

M54 to M6 Link Road

TR010054

**8.8 LIU(O) Statement of Common
Ground with Severn Trent Water
Limited**

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Planning Act 2008

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

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

**8.8 LIU(O) Statement of Common Ground with
Severn Trent Water Limited**

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Author	M54 to M6 Link Road Project Team and Highways England

Version	Date	Status of Version
1 (P02)	03 November 2020	Issue to ExA for Deadline 1
2(P03)	23 March 2021	Final version (Unsigned)

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Severn Trent Water Limited

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

Signed.....
[NAME]
[POSITION]
on behalf of Severn Trent Water 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 that 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 and where agreement has not (yet) been reached. SoCG are an established means in the planning process of allowing all parties to identify and 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 Highways England as the Applicant and Severn Trent Water Limited ("STW").
- 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 STW is one of the largest of the 10 regulated water and sewerage companies in England and Wales. It provides water services to over 4.3 million homes and businesses in the Midlands.
- 1.2.4 This SoCG has been drafted by Highways England based on correspondence with STW during the development of the Scheme and records Highways England's current understanding of the matters agreed and not agreed.**
- 1.2.5 The first draft (version 1 (P01)) was provided to STW on 25 August 2020.. A second draft was issued on the 03 November 2020. Highways England and STW have reached agreement on the protection it requires for its apparatus. When approving the agreement, STW confirmed that it had no further comments on the SoCG and that it is accepted as agreed. Highways England has updated all matters to 'Agreed' and submits it accordingly.**

1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, 'Not Agreed' indicates a final position, and "Agreed" indicates where the issue has been resolved.

- 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 STW, 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 STW.

2 Record of Engagement

2.1.1 A summary of the key meetings and correspondence that has taken place between Highways England and STW's potable team in relation to the Application is outlined in Table 2-1, and correspondence with regards to sewerage assets is outlined in Table 2-2.

Table 2-1: Record of Engagement Related to Potable Water Assets

Date	Form of correspondence	Key topics discussed and key outcomes
23/10/2018	Email from LB (STW) to DM (Amey)	STW details that an official C1 is to be submitted and C3 NRSWA notice for works of an independent highway improvement scheme on behalf of a local authority.
10/12/2018	Email from MD (STW) to EOB (Amey)	STW attached the C3 budget estimate for the works.
29/05/2019	Email from DM (Amey) to MD (STW)	Representatives of Highways England issued a request for C4 Estimate.
27/06/2019	Email from DT (Amey) to NR (Highways England)	Representatives of Highways England issued the previous C3 Estimate for information.
11/10/2019	Meeting	General update on design and discussion regarding C4 timescales and delivery.
30/10/2019	Email from MD (STW) to GS-P (Aecom)	STW requested borehole information and a drawing showing the overview of proposed works area and levels.
15/01/2020	Email from MD (STW) to GS-P (Aecom)	STW requested electronic CAD drawings of the proposed works.
11/02/2020	Email from AM (Aecom) to MD (STW)	Representatives of Highways England issued a plan of the proposed service corridor at M54 J1.
19/02/2020	Email from MD (STW) to GS-P (Aecom) and AM (Aecom)	STW requested protected provisions CAD drawings.
16/05/2020	Sendfiles from DL (Aecom) to MD (STW)	Project information pack issued to MD.
17/05/2020	Email from DL (Aecom) to MD (STW) and AS (STW)	Representatives of Highways England issued the requested information to STW for consideration.

