Highways England Company Limited)

Date: ~~INSERT DATE~~ _____

Signed

~~NAME~~ Karma Leyland

~~POSITION~~ Consent Manager

On behalf of ~~Orsted~~ Hornsea Project Three (~~UK~~) Limited Offshore Wind Farm

Date: ~~INSERT DATE~~ 08 February 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 A47 North Tuddenham to Easton ("the Application") made by Highways England Company Limited ("Highways England") to the Secretary of State for Transport ("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 Application documents are 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 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 (HE) as the Applicant and (2) Hornsea Three Project Offshore Wind Farm ("Hornsea Three").
- 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, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 Hornsea Three is an offshore wind farm that had a Development Consent Order granted by the Secretary of State for the Department for Business, Energy and Industrial Strategy on 31 December 2020. The onshore cable connection crosses under the existing A47 and HE's A47 North Tuddenham to Easton Scheme between Taverham Road / Blind Lane and Easton.

1.3 Terminology

- 1.3.1 In the table 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.

- 1.3.2 In this SoCG, the issues raised by ~~Hornsea Three~~ the Council are presented alongside a response from Highways England. "Agreed" signifies that there is agreement between the parties that there are no further points to discuss as regards that particular issue, and ~~Hornsea Three~~ the Council is satisfied by the Highways England response.
- 1.3.3 It can be taken that any matters ~~that have been raised and discussed but~~ not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Hornsea Three, 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 Hornsea Three.

2 RECORD OF ENGAGEMENT

- 2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Hornsea Three 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
24/10/2018	Meeting	Hornsea Three – HE interaction 24-10-18 Meeting Minutes
25/06/2019	Email	SoCG
20/11/2020	Meeting	Hornsea Three - HE interaction
21/01/2021	Meeting	Hornsea Three - HE interaction
17/02/2021	Meeting	Hornsea Three - HE interaction
26/05/2021	Email	Hornsea Project Three - HE A47 schemes interaction
04/06/2021	Meeting	Hornsea Project Three - HE A47 schemes interaction
15/06/2021	Email	A47 Tuddenham Relevant Rep (DRAFT)
17/06/2020	Email	A47 Tuddenham Relevant Rep (DRAFT)
18/06/2020	Email	A47 Tuddenham Relevant Rep (DRAFT)
25/06/2020	Email	A47 Tuddenham Relevant Rep (DRAFT)
30/06/2020	Email	A47 Tuddenham Relevant Rep (DRAFT)
06/07/2021	Email	Highways England A47 Order Limits Shapefiles
07/07/2021	Email	A47 Tuddenham Relevant Rep (DRAFT)
19/07/2021	Email	Highways England response - Hornsea Three - Highways England A47 Tuddenham Relevant Rep
19/08/2021	Email	Hornsea Three - A47 N Tud & Thickthorn DCOs Deadline 1
25/08/2021	Meeting	Hornsea Three - A47 N Tud & Thickthorn DCOs Deadline 1
31/08/2021	Email	Application by Highways England for an Order granting Development Consent for the A47 North Tuddenham to Easton [DLGL-17-6713]

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
01/09/2021	Email	Application by Highways England for an Order granting Development Consent for the A47 North Tuddenham to Easton [DLGL-17-6713]
06/09/2021	Meeting	Hornsea Three - NWL - HE A47 NCC joint meeting
09/09/2021	Email	Highways England response - Hornsea Three - Highways England A47 Tuddenham Relevant Rep (DRAFT)
16/09/2021	Email	Application by Highways England for an Order granting Development Consent for the A47 North Tuddenham to Easton [DLGL-17-6713]
24/09/2021	Meeting	Hornsea Three - HE interaction
27/09/2021	Email	P21-2249 - AIL Review
04/10/2021	Email	Application by Highways England for an Order granting Development Consent for the A47 North Tuddenham to Easton [DLGL-17-6713]
05/10/2021	Email	Application by Highways England for an Order granting Development Consent for the A47 North Tuddenham to Easton [DLGL-17-6713]
14/10/2021	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
20/10/2021	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
21/10/2021	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
22/10/2021	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
28/10/2021	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v2
09/11/2021	Email	P21-2249 - AIL Review
10/11/2021	Email	Meeting Arrangements for NH A47 A11 SoCGs DRAFT v1 11-11-21
11/11/2021	Email	Meeting Arrangements for NH A47 A11 SoCGs DRAFT v1 11-11-21
12/11/2021	Meeting	Hornsea 3 - Technical aspects of the Thickthorn scheme
12/11/2021	Email	P21-2249 - AIL Review
12/11/2021	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
26/11/2021	Email	P21-2249 - AIL Review
09/12/2021	Meeting	Hornsea Three - A47 N Tud & Thickthorn DCOs cooperation agreement
09/12/2021	Email	P21-2249 - AIL Review
15/12/2021	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
17/12/2021	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
21/12/2021	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
10/01/2022	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
11/01/2022	Meeting	Hornsea Three and A47 - crossing design
12/01/2022	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
13/01/2022	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1
13/01/2022	Email	Hornsea Three - NH A47 & A11 SoCGs DRAFT v1

