

M54 to M6 Link Road
TR010054

Volume 5

5.2 Consultation Report Annex

**Annex M: Table of Protective Provisions for
Statutory Undertakers**

Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed
Forms and Procedure) Regulations 2009

January 2020

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning (Applications:
Prescribed Forms and Procedure)
Regulations 2009

M54 to M6 Link Road
Development Consent Order 202[]

5.2 Consultation Report Annex
Annex M: Table of protective provisions for statutory undertakers

Regulation number	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010054
Application Document Reference	5.2
Author	M54 to M6 Link Road Project Team and Highways England

Version	Date	Status of Version
1	January 2020	DCO Application

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Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
1	NHS Cannock Chase Clinical Commissioning Group	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey and land referencing work to date has indicated that assets are not affected by the Scheme.</p>	n/a
2	NHS South East Staffordshire and Seisdon Peninsula Clinical Commissioning Group	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey and land referencing work to date has indicated assets are not affected by the Scheme.</p>	n/a
3	NHS England	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey and land referencing work to date has indicated that assets are not affected by the Scheme.</p>	n/a
4	West Midlands Ambulance Service NHS Foundation Trust	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey and land referencing work to date has indicated that assets are not affected by the Scheme.</p>	n/a
5	Network Rail	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p>	n/a

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
			<p>Responded to the statutory consultation identifying potential impact of the Scheme on Network Rail's operational infrastructure.</p> <p>The Scheme has subsequently been amended to remove this potential impact so Network Rail's assets are no longer affected.</p>	
6	Midland Expressway Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to the statutory consultation with comments related to the design of the Scheme.</p> <p>Assets are not affected by the Scheme.</p>	n/a
7	The Canal and River Trust	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey and land referencing work to date has indicated that assets are not affected by the Scheme.</p>	n/a
8	Royal Mail Group	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey and land referencing work to date has indicated that assets are not affected by the Scheme.</p>	n/a

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
9	Homes England	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey and land referencing work to date has indicated that assets are not affected by the Scheme.</p>	n/a
10	The Environment Agency	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey and land referencing work to date has indicated that assets are not affected by the Scheme.</p>	n/a
11	South Staffordshire Water Plc	Y	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to the statutory consultation with comments on the Scheme design.</p> <p>A Protective Provision has been drafted and was issued to South Staffordshire Water Plc for agreement on 15 January 2020.</p> <p>Discussions are ongoing regarding the Scheme and its potential impact on apparatus. To date no response has been received</p>	Schedule 9

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
12	Severn Trent Water	Y	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to the statutory consultation to confirm Seven Trent Water had no comments.</p> <p>A Protective Provision has been drafted and was issued to Severn Trent for agreement on 13 January 2020.</p>	Schedule 9
13	Cadent Gas Limited	Y	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received but survey work has identified assets potentially affected by the Scheme.</p> <p>A Protective Provision has been drafted and was issued to Cadent Gas Limited for agreement on 13 January 2020.</p> <p>Discussions are ongoing regarding the Scheme and its potential impact on apparatus.</p> <p>Note: Balfour Beatty who manage the low and medium pressure gas network for Cadent has indicated that they do not have any diversion proposals.</p>	Schedule 9

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
14	Energetics Gas Limited	N	Energetics Gas Limited C2 response indicates that their network will not be affected by the Scheme.	n/a
15	Energy Assets Pipelines Limited		Consulted under Section 42(1)(a) during statutory consultation. No response received. Survey work to date has indicated that assets will not be affected by the Scheme.	
16	ES Pipelines Ltd	N	Consulted under Section 42(1)(a) during statutory consultation. No response received. Survey work to date has indicated that assets will not be affected by the Scheme.	n/a
17	ESP Connections Ltd	N	Consulted under Section 42(1)(a) during statutory consultation. No response received. Survey work to date has indicated that assets will not be affected by the Scheme.	n/a
18	ESP Networks Ltd	N	Consulted under Section 42(1)(a) during statutory consultation. No response received. Survey work to date has indicated that assets will not be affected by the Scheme.	n/a

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
19	ESP Pipelines Ltd	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
20	Fulcrum Pipelines Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
21	Harlaxton Gas Networks Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to statutory consultation to confirm assets are not affected by the Scheme.</p>	n/a
22	GTC Pipelines Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to the statutory consultation to confirm assets are not affected by the Scheme.</p>	n/a
23	Independent Pipelines Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p>	n/a

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
			Survey work to date has indicated that assets will not be affected by the Scheme.	
24	Indigo Pipelines Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
25	Murphy Gas Networks Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
26	Quadrant Pipelines Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
27	National Grid Gas Plc	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to supplementary consultation to confirm assets are not affected by the Scheme.</p>	n/a