21/05/2020	Sendfiles from DL (Aecom) to AS (Amey)	Project Information pack re-issued to Amardeep Seera (Amey on behalf of STW).
05/06/2020	Email from DL (Aecom) to MD (STW)	Representatives of Highways England issued the requested details to STW.
07/06/2020	Sendfiles from DL (Aecom) to MD (STW) / AS (Amey) / NB (Amey)	Project Information pack re-issued to Matthew Dockrell (STW), Amardeep Seera and Ninian Bailey (both Amey on behalf of STW).
07/07/2020	Email from DL (Aecom) to MD (STW)	Representatives of Highway England requested an update on the C4 Estimate.
07/07/2020	Email from DL (Aecom) to MD (STW)	Request for formal issue of C4 for clean water works.
14/07/2020	Email from MD (STW) to DL (Aecom)	STW issued C4 Estimate.
11/07/2020	Email from MD (STW) to DL (Aecom)	STW confirmed that the price and design to be refreshed in early 2021 and would take approximately 2-3 weeks.
31/07/2020	Meeting	Teleconference meeting to discuss the latest scheme design proposals in the context of STW potable supply assets.
25/08/2020	Email from DL (Aecom) to MD (STW)	Representatives of Highways England issued information requested following previous meeting to STW, which included the draft Statement of Common Ground.
26/08/2020	Email from MD (STW) to DL (Aecom)	STW confirmed they would investigate the points discussed and requested that trial holes be conducted at Hilton Lane to confirm location of existing assets.
10/09/2020	Email from MD (STW) to DL (Aecom)	STW confirm that engineers have visited Hilton Lane and confirmed location of boundary boxes but no connection point. Diversion to be included of existing asset to be which is to be located.
29/10/2020	Email from MD (STW) to JH (Aecom)	Revised diversion proposals and estimates issued to representatives of Highways England.
05/11/2020	Email from JCH (AECOM) to MD (STW)	Revised version of Statement of Common Ground that was submitted to the ExA for Deadline 1 provided. Requested update on whether SSW have reviewed the draft Statement of Common Ground.

Table 2-2: Record of Engagement Related to Sewerage Assets

Date	Form of correspondence	Key topics discussed and key outcomes
23/10/2018	Email from LB (STW) to DM (Amey)	STW clarified that an official C1 is to be submitted and C3 NRSWA notice for works of an independent highway improvement scheme on behalf of a local authority.
23/10/2018	Email from GJ (STW) to DM (Amey)	Issue of C2 to the asset data management team and C3 to the developer services team.
30/10/2018	Email from DM (Amey) to GJ (STW)	Request made on behalf of Highways England for a C3 budget estimate for the proposed works.
20/11/2018	Email from DM (Amey) to GJ (STW)	Follow up email providing more detailed layout plans of scheme for the purpose of the C3 Estimate.
22/11/2018	Email from DM (Amey) to GJ (STW)	Representatives of Highways England returned responses to the comments received.
27/11/2018	Email from GJ (STW) to DM (Amey)	Comments regarding C3 estimate and sewers diversionary works.
28/11/2018	Email from DM (Amey) to GJ (STW)	Representatives of Highways England returned responses to the comments received.
28/11/2018	Email from DM (Amey) to GJ (STW)	Further comments added to address concerns.
10/12/2018	Email from MD (STW) to EOB (Amey)	STW issued a C3 Estimate for the proposed works.
02/01/2019	Email from DM (Amey) to DC (STW)	Representatives of Highways England provided electronic versions of the scheme layout to develop the C4 Estimate.
31/01/2019	Email from DM (Amey) to GJ (STW)	Highways England sent further email correspondence discussing the various options proposed as part of the C3 Estimate.
29/05/2019	Email from DM (Amey) to DC (STW)	Following receipt of the C3 Estimate, Representatives of highways England requested a C4 estimate for the proposed works.
26/07/2019	Meeting	Meeting to discuss the proposed diversion corridor and the request for additional details in relation to the C4 Estimate.
16/08/2019	Email from GS-P (AECOM) to DC (STW)	Representatives of Highways England provided cross section drawings of the alignment in the vicinity of the proposed diversion.