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
14/01/2022	Meeting	A47 Tuddenham - Hornsea Three and National Highways cooperation agreement
17/01/2022	Email	A47 & A11 SoCGs DRAFT v2 (Tud)
18/01/2022	Email	NH A47 A11 SoCGs DRAFT v2 (Tud) with attachment
18/01/2022	Email	NH A47 A11 SoCGs DRAFT v2 (Tud) Clarification
20/01/2022	Email	NH A47 A11 SoCGs DRAFT v2 (Tud)
20/01/2022	Email	A47 - draft notes from call 14 Jan
28/01/2022	Meeting	Hornsea Three and National Highways - Tuddenham Cooperation Agreement
01/02/22	Email	A47 TUD - updated Orsted access and working areas drawing
02/02/2022	Telephone	Brief call between Glen Owen and Simon Fox to confirm that meeting of 3 February will go ahead.
03/03/22	Meeting	A47 Tuddenham - Hornsea Three and National Highways cooperation agreement
03/02/2022	Email	Co-operation Agreement Orsted Hornsea Project Three

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) Hornsea Three in relation to the issues addressed in this SoCG.

3 ISSUES

3.1.1 The issues raised by Hornsea Three are set out in Table 3.1 together with the current position between the parties.

Table 3-1 : Issues

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 31
Design – Hornsea Three Cable crossing of Strategic Road Network (SRN): HDD	<p><u>Crossing methodology</u></p> <p>The use of Horizontal Directional Drilling (HDD) to cross all public roads, including those within the strategic road network, is considered appropriate.</p> <p>A study for each crossing, likely as an appendix to the detailed crossing method statements will be developed in consultation with HE.</p> <p>With the planned changes to the A47 scheme as a result of the A47 North Tuddenham to Easton scheme, continued and regular communication will be required between both parties, both on programme and detailed design in order to allow for a detailed design of the Hornsea Three's HDD to be designed appropriately and in timely manner.</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these. Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</p>	<p>HE considers the use of HDD at Strategic Road Network crossings (A47 and A11, HDD location 31 and HDD location 8) to be appropriate.</p> <p>The use of HDD would not require a S278 agreement.</p> <p>It is agreed that continued and regular communication is required and a draft co-operation agreement has been issued to Hornsea Three for review and comment <u>agreed between the parties.</u></p>	Under Discussion
	<p><u>Provisions for detailed design</u></p> <p>Detailed crossing method statements will be provided for the Strategic Road Network Crossings (A47 and A11, HDD 31 and HDD 8 respectively) during the detailed design stage, as set out in paragraph 1.3.2.1 of the Outline Code of Construction Practice (CoCP) [APP-179]. As agreed with Highways England on 24.10.2018, Hornsea Three will provide the necessary Geotechnical Risk Report</p>	HE agrees that, in line with requirements of DMRB HD22 and HA120, the geotechnical risk report and Preliminary Sources Study Report (PSSR) for the two crossing locations should be provided during detailed design, and is content for these to be appended to the detailed	Agreed

