

M54 to M6 Link Road

TR010054

8.8LIU(S) Statement of Common Ground with Vodafone Limited

APFP Regulation 5(2)(q)

Planning Act 2008

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

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Planning Act 2008

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

**M54 to M6 Link Road
Development Consent Order 202[]**

**8.8 LIU(S) Statement of Common Ground with
Vodafone Limited**

Regulation Number	Regulation 5(2)(q)
Planning Inspectorate Scheme Reference	TR010054
Application Document Reference	8.8 LIU(S)
Author	M54 to M6 Link Road Project Team and Highways England

Version	Date	Status of Version
1(P01)	03.11.2020	Issue to ExA for Deadline 1
2(P02)	23.03.2021	Final version (Unsigned) - Issue to the ExA at Deadline 8

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Vodafone Limited.

Signed.....
Andrew Kelly
Project Manager
on behalf of Highways England
Date: [DATE]

Signed.....
[NAME]
[POSITION]
on behalf of Vodafone Limited
Date: [DATE]

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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 an application for a Development Consent Order ('the Application') under section 37 of the Planning Act 2008 ('PA 2008') for the proposed M54 to M6 Link Road ('the Scheme') made by Highways England Company Limited ('Highways England') to the Secretary of State for Transport ('Secretary of State').
- 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.
- 1.1.3 This 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.
- 1.1.4 **This SoCG has been drafted by Highways England based on correspondence with Vodafone Limited during the development of the Scheme and records Highways England's current understanding of the matters agreed, not agreed or under discussion.**
- 1.1.5 **The draft was provided to Vodafone Limited on 05 November 2020. This version of the SoCG represents Highways England's understanding of the respective positions but is not a signed or agreed SoCG.**

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) Highways England as the Applicant and (2) Vodafone Limited.
- 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 of the Highways Agency, including in respect of the Application, to be conferred upon or assumed by Highways England.
- 1.2.3 Vodafone Limited is a British telecommunications company, with its UK headquarters based in Newbury, Berkshire. Vodafone has 18 million subscribers and is the third largest of the four major UK mobile networks. In addition, Vodafone also manages a fibre network delivering broadband and TV to the home.

1.3 Terminology

- 1.3.1 In the table in the Issues chapter of this SoCG, 'Under discussion' indicates where these points are the subject of ongoing discussion or where there has been little engagement and the issues are not classed as "Agreed" or "Not Agreed".
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Vodafone Limited, 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 Vodafone Limited.

2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and the Vodafone Limited 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
16/02/2019	Email from SD (Vodafone) to DM (Amey)	Vodafone issued plan map and C3 Budget Estimate.
29/05/2019	Email from DM (Amey) to SD (Vodafone)	Representatives of Highways England requested for C4 Detailed Estimate.
23/08/2019	Email from GS-P (AECOM) to C3requests@vodafone.com	Representatives of Highways England requested update on providing C4 Detailed Estimate.
30/09/2019	Meeting between NRi (Vodafone) and Highways England	Meeting to discuss developments in the design since original C4 request.
15/11/2019	Email from KG (Vodafone) to NR (Highways England)	Vodafone issued C4 Detailed Estimate.
15/01/2020	Email from GS-P (AECOM) to NRi (Vodafone)	Attaching a set of draft protected provisions pertinent to Vodafone and the latest public consultation brochure.
07/10/2020	Email from JH (AECOM) to SD (Vodafone)	Representatives of Highways England queried whether trial pits would need to be conducted to confirm the diversion proposals and Vodafone to advise on the required locations.
05/11/2020	Email from JCH (AECOM) to SD (Vodafone)	Provision of 1st draft SoCG.
08/02/2021	Email from AM (AECOM) to SD (Vodafone)	Chasing response of draft SoCG.
08/02/2021	Email from SD (Vodafone) / PT (Vodafone) to AM (AECOM)	Email exchange confirming that SD will no longer be working on the project and the new contact is Prathiba Tamilarasan (PT). PT confirmed but no response on draft SoCG received.
08/02/2021	Email from AM (AECOM) to KG (Vodafone)	Chasing response of draft SoCG.
23/03/2021	Email from AM (AECOM) to NRi (Vodafone)	Chasing response of draft SoCG.

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) Vodafone Limited in relation to the issues addressed in this SoCG.

3 Issues

3.1 Introduction and General Matters

3.1.1 This chapter sets out the 'issues' which are agreed, not agreed, or are under discussion between Vodafone Limited and Highways England.

3.2 Issues

3.2.1 The table below shows those matters which have been agreed or yet to be agreed by the parties, including a reference number for each matter, and the date and method by which it was agreed (if relevant).

Table 3-1: Issues

Issue	Comment	Highways England Response	Status	Agreement likely? (app) ¹	Agreement likely? (IP)
Diversion of Vodafone Apparatus	No comments received to date	Highways England has worked collaboratively with Vodafone during the preliminary design to develop a diversion route for affected apparatus on Hilton Lane and Dark Lane. Highways England will continue to work closely with Vodafone during detailed design to refine these proposals in line with Vodafone's requirements.	Under discussion	High	
Protective Provisions	No comments received to date	Highways England has issued to Vodafone a copy of the Draft Protective Provisions contained in Schedule 9 of the Draft Development Consent Order. Highways England is currently awaiting comment from Vodafone in relation to the	Under discussion	High	

¹ Indication on likelihood that the matter will be agreed by the close of the Examination period as rated by the applicant (app) and the Interested Party (IP). Dark green = agreed, Light green = high likelihood of agreement, orange = medium likelihood of agreement, pink = low likelihood of agreement, red = not agreed.

Issue	Comment	Highways England Response	Status	Agreement likely? (app) ¹	Agreement likely? (IP)
		content of these Protective Provisions and will work collaboratively with Vodafone to ensure the protective provisions meet the requirements of both parties.			
Articles and Requirements	N/A	The Applicant has not received any comments on the Articles or Requirements on the draft DCO from Vodafone.	Under discussion	High	

Appendix A - Personnel

Initials	Name	Role or Discipline	Organisation
GS-P	Gehan Sri-Pathmanathan	Engineer	AECOM
DM	David MacMillan	Engineer	Amey (on behalf AECOM)
JH	James Hemingway	Engineer	AECOM
NR	Nick Russell	Utilities Manager	Highways England
NRi	Nicholas Rigby	C4 Lead	Vodafone
SD	Snehalatha Dhandapani	Cost Controller	Vodafone
KG	Kevin Govender	Network Specialist	Vodafone
PT	Prathiba Tamilarasan	Cost Controller	Vodafone