04/10/2019	Email from GJ (STW) to GS-P (AECOM)	STW provided a revised C3 budget estimate.
07/10/2019	Email from GS-P (AECOM) to GJ (STW)	Representatives of Highways England requested details in relation to the minimum requirements to allow for maintenance next to adjacent service.
08/10/2019	Email from DC (STW) to GS-P (AECOM)	STW clarified that for sewer at 5m depth requires 6m easement, 3m either side. Anything exceeding 5m requires 10m easement.
11/10/2019	Meeting	General update on design and discussion regarding C4 timescales and delivery.
14/10/2019	Email from GJ (STW) to GS-P (AECOM)	Representatives of Highways England issued details of the proposed utilities corridor at Dark Lane, confirming proposed is acceptable, will need to confirm with STW clean water team.
13/01/2020	Email from GS-P (AECOM) to DC (STW)	Representatives of Highways England issued a draft copy of the Scheme's Protective Provisions for STW's consideration.
02/04/2020	Email from NR (Highways England) to GJ (STW)	Highway England confirm that proposed diversion Option 1 is preferred route and provided details for arranging payment.
03/04/2020	Email from GJ (STW) to NR (Highways England)	STW provided clarification of Stage A price.
03/04/2020	Email from NR (Highways England) to GJ (STW)	Highways England confirmed that the Stage A payment is to be made.
03/04/2020	Email from FR (STW) to GJ (STW)	STW confirmed that, following receipt of payment, the framework contractor is to be appointed to commence feasibility and outline design for Option 1.
11/05/2020	C4 Payment confirmation from SK (STW)	Payment for production of C4 confirmed.
12/05/2020	Email from GJ (STW) to DL (AECOM)	STW confirmed that they cannot proceed with C4 works until payment has been made.
15/05/2020	Sendfiles from AM (AECOM) to FR (STW)	Project information pack issued to Francis Rooney (STW).
19/05/2020	Email from Gowling (HE) to DWF (STW)	Protective Provisions provided for review and approval.

07/07/2020	Email from DL (AECOM) to GJ (STW)	Representatives of Highways England requested confirmation that payment had been received.
10/07/2020	Email from DL (AECOM) to GJ (STW) and SH (STW)	Representatives of Highways England request the timeline for the anticipated completion date of the C4 Estimate. Payment received in early May.
13/07/2020	Email from SC (STW) to DL (AECOM)	STW confirm that responsibility for the management of the project will change from FR (STW) to SC (STW).
13/07/2020	Email from SC (STW) to DL (AECOM)	STW forecast date for the C4 to be January 21.
14/07/2020	Email from DL (AECOM) to SC (STW)	Representatives of Highways England request confirmation of timeline and whether any additional information could be provided to expedite delivery.
05/08/2020	Meeting	Meeting held between STW and representatives of Highways England to discuss the proposed diversion in the context of the changes being requested in the Development Consent Order Application and the preparation of a Statement of Common Ground between both parties.
07/09/2020	Email from GJ (STW) to DL (AECOM)	Provided clarification based upon the points raised during the previous meeting held on the 05/08.
07/09/2020	Email from OR (AECOM) to SC (STW)	Representatives of Highways England issued copies of the information requested by STW.
07/09/2020	Email from LL (NMCN) to OR (AECOM)	Representatives of STW confirm receipt of the information.
23/09/2020	Email from GJ (STW) to DL (AECOM)	STW confirm that the Statement of Common Ground is with the legal representative for review.
24/09/2020	Email from LL (NMCN) to DL (AECOM)	Representatives of STW query whether survey information of the existing foul water sewer is available for review.
01/10/2020	Email from JCH (AECOM) to LL (NMCN)	Representatives of Highways England provided answers to the queries raised on the 24/09.
07/10/2020	Email from JCH (AECOM) to GJ (STW)	Representatives of Highways England queried whether STW would like trial holes being conducted to confirm line / level /location for the diversion design.
05/11/2020	Email from JCH (AECOM) to MD (STW)	Revised version of Statement of Common Ground that was submitted to the ExA for Deadline 1 provided. Requested update on whether SSW have reviewed the draft Statement of Common Ground.

18/01/2021	Email from Gowling (HE) to DWF (STW)	Further copy of Protective Provisions provided.
11/02/2021	Email from DWF (STW) to Gowling (HE)	Comments on Protective Provisions provided.
15/02/2021	Email from GJ (STW) to AM (AECOM)	STW issued C4 Estimate.
19/03/2021	Email from Gowling (HE) to DWF (STW)	Draft agreement issued between HE and STW provided.
25/03/2021	Email from Gowling (HE) to DWF (STW)	Further copy of current SoCG provided.
30/03/2021	Email from DWF (STW) to Gowling (HE)	Email confirming that agreement approved by STW. Also confirming that STW has no further comments on SoCG which is to be treated as agreed.