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 8
	<p>and Preliminary Sources.</p> <p>HE will share any relevant intrusive and non-intrusive data, and will be required to provide a detailed design of the updated scheme in a timely manner (i.e. 2 months prior to Hornsea Three submitting the detailed proposals to HE), in order to submit detailed proposals at least 6 months prior to the anticipated start-of-works at HDD locations 8 and 31, as prescribed by HE.</p>	<p>crossing method statements which will be developed in consultation with HE.</p> <p>Detailed proposals will be submitted as soon as they are finalised and preliminary designs will be provided in advance of this if the detailed proposals are not ready six months prior to the anticipated start of-works at HDD locations 8 and 31 to allow a Section 50 Licence (New Roads and Street Works Act 1991) to be entered into and a Geotechnical Certificate to be issued by HE.</p>	
<p>Design – Hornsea Three Cable crossing of SRN: Interaction with RIS schemes</p>	<p><u>Consultation</u></p> <p>Consultation undertaken by Highways England on the A47 North Tuddenham to Easton scheme is not considered to be sufficient and appropriate at this stage <u>ongoing</u>. Additional evidence-based consultation is <u>will continue to be</u> required to ensure that Hornsea Three has the necessary design and access requirements. <u>Regular and continued consultation between the projects will continue to be required as respective programmes continue to progress and develop, to ensure that any challenges are adequately mitigated.</u></p>	<p>Discussions are ongoing between the parties, <u>and</u> regular meetings are being held between HE and Hornsea Three and HE will endeavour to have further evidence based consultation with Hornsea Three as the detailed design is developed <u>and as agreed within the cooperation agreement that is close to finalisation between the parties.</u></p>	<p>Not Agreed</p>
	<p>The design of the Hornsea Three onshore cable corridor allows sufficient flexibility that HDD could be utilised at the point of crossing should there be certainty that the A47 dualling scheme would come forward. Hornsea Three will continue to consult with HE during detailed design as the A47 dualling scheme is further developed. This approach is considered appropriate.</p> <p>Where appropriate site-specific measures will be identified and developed as part of both the Hornsea Three's (i.e. Requirement 18 of the Hornsea Three DCO) and Highways England A47 Tuddenham (i.e. Requirement 10 of the HE dDCO) final CTMP(s)/TMP(s) to manage the interaction at access points.</p> <p>Hornsea Three requires further information on the nature of the' cable crossing-</p>	<p><u>A47 Tuddenham to Easton (HDD location 31)</u></p> <p>At this time, it is too early to confirm the delivery programme for the respective works. Consequently it is not known if the cabling will be delivered before, during or after the A47 dualling works have been completed.</p> <p>In the event that the cabling works precede the A47 dualling scheme, Hornsea Three will deliver the cable crossing point across the existing road and provide enabling works to facilitate crossing</p>	<p>Under discussion- <u>Discussion</u></p>

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 31
	<p>point across the existing road' and the 'enabling works' in order to provide a response in respect of these points made by HE. Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</p>	<p>of the future dualling and any connecting roads forming part of the scheme. HE will provide sufficient detail of the nature of the cable crossing point by Autumn 2022 to allow Hornsea Three to design their works in the vicinity of and across the de-trunked existing and new A47 and any connecting roads forming part of the A47 Scheme. <u>The mechanism for finalising the design of the point of crossing has been established within the cooperation agreement that is close to finalisation between the parties</u></p>	
<p>Design – Hornsea Three Cable crossing of SRN: Interaction with RIS schemes (Implementation post-A47 delivery)</p>	<p>Hornsea Three notes that should the A47 dualling scheme not have been fully delivered prior to the construction of Hornsea Three, there would be a need for Hornsea Three to consult with He HE during the finalisation of construction specification, methodology and logistics. Such consultation will then inform the development of the final CoCP and final CTMP secured by means of Requirement 17 and 18 of the Hornsea Three DCO respectively. These agreements and construction detail will also need be reflected in Requirement 4 (Environmental Management Plan), Requirement 5 (Landscaping), and Requirement 10 (Traffic Management) of the HE DCO, as appropriate. Hornsea Three's position is that it should also be a named stakeholder in the HE Traffic Management plan (i.e. Requirement 10 of the HE DCO).</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these. <u>Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</u></p>	<p>In the event that the cabling work occurs at the time of or after construction of the A47 dualling scheme, Hornsea Three will need to HDD through the full section of the new road alignment. However, if works take place prior to, or at the same time as the new scheme (A47 dualling), HE agree that there would be a need for HE and Hornsea Three to liaise in respect of pre-construction and programme, and construction specification, methodology and logistics.</p> <p>HE has issued a draft. A <u>co-operation agreement to Hornsea Three for consideration is close to finalisation between the parties and sets out how these issues will be dealt with.</u></p>	<p>Under discussion- <u>Discussion</u></p>

