

M54 to M6 Link Road TR010054

8.8LA(D) Statement of Common Ground with Shropshire Council

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[]**


**8.8LA(D) Statement of Common Ground with
Shropshire Council**

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Application Document Reference	8.8LA(D)
Author	M54 to M6 Link Road Project Team and Highways England

Version	Date	Status of Version
1 P01	November 2020	Issue to the ExA for Deadline 1
2 P02	March 2021	Final SoCG issued to Shropshire
3 P03	April 2021	Final signed SoCG

STATEMENT OF COMMON GROUND

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

Signed 
Andrew Kelly
Project Manager
on behalf of Highways England
Date: 07/04/21


Signed 
Ian Kilby
Head of planning Services
on behalf of Shropshire Council
Date: 05/04/21

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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' or 'HE') 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. 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 as the Applicant and (2) Shropshire Council (SC).
- 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 SC is an adjacent authority to the Scheme. SC was formerly a host authority because there is a road sign along the M54 that was originally considered for replacement as part of the Scheme within the Order limits. The sign in question is a long way from the rest of the Order limits and no works are now proposed to the sign.
- 1.2.4 Highways England requested on 29 May 2020 that the ExA allow the Applicant to change the Order limits to remove the area around the road sign along the M54 in the SC area. This change has been accepted by the ExA.
- 1.2.5 The ExA as part of the Rule 6 letter confirmed that it wished the Applicant to enter into a SoCG with the SC with this to be finalised by deadline 8. SC has been consistently supportive of the Scheme and there are no areas of disagreement between the parties. Highways England is grateful for SC's support.

1.3 Terminology

- 1.3.1 In Table 3.1 in the Issues chapter of this SoCG, 'Not Agreed' indicates a final position. 'Under discussion' indicates where issues will be the subject of ongoing discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. '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 SC, 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 SC.

2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between HE and SC in relation to the Application is outlined in Table 2.1. A list of initials, names, role and organisation of the people mentioned in Table 2.1 is included at Appendix A of this document.

Table 2.1: Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes
23/05/2019	Letter from AK (HE) to SC	Letter providing notice of the statutory consultation from 24 May 2019 to 5 July 2019.
24/02/2020	Email from AL (Aecom) to CW, IK and TR (SC)	Providing notice of DCO application submitted 30/01/2020. AL introduced herself as consents lead. Attaching plan showing change to road sign along M54 proposed within the Shropshire Council boundary area of Albrighton. Requesting confirmation of the best contact regarding the scheme going forward.
25/02/2020	Email from IK (SC) to AL (Aecom)	IK confirmed he is the lead SC contact for major infrastructure projects running the NSIP process. IK confirmed the proposed removal of the sign would simplify the administration of the project, with no adverse impact on Shropshire. IK suggested phone call regarding Shropshire's role and engagement as adjoining Authority.
09/03/2020	Letter from HE to SC	Letter and section 56 notice provided to SC.
17/04/2020	Letter from HE to SC	Letter notifying of extension to RR period due to Covid-19.
21/08/2020	Letter from HE to Chief Executive, IK and IW	Letter notifying SC of consultation proposed DCO changes.
24/08/2020	Email to IK (SC) from AK (HE)	Attaching letter notifying SC of consultation proposed DCO changes.
16/09/2020	Email from NS (on behalf of SS) (SC) to AK (HE)	Providing SC's response to notification of consultation on proposed changes to the DCO.
18/09/2020	Email from II (HE) to NS (SC)	Providing confirmation of receipt of previous email from NS (SC) re SC's response to notification of consultation on proposed changes to the DCO.
02/11/2020	Email from AL to IK	Sending draft SoCG to SC for comment
19/01/21	Email from IK to AL	Confirming no fundamental issues but noting a query on landscape and visual impacts

Date	Form of correspondence	Key topics discussed and key outcomes
04/03/21	Email from AL to IK	Chasing confirmation of agreement on SoCG
05/03/21	Email from IK to AL	Confirming agreement to SoCG
11/03/21	Email from AL to IK	Providing final SoCG for signature

- 2.1.2 It is agreed that the table above presents an accurate record of the key meetings and consultation undertaken between (1) Highways England and (2) SC 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 SC and Highways England.
- 3.1.2 The letter provided to Highways England by the Planning Inspectorate on the 20 August 2020 under Section 88 of the Planning Act 2008 (as amended) and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 6 (hereafter referred to as the ‘Rule 6 Letter’), sets out the issues for Highways England and the relevant parties to address in their SoCG. Specifically, Annex F sets out the parties that the Planning Inspectorate wants Highways England to produce a SoCG with and the issues that they want to see addressed. This bullet point list has been replicated below:
1. The effect on transport and traffic
 2. The effect on landscape and visual
 3. The effect on socio-economics
- 3.1.3 These issues are addressed in Table 3.1 in order, with an initial section on general principles. HE will continue to work with SC to resolve outstanding issues. Although the Applicant does not anticipate any further issues being raised, if they are these will be incorporated into subsequent versions of this SoCG.

3.2 Relevant Issues related to Application Documentation

- 3.2.1 Table 3.1 shows those matters which have been agreed or yet to be agreed by the parties.

Table 3-1: Issues Related to the Application Documentation

Document	Subject	Shropshire Council Comments	Highways England Response	Status	Agreement likely
General principles of the Scheme and Relevant Planning Policy					
E-mail from IK (SC) to AL (Aecom) 25/02/2020	Support for the Scheme	SC is supportive of the principle of the Scheme and recognises the economic benefits that the Scheme will bring to the region and surrounding areas.		Agreed	Agreed
E-mail from SS (SC) to HE 16/09/2020	Host Authority Status	SC and HE agree that following the acceptance of the changes to the Scheme to remove the road sign from SC's area, SC is no longer considered to be a host authority. SC raises no objection to this change in status.		Agreed	Agreed
1. Effect on Transport and Traffic					
E-mail from IK (SC) to AL (Aecom) 25/02/2020	Signage	SC and HE agree that there is no concern regarding the removal of the sign which is currently situated on land within the Shropshire Council area. The parties agree that if the sign did need to be replaced, this could be done using HE's existing permitted development rights.		Agreed	Agreed
2. Effect on Landscape and Visual					
Correspondence	General approach	SC and HE agree with the methodology as set out within the submitted ES and in particular Chapter 7: Landscape and Visual. SC confirms that it agrees with the conclusions of the same chapter and has no concerns arising from the Scheme in relation to Landscape and Visual effects.		Agreed	Agreed
3. Effect on Socio-economics					
E-mail from IK (SC) to AL (Aecom) 25/02/2020	Socio-economic Impacts	The parties agree that the Scheme will bring socio-economic benefits to the region.		Agreed	Agreed

Appendix A – Personnel involved

Initials	Name	Role or Discipline	Organisation
AK	Andrew Kelly	Project Manager	Highways England
AL	Alison Leeder	DCO and Planning Lead	Aecom
CW	Clive Wright	Chief Executive	Shropshire Council
IK	Ian Kilby	Planning Services Manager	Shropshire Council
IW	Ian Walshaw	Highways Manager	Shropshire Council
NS	Nuria Smith	PA to Head of HR & Development	Shropshire Council
SS	Steve Smith	Assistant Director for Instructure	Shropshire Council
TR	Tim Rogers	Team Leader Development Management	Shropshire Council