

A47 Wansford to Sutton Dualling

Scheme Number: TR010039

Volume 8

8.14 Statement of Common Ground with Milton (Peterborough) Estates Co and Sir Philip Naylor Leyland BT

Planning Act 2008

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

May 2022

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Infrastructure Planning

Planning Act 2008

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

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

**8.14 STATEMENT OF COMMON GROUND WITH
MILTON (PETERBOROUGH) ESTATES CO AND SIR PHILIP NAYLOR
LEYLAND BT**

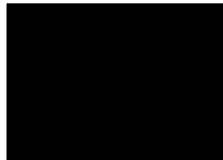
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STATEMENT OF COMMON GROUND

This statement of Common Ground has been prepared and agreed by (1) National Highways Company Limited and (2) Milton (Peterborough) Estates Co and Sir Philip Naylor Leyland BT

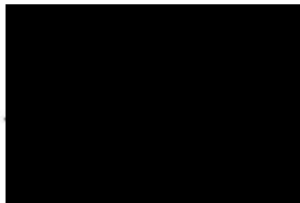
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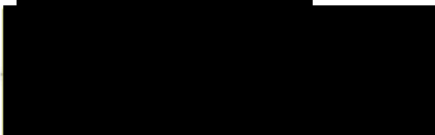
Chris Griffin
Programme Leader
On behalf of National Highways

Date: 09/06/2022

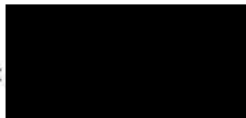
Signed ...



NAME: .



POSITION:



On behalf of Milton (Peterborough) Estates Co
and Sir Philip Naylor Leyland BT

Date: 16 2022:

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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 National Highways (formerly 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) National Highways as the Applicant and (2) Milton (Peterborough) Estates Co.
- 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. The legislation establishing National Highways 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 National Highways.
- 1.2.3 Milton (Peterborough) Estates Co are a major landowner in the local area with land within the boundary of the Scheme.

1.3 Terminology

- 1.3.1 In the tables in Section 3 ‘Issues’ of this SoCG the following terminology is used to indicate the status of the individual issue:
- Agreed - indicates where the issue has been resolved
 - “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 Milton (Peterborough) Estates Co 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 Milton (Peterborough) Estates Co are 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 Milton (Peterborough) Estates Co, 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 Milton (Peterborough) Estates Co.

2 RECORD OF ENGAGEMENT

2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and Milton (Peterborough) Estates Co 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 (the topics should align with the Issues tables)
05/08/2020	In Person Meeting	In person meeting to discuss northern alignment proposals and provide scheme update
02/12/2020	Phone Conversation	Phone call discussing adequacy of consultation
03.02.2021	MST Meeting	Scheme update meeting following targeted consultation
18.11.2021	Phone Conversation	Phone conversation discussing Langley Bush Road and Upton Drift proposals
2.2.22	Phone conversation	Phone conversation re meeting set up for the SoCG
10.2.22	Phone Conversation	Phone conversation to advise Survey works on land
16.02.2022	MST Meeting	Meeting to discuss SoCG and scheme update provided

2.1.1 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) Milton (Peterborough) Estates Co in relation to matters addressed in this SoCG.

3 ISSUES

3.1 Purpose of this Document

3.1.1 Section 3.2 summarises the key issues explored between Milton (Peterborough) Estates Co and National Highways whilst the issues are explored in more detail in Section 3.2.

3.2 Summary of Issues

Ref. No	Topic	Status	Date Agreed
1	Support in principle	Agreed	16/02/2022
2	Consultation with Upton	Not Agreed	30/05/2022
3	Access to Upton	Not Agreed	30/05/2022

3.3 Issues in Detail

Issue	Document Reference (if relevant)	Milton (Peterborough) Estates Co	National Highways Response	Status	Date
Those issues raised in the Relevant Representations and Submissions					
1 Support in principle					
	Relevant Representation (RR-030)	On behalf of the Milton (Peterborough) Estates Company & Sir Philip Naylor Leyland BT, we are in support of the dualling of the A47 but will be minded to appeal against this application as it stands.	The Applicant notes that Milton Estates Company & Sir Philip Naylor Leyland BT may look to exercise their right to appeal.	Agreed	16/02/22
2 Consultation with Upton					