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 3
Design – Hornsea Three Cable crossing of SRN: Converter/ Substation Access	The onshore HVDC converter/HVAC substation will be accessed directly from the B1113 as opposed to the A47. This design is appropriate.	Access to the onshore HVDC converter/HVAC substation will be from the Mulbarton Road B1113. There will be no direct access off the SRN.	Agreed
Design – Hornsea Three Cable crossing of SRN:	The site for the main construction compound is considered too remote from HE's SRN such that any impact from these proposals would be minimal on the SRN. As such, although HE will be kept informed of the ongoing discussions, detailed discussions regarding the design and suitability of the access strategy for the onshore main construction compound will continue with Norfolk County Council (NCC) and Broadland District Council (BDC).	HE agrees that the main construction compound is located remotely from the SRN, consequently it is unlikely to have an impact on the operation of the SRN.	Agreed
National Highways design	<p><u>Provision of alternative construction access to HDD location 31 from Taverham Road</u></p> <p>Hornsea Three remains concerned that removal of Easton roundabout may result in loss of access to HDD location 31.</p> <p>Works 94 and 99 of the HE A47 North Tuddenham to Easton scheme provides rights for Hornsea Three to conduct works. However, Hornsea Three requires HE to provide evidenced confirmation that an unimpeded replacement access track will be suitably designed to allow the maximum design of Hornsea Three's construction vehicles to utilise the access. Specifically, Hornsea Three requires its maximum abnormal load requirements to be facilitated, including any necessary approvals from the highways authority to be secured by HE on behalf of Hornsea Three.</p> <p>Hornsea Three has provided the necessary design detail on its maximum abnormal load requirements to HE, for evidence to be provided to Hornsea Three. HE are to provide confirmation on the access and control mechanism.</p> <p><u>Provision of alternative construction access to HDD location 31 from Church</u></p>	<p>One of the local road accesses from the Church Lane, northern side of the A47 at Easton roundabout, may have a potential issue of a clash with the Construction Traffic Movements proposal. Agreement and approval of detailed site access arrangements will be covered in the detailed CTMP.</p> <p>HE have issued a draft A co-operation agreement to Hornsea Three for review which that is close to finalisation between the parties addresses the provision of an alternative access to HDD location 31.</p>	Under discussion Discussion

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 31
	<p><u>Lane</u></p> <p>HE have asked whether Hornsea Three is able to move its existing access off Church Lane, further north so that HE may have better access to their storage areas which overlap with Hornsea Three's existing access track. Hornsea Three is reviewing the request to understand whether this would conflict any commitments or mitigation made by the project, and whether any further traffic management measure might be required as a result. Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these. Related provisions have been discussed and are provided for in the draft co-operation agreement between the parties.</p> <p><u>Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</u></p>		
	<p><u>Timescales over which alternative construction access to HDD location 31 will be provided</u></p> <p>Hornsea Three requires temporary access powers for the maximum of duration of construction (i.e. in the event that Hornsea Three is built out in two phases). This is likely to be after the opening of the A47 scheme. As such, <u>in the absence of a signed co-operation agreement,</u> suitable alternative temporary access powers must be included in the HE A47 draft DCO and must be available to Hornsea Three for the duration of construction (i.e. including a maximum of two phases) of Hornsea Three, and must include a positive obligation for HE to grant these powers.</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these. Hornsea Three has been working with Highways England on a co-operation agreement, however the</p>	<p>HE have issued a draft co-operation agreement to Hornsea Three for review which addresses timescales for the provision of an alternative access to HDD location 31.</p> <p><u>A co-operation agreement that is close to finalisation between the parties addresses the securing of temporary access powers for the maximum of duration of construction (i.e. in the event that Hornsea Three is built out in two phases).</u></p>	<p><u>Under discussion</u> <u>Discussion</u></p>

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 31
	<p><u>Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</u></p>		
Compulsory Acquisition Powers for Hornsea Three	<p>The A47 Tuddenham draft DCO makes provisions that rights can be transferred to Hornsea Three for the purposes of undertaking Works No. 94 and Works No 99. However, it is noted that there is currently no positive obligation for HE to transfer the powers to Hornsea Three or any obligation on HE to cooperate and facilitate the installation of the Hornsea Three cables and the temporary haul road.</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these.<u>In the absence of a signed co-operation agreement, Hornsea Three maintains that Protective Provisions for the benefit of Hornsea Three are required within the HE DCO. Hornsea Three has been working with HE on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the HE examination.</u></p>	<p>HE have issued a draft co-operation agreement to Hornsea Three for review which includes a positive obligation to transfer powers as well as a general obligation to cooperate.</p> <p><u>A co-operation agreement that is close to finalisation between the parties addresses the transfer of any necessary consents and the securing of temporary access powers for the maximum of duration of construction (i.e. in the event that Hornsea Three is built out in two phases) .</u></p>	Under discussion- <u>Discussion</u>
	<p><u>Provision of operational access rights</u></p> <p>Hornsea Three requires HE make adequate provision of permanent access powers in its draft DCO for operational purposes, and for there to be a positive obligation for HE to transfer the powers to Hornsea Three.</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these.<u>In the absence of a signed co-operation agreement, Hornsea Three maintains that Protective Provisions for the benefit of Hornsea Three are required within the National Highways DCO. Hornsea Three has been working with Highways England on a co-operation</u></p>	<p>HE have applied for permanent rights over Work No. 99 and have the ability to transfer the benefit to Hornsea Three under Article 10.</p> <p>HE has issued a draft<u>The parties are close to finalising a</u> co-operation agreement to Hornsea Three for review which that includes the provision of permanent access.</p>	Under discussion- <u>Discussion</u>

