

A417 Missing Link
TR010056

7.3.9 Statement of Common Ground
with Cellnex UK Limited

Planning Act 2008

APFP Regulation 5(2)(q)
Infrastructure Planning (Applications: Prescribed Forms and
Procedure) Regulations 2009

Volume 7

May 2022

Infrastructure Planning

Planning Act 2008

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

A417 Missing Link

Development Consent Order 202[x]

Statement of Common Ground with Cellnex UK Limited

Regulation Number:	5(2)(q)
Planning Inspectorate Scheme Reference	TR010056
Application Document Reference	7.3.9
Author:	A417 Missing Link

Version	Date	Status of Version
C01	May 2022	Deadline 9

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This document is a Statement of Common Ground (SoCG) between National Highways and Cellnex UK Limited in relation to the A417 Missing Link scheme.
- 1.1.2 The document identifies the following between the two parties:
- Matters which have been agreed; and
 - Matters currently outstanding (not agreed, or subject to ongoing engagement during detailed design and construction).
- 1.1.3 The matters which are referenced in this document are those which are considered to be of material difference. Other lesser matters, such as those that concern amendments to supporting documents, will be reported on in the Consultation Report or addressed in the Environmental Statement (ES) submitted as part of the Development Consent Order (DCO) application.
- 1.1.4 This document has been prepared in accordance with Department for Communities and Local Government (now Department for Levelling Up, Housing and Communities) Guidance on the pre-application process¹.

1.2 Structure of this SoCG

- 1.2.1 The SoCG is structured as follows:
- Section 2 states the role of Cellnex UK Limited in the application and sets out the consultation undertaken with Cellnex UK Limited since Preferred Route Announcement in March 2019.
 - Section 3 summarises the topics considered within the SoCG.
 - Section 4 lists those matters which have been agreed, including the date that the matter was agreed.
 - Section 5 lists those matters which remain outstanding, incorporating a description of the matter; the position of both parties; any actions taken to address the matter; and the date of the latest position, including any further meetings planned regarding the matter.
- 1.2.2 Appendix A includes the signing sheet.

1.3 Status of this SoCG

- 1.3.1 This SoCG presents the final position between both parties during Examination, submitted at Deadline 9 (16 May 2022).

¹ Department for Communities and Local Government. Planning Act 2008: Guidance for the examination of applications for development consent. (2015)

2 Consultation

2.1 Role of Cellnex UK Limited

- 2.1.1 Cellnex UK Limited is an operator of wireless telecommunications and broadcasting infrastructure. Cellnex UK Limited merged with Arqiva in July 2020 taking over more than 7,000 sites previously operated by Arqiva.
- 2.1.2 Cellnex UK Limited is the largest supplier of sites available for sharing by other operators, for example, the Mobile Network Operators (MNOs), Airwave and other emergency/breakdown service network operators, the RNLI, the Coastguard and Maritime Services, Mountain Rescue and a range of central and local government departments and agencies. It operates around 9,000 active shared wireless infrastructure sites (neutral host) utilised by all the MNOs for the deployment of existing and future generations of mobile connectivity and particularly 5G. Additionally, Cellnex UK Limited has access to other tall buildings and structures not yet developed for electronic communications use.
- 2.1.3 Two broadcast sites are located close to the proposed route of the A417 and those provide coverage for mobile phone/handheld devices for various communication operators. The masts located at Birdlip Shab Hill (253120) installation which consists of a 64m high lattice mast and various ground-based equipment cabins, and buildings and a site known as Brimpsfield (155183) which is a 15m high monopole and ground-based equipment cabinet located on land at Stockwell Farm.
- 2.1.4 Both mast locations are located in close proximity to, though outside of the DCO boundary of the A417 Missing Link Scheme.
- 2.1.5 This SoCG deals with issues that are relevant to Cellnex UK Limited in its capacity as an affected party with an interest in land under section 42(1)(d) of the Planning Act 2008 (the Act).

2.2 Summary of consultation

- 2.2.1 Arqiva Limited who previously operated the two mast locations have been consulted by National Highways in October 2019 as part of efforts to agree statutory undertaker utility diversions.
- 2.2.2 The engagement outlined in Table 2-1 covers formal consultation with Cellnex UK Limited, and engagement which pertains to matters raised in this SoCG. Other exchanges, such as requests for information or clarification points are not detailed below but are available on request.