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) STW 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 STW and Highways England.

3.2 Issues

3.2.1 The tables below show those matters which have been agreed or yet to be agreed by the parties, including the date and method by which it was agreed (if relevant).

Table 3-1: Overarching Issues

Issue	Comment	Highways England Response	Status	Agreement likely? ¹
Continuity of Severn Trent Water Asset Operation (RR-002a)	A number of STW’s assets, which consist principally of two categories, namely (1) public water mains and (2) public sewers, may require diversion or are otherwise affected by the proposed works. Such assets are owned and operated by STW pursuant to statutory powers. It is essential that these assets remain in continuous	Highways England has worked collaboratively with STW during the course of the preliminary design process and will continue, throughout the course of the examination, to finalise the routes of any required diversions to the satisfaction of STW.	Agreed	Agreed

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.

	operation in order to ensure the provision of water supplies to, and the effectual removal of sewage from, household and non-household customers			
Construction (RR-002a)	Any works required to be carried out on STW's assets must be planned and implemented to avoid risk of supply interruption or contamination, damage to the integrity of the water or sewerage networks, or environmental damage.	All diversion and protection works will be agreed with STW in accordance with the new Roads and Street works Act 1991 to ensure that works are completed in accordance to STW's satisfaction.	Agreed	Agreed
Protective Provisions (RR-002a)	Whilst Schedule 9 Part 1 of the draft DCO contains provisions for the protection of electricity, gas, water and sewerage undertakers, STW wishes to ensure that it will remain able to deliver its essential public services at all times during the implementation of the works.	Highways England is actively engaging with STW to ensure that protective provisions are agreed and will continue to provide updates on the status of these discussions throughout the course of the DCO examination period. Highways England and STW have progressed an agreement incorporating appropriate provisions to enable STW to ensure that delivery of its statutory functions and essential public services are suitably protected. That agreement has been approved by both parties and is being executed.	Agreed	Agreed
Protective Provisions (RR-002a)	It is essential to STW that in the event of any alteration to or relocation of its assets,	Highways England is actively engaging with STW to ensure that protective provisions are agreed and will continue	Agreed	Agreed

	such work is carried out pursuant to STW's statutory powers, so as to ensure that both existing and new water supply and sewerage assets unquestionably form part of STW's statutory undertaking	to provide updates on the status of these discussions throughout the course of the DCO examination period. Highways England and STW have progressed an agreement incorporating appropriate provisions to enable STW to ensure that delivery of its statutory functions and essential public services are suitably protected. That agreement has been approved by both parties and is being executed.		
Protective Provisions	STW may therefore seek additions to the provisions contained in Schedule 9 Part 1, or alternatively to seek to conclude an agreement with Highways England, incorporating appropriate provisions to enable STW to ensure that delivery of its statutory functions and essential public services are not put at risk.	Highways England is actively engaging with STW to ensure that protective provisions are agreed and will continue to provide updates on the status of these discussions throughout the course of the DCO examination period. Highways England and STW have progressed an agreement incorporating appropriate provisions to enable STW to ensure that delivery of its statutory functions and essential public services are suitably protected. That agreement has been approved by both parties and is being executed.	Agreed	Agreed
Articles and Requirements	N/A	The Applicant has not received any comments on the Articles or Requirements on the draft DCO from STW apart from those listed above.	Agreed	Agreed

		Subject to completion of the agreement between Highways England and STW, no further changes to the Articles and Requirements in the dDCO are anticipated.		
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Table 3-2: STW Potable Specific Issues

Issue	Comment	Highways England Response	Status	Agreement likely? ²
Severn Trent Potable Water Diversion, M54 Junction 1 South Roundabout	Severn Trent Water wish to agree a diversion route which limits any long-term maintenance or operation restrictions. Severn Trent Water wish to connect this diverted supply to an existing asset positioned on the A460 roundabout which connects to Hilton Cross via the northbound carriageway verge. Alternatively, a connection to the existing asset in the southbound verge would need to be distanced as far as reasonably practicable from the M54 Junction 1 South Roundabout.	Highways England will review the powers being sought within the Development Consent Order and will provide STW with the details in order to define a diversion that best meets STW's requirements.	Agreed	Agreed

² 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.