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 31
	<p>agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</p>		
National Highways Transport EIA Assessment	<p>Hornsea Three requires HE to provide sufficient information to Hornsea Three to establish whether the A47 Tuddenham scheme will prevent or restrict Hornsea Three from complying with Hornsea Three's Taverham Highways Intervention Scheme (HIS) (as required pursuant to Requirement 18 (Construction Traffic Management Plan) of the Hornsea Three DCO). HE is to provide confirmation that it will work with Hornsea Three to agree any changes which might be required to the HIS with NCC as the highways authority.</p>	<p>HE confirm that they will work with Hornsea Three to agree any changes to the HIS with NCC that arise as a consequence of our scheme.</p>	Agreed
National Highways Construction Traffic management	<p>Consultation undertaken by HE in respect traffic management for the HE A47 Scheme is not considered to be sufficient and appropriate at this stage. Additional evidence-based consultation is required to ensure that Hornsea Three has the necessary design and access requirements, and sufficient temporary and permanent rights through the A47 DCO.</p> <p>Where traffic management is concerned Hornsea Three's position is that co-ordination will be required to ensure that Requirement 10 (Traffic Management) of the HE DCO and Requirement 18 (Construction traffic management plan) of the Hornsea Three DCO are not contradictory and in accordance with one another, causing either party to be non-compliant. Hornsea Three's position is that it should also be a named stakeholder in the HE Traffic Management plan (i.e. Requirement 10 of the HE DCO).</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these. In the absence of a signed co-operation agreement, Hornsea Three maintains that Protective Provisions for the benefit of Hornsea Three are required within the National Highways DCO. Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and</p>	<p>Discussions are ongoing between the parties, regular meetings are being held between HE and Hornsea Three and HE has issued a draft co-operation agreement to Hornsea Three for review. The parties are close to finalising a co-operation agreement that includes a requirement that each party - acting as Reasonable and Prudent Developers - will work together to share information and agree which construction and traffic mitigation measures need to be put in place during the Construction Overlaps..</p>	Under discussion Discussion

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 31
	<p><u>agreed by Deadline 10 of the Highways England examination.</u></p> <p>Hornsea Three requires HE to provide sufficient information to Hornsea Three to establish whether the A47 Tuddenham DCO will have any impacts on the Hornsea Three construction traffic routes. In particular, Hornsea Three would like to understand whether any of its vehicle movements may need to be re-routed and if this will align with previous commitments made to other relevant key stakeholders including NCC as the highways authority. If previous Hornsea Three commitments are impeded, then Hornsea Three requires security that HE will work with Hornsea Three, the highways authority and any other relevant stakeholders to come to an adequate and agreed resolution.</p> <p>Hornsea Three views that HE's Construction Phase programme/ plan for delivering the A47 Tuddenham scheme should be developed in consultation with Hornsea Three in order to effectively mitigate risks to each projects programme and to ensure effective co-ordination and traffic management.</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these.<u>Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</u></p>	<p>HE have issued a draft <u>The</u> co-operation agreement to Hornsea Three for review, which requires HE to keep Hornsea Three updated.</p> <p>At this stage of the detailed design, the information requested is not available. When the detailed Construction Phase programme/plan for delivering the A47 North Tuddenham to Easton scheme is further developed, HE will share the information with Hornsea Three <u>as agreed in the cooperation agreement close to finalisation between the parties.</u></p>	<p>Under discussion- <u>Discussion</u></p>
<p>Hornsea Three Abnormal loads</p>	<p>Hornsea Three requires sufficient information that the abnormal load movements and routes agreed with other relevant key stakeholders will not be affected by the HE temporary and permanent works.</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by NH. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these.<u>Hornsea Three has been</u></p>	<p>This will be addressed by collaboration between both parties when each are in a position and detailed and mature work programmes and is addressed in the co-operation agreement that is <u>close to finalisation between the parties</u></p>	<p>Under discussion- <u>Discussion</u></p>