Issue	Document Reference (if relevant)	Milton (Peterborough) Estates Co	National Highways Response	Status	Date
Consultation	<p>Relevant Representation (RR-030)</p> <p>Written Representation (REP2-084)</p> <p>Comments on the Action list following specific hearings - Deadline 4 submission (REP4-028)</p>	<p>As the application stands, we are minded that we would appeal the DCO decision pursuant to section 118 of the 2008 act, due to incorrect interpretation of policy and procedural fairness. We believe the process is flawed as the public consultation in 2017/2018 was on a scheme that started west of the Nene roundabout, whereas the DCO application is based on a completely different scheme which now starts east of that roundabout. Furthermore, the red line boundary during that consultation and the consequent results and preferred route announcement all incorporated the existing Upton Roundabout, therefore during and after the statutory process we were not given the opportunity to agree a statement of common ground. We are told the 2020 revision is based on the 766 responses from the 2017 consultation but no one had the opportunity to see the revised route to be able to objectively respond. The proposed scheme, as presented in 2017 clearly detailed that the scheme started west of the Nene roundabout (Upton - Castor & Ailsworth). This 2017 proposal showed the retention of this roundabout along with a safe local access to Upton. Accordingly, the businesses and residents of Upton made no significant representations on this proposal as there</p>	<p>On 19 October 2020, the Applicant issued a letter with a Project Update brochure to local residents and businesses in the consultation zone and section 42(1)(a), (b), and (d) consultees. The Applicant also sent this update to the stakeholders identified in Appendix B of the published SoCC (see Annex F of the Consultation Report (APP-029). This was to provide an update on the Scheme and set out the changes made by the Applicant to its design since the statutory consultation. The Applicant also asked recipients to provide feedback on the updated proposal.</p> <p>Non-statutory consultation was undertaken between March and April of 2017. The report on the consultation (Public Consultation Report A47 Wansford to Sutton (AS-029 Section 7.8 Public Consultation Report 2017)) was published alongside the Preferred Route Announcement (PRA) in August 2017 on the scheme website. Feedback from the communities received during the non-statutory consultation helped to inform further development of the outcome as presented in the Preferred Route Announcement (PRA). See the</p>	Not Agreed	16/02/22

Issue	Document Reference (if relevant)	Milton (Peterborough) Estates Co	National Highways Response	Status	Date
		<p>was no need to make an objection. The 2020 proposal has removed this access, and safe, suitable appropriate connection to A47 and the scheme starts east of this roundabout. It is our assertion that there has been no relevant consultation on the east of the scheme, and we strongly request you reconsider the loss of an access to the village of Upton as Highways England have not consulted appropriately on this new outline scheme design. From 12th November 2018 when the extended consultation period ended to the 19th October 2020 when the Project update was issued with a new route no attempt was made to consult key stakeholders or local residents. If Highways England had given additional time to consult and this had resulted in an amendment to the current SGAR 3 Prelim. Design, to retain this roundabout and retain the connection to the west of this roundabout to the existing LAR (Local Access Road), then this would;</p> <ul style="list-style-type: none"> • Satisfy the primary concerns of the businesses and residents of Upton, with regards safe access and connectivity. • Ease congestion, and Operational Safety issues on your current new, eastern 	<p>Consultation Report (AS-011) and Annex A of the Consultation Report (AS-024) provides the PRA.</p> <p>Engagement has been undertaken with stakeholders and with local communities directly and via the Parish Councils. The Applicant was aware that Upton do not have a Parish Council however from discussions with Sutton Parish Council, the Applicant believed that Sutton Parish Council also represented the views of Upton.</p> <p>During the statutory consultation a significant amount of feedback was received on the proposals which included a proposal from Sutton Parish Council showing a design very similar to the PRA albeit with a northern alignment, and moving the Nene Way roundabout to the west with Upton Road being closed.</p> <p>Following feedback received during the Statutory Consultation, the design was further developed moving the alignment north, minimising the environmental impacts of the scheme. See Scheme Design Report (AS-026) and the</p>		

Issue	Document Reference (if relevant)	Milton (Peterborough) Estates Co	National Highways Response	Status	Date
		<p>roundabout.</p> <ul style="list-style-type: none"> • Provide scheme budget savings through; <ul style="list-style-type: none"> • design development savings • Scheme programme delays caused by Judicial Review • Construction cost savings ? Reducing the scheme length ? Avoiding the need to demolish and remove the existing, functional roundabout, which provides safe and appropriate local connectivity. 	<p>Design Development Report 2020 (AS-032).</p> <p>In 2020, correspondence was received from the community of Upton and it became apparent that the views of the village differed from what had been fed back from Sutton Parish Council.</p> <p>A meeting was held with the residents of Upton in July 2020 where the latest proposals were discussed. Whilst there were concerns raised at this meeting, there was not a significant objection to the proposals although the Applicant was asked to look at the Upton Drift and potential improvements that could be made. As a result of that feedback the design was amended to include passing places on the Upton Drift.</p> <p>The Targeted Consultation and engagement undertaken between October and November 2020 included this proposal. As with all the residents in the Consultation Zone the residents of Upton received the Project Update brochure and were offered the opportunity to provide feedback on the proposals.</p>		