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
28	Scotland Gas Networks Plc	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to the statutory consultation to confirm SGN does not cover this area so assets are not affected by the Scheme.</p>	n/a
29	Southern Gas Networks Plc	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to the statutory consultation to confirm SGN does not cover this area so assets are not affected by the Scheme.</p>	n/a
30	Eclipse Power Network Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
31	Energetics Electricity Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to the statutory consultation to confirm assets are not affected by the Scheme.</p>	n/a

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No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
32	Energy Assets Networks Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets are not affected by the Scheme.</p>	n/a
33	Energy Assets Power Networks Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets are not affected by the Scheme.</p>	n/a
34	ESP Electricity Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to statutory consultation to confirm assets are not affected by the Scheme.</p>	n/a
35	Fulcrum Electricity Assets Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
36	Harlaxton Energy Networks Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p>	n/a

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
			Responded to the statutory consultation to confirm assets are not affected by the Scheme.	
37	Independent Power Networks Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
38	Leep Electricity Networks Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
39	Murphy Power Distribution Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
40	The Electricity Network Company Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a

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No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
41	UK Power Distribution Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
42	Utility Assets Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
43	Vattenfall Networks Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets will not be affected by the Scheme.</p>	n/a
44	Western Power Distribution (West Midlands) plc	Y	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets may be affected by the Scheme.</p> <p>A Protective Provision has been drafted and was issued to the Western Power Distribution (West</p>	Schedule 9

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
			Midlands) plc for agreement on 15 January 2020. Discussions are ongoing regarding the Scheme and its potential impact on apparatus. To date no response has been received.	
45	National Grid Electricity Transmission Plc	N	Consulted under Section 42(1)(a) during statutory consultation. Response received to supplementary consultation. Survey work to date has indicated that assets will not be affected by the Scheme.	n/a
46	Vodafone	Y	Consulted under Section 42(1)(a) during statutory consultation. Responded to the statutory consultation with request for further information in relation to C3 enquiry. A Protective Provision has been drafted and was issued to Vodafone for agreement on 15 January 2020. Discussions are ongoing regarding the Scheme and its potential impact on apparatus. To date no response has been received.	Schedule 9

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47	CenturyLink Communications UK Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date and C2 response indicates that assets will not be affected by the Scheme.</p>	n/a
48	CityFibre	N	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to the statutory consultation to request contact via online enquiry system. Responded to C2 enquiry to confirm assets are not affected by the Scheme.</p>	n/a
49	ENGIE	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date and C2 response indicates that assets will not be affected by the Scheme.</p>	n/a
50	Interoute	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date and C2 response indicates that assets will not be affected by the Scheme.</p>	n/a

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51	KPN (c/-Instalcom)	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date and C2 response indicates that assets will not be affected by the Scheme.</p>	n/a
52	Sky UK Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date and C2 response indicates that assets will not be affected by the Scheme.</p>	n/a
53	Sota	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date and C2 response indicates that assets will not be affected by the Scheme.</p>	n/a
54	Colt Technology Services	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date and C2 response indicates that assets will not be affected by the Scheme.</p>	n/a
55	Verizon Business	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p>	n/a

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No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
			Survey work to date and C2 response indicates that assets will not be affected by the Scheme.	
56	Mobile Broadband Network Limited	N	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date and C2 response indicates that assets will not be affected by the Scheme.</p>	n/a
57	Virgin Media	Y	<p>Consulted under Section 42(1)(a) during statutory consultation.</p> <p>Responded to the statutory consultation to request further detail on Scheme's location to confirm if assets are likely to be affected.</p> <p>A Protective Provision has been drafted and was issued to Virgin Media for agreement on 14 January 2020.</p> <p>Discussions are ongoing regarding the Scheme and its potential impact on apparatus. To date no response has been received.</p>	Schedule 9
58	Vtesse Networks		Consulted under Section 42(1)(a) during statutory consultation. No response received.	n/a

Protective Provisions for Statutory Undertakers				
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			Survey work to date and C2 response indicates that assets will not be affected by the Scheme.	
59	Zayo	Y	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets may be affected.</p> <p>A Protective Provision has been drafted and was issued to Zayo for agreement on 14 January 2020.</p> <p>Discussions are ongoing regarding the Scheme and its potential impact on the apparatus. To date no response has been received.</p>	Schedule 9
60	BT Openreach	Y	<p>Consulted under Section 42(1)(a) during statutory consultation. No response received.</p> <p>Survey work to date has indicated that assets may be affected.</p> <p>A Protective Provision has been drafted and was issued to BT Openreach for agreement on 3 January 2020.</p> <p>Discussions are ongoing regarding the Scheme and its potential impact on apparatus. To date no</p>	Schedule 9

Protective Provisions for Statutory Undertakers				
No.	Statutory Undertaker (as identified by Regulation 11 List):	Affected (Y/N):	Reasons for preparing / not preparing Protective Provisions:	Link to the proposed draft Protective Provision:
			response has been received	