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 31
	<p>working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</p> <p>Unimpeded construction access, including for abnormal loads is required by Hornsea Three. In particular, while both projects are in the construction at the same time. As such both projects should works together to minimise and prevent delays to Hornsea Three's abnormal loads movements.</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these. Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</p>		
Hornsea Three Construction Traffic Management Plan	<p><u>Taverham Highways Intervention Scheme</u></p> <p>Through consultation with HE and NCC, it has been agreed that Section 6 agreement will be sufficient for gaining approval of the final Taverham Highways Intervention scheme provided as mitigation in the Hornsea Three OCTMP.</p>	This is agreed.	Agreed
Hornsea Three existing commitments and mitigation	<p>Hornsea Three needs provision that existing commitments and mitigation made the Hornsea Three DCO will not be impeded or prevented by the A47 temporary or permanent works. These may relate to landscape and ecological measures, ground investigations, fencing and other security measures, construction traffic management (as above), co-ordination of services, liaison between contractors. The aforementioned is not an exhaustive list.</p> <p>Hornsea Three welcomes the inclusion of Article 3(4). The inclusion of Article 3(4) would address our concern to ensure that where we undertake works pursuant to the HE A47 Tuddenham DCO there is no breach of the Hornsea</p>	This cannot be determined until the detailed design has been finalised. The co-operation agreement that is close to finalisation between the parties deals with the interaction between the two schemes- and Article 3(4) has been included in the DCO at the request of Hornsea Three to ensure that if the implementation of one scheme causes an inadvertent breach of the other, this does not constitute a criminal offence.	Under discussion Discussion

Discussion Point	Hornsea Three's Position	Highways England's Position	Position at Deadline 8
	<p>Three DCO and vice versa. Hornsea Three remain concerned as to whether the proposed powers in the HE A47 Tuddenham DCO are equivalent to the powers in the Hornsea Three DCO and require certainty in this regard before agreement can be reached<u>In the absence of a signed co-operation agreement, Hornsea Three maintains that Protective Provisions for the benefit of Hornsea Three are required within the National Highways DCO. Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</u></p>		
Protective Provisions	<p>Hornsea Three requires protective provisions for the benefit of Hornsea Three to be included in the A47 North Tuddenham to Easton draft DCO (as submitted at Deadline 4) to ensure that Hornsea Three can be delivered without impediment.</p> <p>Hornsea Three has reviewed the draft Cooperation Agreement provided by HE. A number of material issues remain to be agreed within it before Hornsea Three will be comfortable that remaining issues have been adequately addressed. The parties are working through these and Hornsea Three is also hopeful that a cooperation agreement can be completed prior to the completion of the A47 North Tuddenham to Easton examination. In the absence of an agreed cooperation agreement between parties, Hornsea Three is pursuing Protective Provisions and is reviewing the latest comments on the Protective Provisions provided recently by HE. In the absence of a signed co-operation agreement, Hornsea Three maintains that Protective Provisions for the benefit of Hornsea Three are required within the National Highways DCO. Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</p> <p><u>In the absence of a signed co-operation agreement, Hornsea Three maintains that Protective Provisions for the benefit of Hornsea Three are required within the National Highways DCO. Hornsea Three has been working with Highways England on a co-operation agreement, however the Deed of Easement has not yet been received by Hornsea Three. It is hoped that the co-operation agreement will be signed and agreed by Deadline 10 of the Highways England examination.</u></p>	<p>The parties are making good progress on the development of cooperation agreement but the Applicant is reviewing the draft protective provisions submitted at deadline 4 and will comment on them at deadline 8. The parties are close to finalisation of a co-operation agreement and are of the opinion that the Protective Provisions submitted at Deadline 4 are no longer required.</p> <p><u>The parties are making good progress on the development of cooperation agreement but the Applicant is reviewing the draft protective provisions submitted at deadline 4 and will comment on them at deadline 8. The parties are close to finalisation of a co-operation agreement and are of the opinion that the Protective Provisions submitted at Deadline 4 are no longer required.</u></p>	Under discussion Discussion