<p>Severn Trent Water Potable Water Diversion, Dark Lane</p>	<p>Severn Trent Water require the extents of the works in relation to the stopping up of Dark Lane and construction of a new bridleway and the subsequent impact it will have of the existing asset located on Dark Lane.</p>	<p>Highways England will review and confirm the extents of the work to determine whether: The existing asset can remain in-situ. STW will need to stop up a section of the existing asset. Irrespective of the above options, the Development Consent Order Application's powers will cater for either proposal being implemented.</p>	<p>Agreed</p>	<p>Agreed</p>
<p>Severn Trent Water Potable Water Diversion, Hilton Lane</p>	<p>Severn Trent Water require a diversion to connect existing supplied situated on Hilton Lane subject to confirmation of impact upon existing potable water supplied.</p>	<p>Highways England will ascertain the impact on existing assets. As part of the Scheme changes being intruded, potable water supplies could be diverted through the proposed Hilton Lane Overbridge substructure, rather than diverting underneath the proposed dual carriageway link road. HE to further discuss property water supply with South Staffs Water to better understand services and ownership prior to confirming STW main requires diverting.</p>	<p>Agreed</p>	<p>Agreed</p>

Table 3-3: STW Foul Specific Issues

Issue	Comment	Highways England Response	Status	Agreement likely? ³
Severn Trent Sewerage, M54	Severn Trent Water have two sewerage mains crossing the M54 to the west of Junction 1. Severn Trent Water require confirmation that the works proposed as part of the Scheme will not impact this asset.	Highways England remain in communication with STW in respect to these assets and will confirm if the works in this area will have an impact and thus require protection works.	Agreed	Agreed
Severn Trent Sewerage, Hilton Lane and Dark Lane	Severn Trent Water have a supply situated on Hilton Lane which will be interrupted by the construction of the dual carriageway link road and Hilton Lane Overbridge, this asset will need to be maintained through either diversion or protection works to the satisfaction of Severn Trent Water.	Highways England has been in communication with STW in relation to this asset and have proposed a diversion within a utility corridor which is in the process of being developed by STW.	Agreed	Agreed

³ 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.

Appendix A – List of Contacts

Initials	Name	Role or Discipline	Organisation
GS-P	Gehan Sri-Pathmanathan	Engineer	AECOM
MD	Matthew Dockrell	Project Manager	STW - Potable
LB	Leighanne Bennett	Contact Technician	STW - Potable
DM	David MacMillan	Engineer	Amey (on behalf AECOM)
GJ	Gurmakh Jutla	Project Manager	STW - Foul
EOB	Emily O'Brien	Engineer	Amey (on behalf AECOM)
DT	Dyfan Thomas	Highways Lead	Amey (on behalf AECOM)
NR	Nick Russell	Utilities Manager	Highways England
AM	Alastair McNeill	Highways Lead	AECOM
DL	Dave Last	Design Lead	AECOM
JCH	James Hemingway	Engineer	AECOM
OR	Oliver Ryder	Technician	AECOM
AS	Amardeep Seera	Engineer	Amey (on behalf of STW - Foul)
NB	Ninian Bailey	Engineer	Amey (on behalf of STW - Foul)
DC	Duncan Colin	Engineer	STW - Potable
LL	Laura Lozano	Engineer	NMCN (on behalf of STW – Foul)
FR	Francis Rooney	Engineer	STW - Foul
SH	Sadeq Hadi	Engineer	STW - Foul
SC	Seng Cheah	Engineer	STW - Foul
SK	Sarah Kersey	Finance	STW - Foul