Issue	Document Reference (if relevant)	Milton (Peterborough) Estates Co	National Highways Response	Status	Date
			<p>In response to the feedback received, the passing places were amended to provide sufficient space to accommodate HGV and agricultural vehicles and the turn at Model Farm has been widened to provide better access to the Upton Road. These design proposals were presented to the community in February 2021.</p> <p>In summary, the closure of Upton Road was not included in the 2018 Statutory Consultation as the design proposal at the time did not include this.</p> <p>Since it has become apparent that the views of Sutton Parish Council do not represent those of the Upton community, the Applicant has engaged separately. The Applicant has consulted on the proposals and will continue to engage with the community.</p> <p>The closure of Upton Road as part of the Scheme was included in the 2020 Project Update. More details are provided in the Consultation Report (AS-011 section 3.8 Project Update 2020). The residents have therefore</p>		

Issue	Document Reference (if relevant)	Milton (Peterborough) Estates Co	National Highways Response	Status	Date
			had the opportunity to view the proposals and provide their views.		
3 Access to Upton					
Access to Upton	<p>Relevant Representation (RR-030)</p> <p>Written Representation (REP2-084)</p> <p>Comments on the Action list following specific hearings - Deadline 4 submission (REP4-028)</p>	<p>Upton village is very much an Estate village with operating agricultural units and many residential tenants also. Policy - during the past year we have tried to establish the justification of the design of the new proposed roundabout versus the retention of the existing Nene Roundabout. We have been told this is an off line construction and down to cost and design standards, however the dualling of the A47 is on the line of the current Nene Roundabout which was built in 1990. Whilst consideration must be given to the Design Manual for Roads & Bridges (DMRB) and consideration that some standards have been updated since, we would still need to be convinced this dramatic alteration is justified. It makes no sense to remove a roundabout that exists and replace with a new roundabout that removes a perfectly acceptable access. This is also a cost saving which should be considered in the context of the expense to date. We would like to see a reasoned and justified response to moving the present Nene roundabout to its new location including reference to the design</p>	<p>For safety reasons current design standards do not permit direct accesses for side roads to join dual carriageways. As such, whilst consideration must be given to the existing Upton Road connection with the A47, consideration must also be given to the users of the existing Sutton Heath Road junction with the A47. Sutton Heath Road links to other local communities in the area.</p> <p>Based on 2015 modelled 2-way Annual Average Daily traffic Flows (AADT), rounded to the nearest one hundred, Sutton Heath Road experiences 2,200 vehicle movements compared with 400 on Upton Road.</p> <p>The proposed location of the new roundabout location therefore ensures that users of the Sutton Heath Road can safely join the new carriageway without being diverted east to the existing roundabout location.</p> <p>Whilst the new roundabout location requires closure of the existing Upton</p>	Not Agreed	

Issue	Document Reference (if relevant)	Milton (Peterborough) Estates Co	National Highways Response	Status	Date
		<p>manual and costs. Similarly reasons why a eastbound slip road has not been considered connecting to the Upton Road.</p> <p>As the current scheme stands, we believe the access road known as the Drift and the junctions onto Langley Bush Road and Sutton Heath Road are un safe with the increased usage following the closure of Upton Road and again do they comply with the DMRB. Consideration would be given to the Drift road being made into a dual road as Milton own the land on either side.</p>	<p>Road access, an alternative route is available for all Upton Residents; along Upton Main Road, Langley Bush Road, and the new Sutton Heath Road. The approximate difference in journey lengths and times is shown in the attached drawing in Annex A. Following feedback from the Upton residents, improvements are proposed to the Upton Main Road as part of this Scheme. These consist of new passing places, local widening, straightening the existing S-bend, and widening of the existing junction with Langley Bush Road and the existing injunction adjacent to Model Farm.</p> <p>In addition, the proposed location of the new roundabout will enable offline construction which will significantly reduce disruption during construction.</p>		
		<p>National Highways have offered increased passing places and some straightening but these attract unwanted fly tipping and leisure parking/activities.</p>	<p>The Applicant is considering potential mitigation measures regarding these concerns and are in discussion with Peterborough City Council.</p>	<p>Not Agreed</p>	