

A47 Wansford to Sutton Dualling

Scheme Number: TR010039

Volume 8

8.9 Statement of Common Ground with Western Power Distribution (East Midlands) PLC

Planning Act 2008

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

June 2022

Deadline 7A

Infrastructure Planning

Planning Act 2008

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

A47 Wansford to Sutton Dualling
Development Consent Order 202[x]

**8.9 STATEMENT OF COMMON GROUND WITH
WESTERN POWER DISTRIBUTION (EAST MIDLANDS) PLC**

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	June 2022	Deadline 7A

STATEMENT OF COMMON GROUND

This statement of Common Ground has been prepared and agreed by (1) National Highways Company Limited and (2) Western Power (East Midlands) PLC

Signed

Chris Griffen

Programme Lead

On behalf of National Highways

Date: INSET DATE.....

Signed

NAME.....

POSITION.....

On behalf of Western Power Distribution (East Midlands) PLC

Date: INSET DATE.....

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1 INTRODUCTION

1.1 Purpose of this Document

- 1.1.1 This Statement of Common Ground (SOCG) relates to an application made by Highways England (“the Applicant”) to the Planning Inspectorate (“PINS”) under Section 37 of the Planning Act 2008 (“PA 2008”) for a Development Consent Order (a “DCO”). If made the DCO would grant consent for the Applicant to undertake the A47 Wansford to Sutton Scheme (“the Scheme”). A detailed description of the Scheme can be found in the ES Chapter 2 The Proposed Scheme (AS-013).
- 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.
- <https://infrastructure.planninginspectorate.gov.uk/projects/eastern/a47-wansford-to-sutton/?ipcsection=overview>
- 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 (now National Highways) as the Applicant and (2) Western Power Distribution (East Midlands) PLC (Western Power).
- 1.2.2 Highways England became the Government-owned Strategic Highways Company on 1 April 2015. In September 2021 Highways England Company Limited changed its name to National Highways Limited. National Highways 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.
- 1.2.3 Western Power is the electricity distribution network operator for the Midlands, South Wales and the South West. It is the trading identity of four electricity distribution companies: WPD South West, WPD South Wales and WPD East Midlands and WPD West Midlands. Each company is the distribution network operator for its respective region.

1.3 Terminology

- 1.3.1 In the tables in Section 3 ‘Issues’ of this SoCG the following colour coding / terminology is used to indicate the status of the individual issue:
- “Agreed” (green) - indicates where the issue has been resolved
 - “Under discussion” (amber) 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”(red) 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 Western Power are presented alongside a response from National Highways. "Agreed" signifies that there is agreement between the parties that there are no further points to discuss as regards that particular issue, and Western Power is satisfied by the National Highways response.

1.3.3 It can be assumed that any matters not specifically referred to in the Issues section of this SoCG are not of material interest or relevance to Western Power, 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 Western Power.

2 RECORD OF ENGAGEMENT

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Western Power in relation to the Application is outlined in Table 2-1.

Table 2-1: Record Of Engagement

Date	Form of Engagement:	Key topics discussed and key outcomes
14/09/2018	Correspondence	C3 Budget Estimate received
22/04/2021	Meeting	Meeting to review the C4 estimate and diversion proposals for the WPD diversions
01/07/2021	Correspondence	Email request on behalf of WBD for Protective Provisions, requirements
21/09/2021	Meeting	WPD Diversion Scope & Opportunities Meeting
13/10/2021	Correspondence	Phone call & email correspondence regarding a Relevant Representation to be raised by WPD, Informed Sally of the correspondence and communications by the project team to divert WPD asset is ongoing.
27/09/2021	Correspondence	Latest scheme plans issued to WPD
08/03/2021	Correspondence	Trial Hole Report issued to WPD
18/03/2022	Correspondence	C4 Estimate cost Breakdown issued by WPD (GT Civils Option) no drawings supplied to verify diversion scope
20/05/2022	Correspondence	Latest GT construction phasing plans issued to WPD

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) Western Power Distribution in relation to the issues addressed in this SoCG

3 ISSUES

3.1 Purpose of this Document

3.1.1 Section 3.2 summarises the key outstanding issues explored between Western Power Distribution National Highways.

3.2 Western Power Issues

Table 3-1 Issues Raised

Ref No	Issue	Document Reference (if relevant)	Western Power Comment	National Highways Response	Status	Date
1.	Protective Provisions				Not yet agreed	
a	Commercial negotiations and protective provisions.		Section 9 of the Electricity Act 1989 (EA1989) places a duty on the electricity distributor to develop and maintain an efficient, co-ordinated and economical system of electricity distribution. The application includes land in which WPD has assets and the land is subject to rights of compulsory acquisition. WPD needs to ensure that the wider powers being sought in the Order will not have a detrimental impact on WPD's electricity network	Commercial negotiations are ongoing with WPD and an agreement is expected shortly on protective provisions.	Not yet agreed	

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Ref No	Issue	Document Reference (if relevant)	Western Power Comment	National Highways Response	Status	Date
			and its duties under the EA1989, including ensuring that the terms of the proposed protective provisions are acceptable. WPD requires that asset protection arrangements must be agreed between the parties.			