Table 2-1 Consultation with Cellnex UK Limited

Date	Method	Parties involved	Matters discussed
9 October 2019	Public Consultation drop in event	National Highways, Arqiva Limited	The following matters were discussed: <ul style="list-style-type: none"> • A417 Missing Link proposals discussed and reviewed • Meeting requested to better understand potential disruption to mast operation
5 November 2019	Meeting	National Highways, Arqiva Limited	The following matters were discussed: <ul style="list-style-type: none"> • Access required 24hrs a day 365 days a year • Power supply • Height of proposed scheme and structures
18 October 2021	Meeting	Cellnex UK Limited, National Highways	The following matters were discussed: <ul style="list-style-type: none"> • Description of the scheme and presentation of proposals • Request for detailed plans show the height of the road and structures in-between Cowley roundabout and Shab Hill Junction • Utility diversion details • Access requirements • Height of transmission points • Need for analysis for fixed links • SoCG details
15 November 2021	Email Correspondence	Cellnex UK Limited, National Highways	Impacts of the scheme
1 December 2021	Email Correspondence	Cellnex UK Limited, National Highways	Details of utility diversions
14 December 2021	Deadline 1 submissions	Cellnex UK Limited	Cellnex UK Limited submitted its Written Representation (REP1-024) in response to Examination Deadline 1
19 January 2022	Examination submission	Cellnex UK Limited	Cellnex UK Limited confirmed in a written submission to the Examining Authority that constructive discussions had been undertaken with the applicant's consultants and that one point of discussion remains outstanding.
4 March 2022	Email Correspondence	Cellnex UK Limited, National Highways	National Highways provided an update on a proposed EMP commitment to manage the impact of construction on Cellnex's operations.
7 March 2022	Email Correspondence	Cellnex UK Limited, National Highways	Cellnex UK Limited confirmed the proposed EMP commitment is acceptable subject to a minor amendment.

3 Matters agreed

3.1.1 Table 3-1 shows those matters which have been agreed by the parties, including that matter's reference number, and the date and method by which it was agreed.

Table 3-1 Matters agreed between Cellnex UK Limited and National Highways

Matter reference number	Matter which has been agreed	Date and method of agreement
1.1	Cellnex UK Limited agree that coverage and microwave transmission line-of-site will not be impacted by the proposed scheme once built.	Email Correspondence 15 November 2021
1.2	Cellnex UK Limited agree that there are no utility diversions for the mast located on Stockwell Farm. The information provided showing the utility diversions for the mast at Shab Hill Radio Station is sufficient to demonstrate that fibre and electricity supplies will be maintained.	Email Correspondence 1 December 2021
1.3	<p>Cellnex UK Limited has sought reassurance that the construction of the scheme should not impact on broadcast coverage or microwave transmission line-of-sight of the masts at Shab Hill and Stockwell.</p> <p>In order to provide reassurance to Cellnex UK Limited on this matter, National Highways proposes to include the following additional commitment in ES Appendix 2.1 Environmental Management Plan (Document Reference 6.4, REP4-027/28), intended to be submitted at a future Deadline of the Examination. This commitment will state:</p> <p><i>“Draft EMP Commitment PH10: Commitment: Prior to the commencement of any groundworks relating to the scheme within a 400m radius of the two Cellnex UK Limited masts at Shab Hill and Stockwell Farm, a fixed link assessment would be undertaken to establish safe working zones and identify any areas of potential disruption to Cellnex’s operations. If operation is affected, the contractor will work with Cellnex UK Limited to establish a reasonable solution.</i></p> <p><i>Objective: to mitigate any operational disruption to Cellnex UK Limited caused by plant, machinery or other equipment.”</i></p>	Email Correspondence 4 March 2022

4 Matters outstanding

4.1 Principal matters outstanding

4.1.1 There are no principal matters outstanding between Cellnex UK Limited and National Highways.

4.2 Matters Outstanding

4.2.1 Table 4-1 shows those matters which remain under discussion by the parties. It sets out the latest position of each party in relation to each matter outstanding, and the latest date of that position.

4.2.2 In response to a request by the ExA in the Rule 6 letter issued 30 September 2021 (PD-005), the final column of the table is colour coded to indicate the status of the matter at the end of Examination. The colour coding is set out as follows:


	Matter subject to ongoing engagement during the detailed design stage or construction
	Matter of difference


Table 4-1 Matters outstanding between Cellnex UK Limited and National Highways

Ref.	Matter	Cellnex UK Limited position	National Highways position	Date of the position
1.1	There are no matters outstanding.			

Appendices

Appendix A Signing Sheet

For signing	
Signed	
On Behalf of	Cellnex UK Limited
Name	Matthew Waugh
Position	Town Planning Manager
Date	09 March 2022

For signing	
Signed	
On Behalf of	National Highways
Name	Michael Goddard
Position	Project Director
Date	16 May 2022