

A1 in Northumberland: Morpeth to Ellingham

Scheme Number: TR010059

7.6I Statement of Common Ground with Northumbrian Water

Rule 8 (1)(e)

Planning Act 2008

Infrastructure Planning (Examination Procedure) Rules 2010

July 2021

Infrastructure Planning

Planning Act 2008

**The Infrastructure Planning
(Examination Procedure) Rules
2010**

**The A1 in Northumberland: Morpeth to
Ellingham**

Development Consent Order 20[xx]

**Statement of Common Ground with
Northumbrian Water**

Rule Reference:	Rule 8 (1)(e)	
Planning Inspectorate Scheme Reference:	TR010059	
Document Reference:	7.6l	
Author:	A1 in Northumberland: Morpeth to Ellingham Project Team, Highways England	
Version	Date	Status of Version
Rev 0	January 2021	Deadline 2
Rev 1	March 2021	Deadline 4
Rev 2	April 2021	Deadline 5
Rev 3	July 2021	Deadline 11

STATEMENT OF COMMON GROUND

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

Signed



Mark Stoneman

Project Manager

On behalf of Highways England

Date: 2 July 2021

Signed

On behalf of Northumbrian Water

Date:

WITHOUT PREJUDICE

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1 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

- 1.1.1. This Statement of Common Ground (SoCG) relates to an application made by Highways England (the “Applicant”) on 7 July 2020 to the Secretary of State (SoS) for Transport via the Planning Inspectorate (the “Inspectorate”) under the Planning Act 2008 (the “2008 Act”) for a Development Consent Order (DCO). The DCO was accepted for examination by the Inspectorate on 4 August 2020.
- 1.1.2. If made, the DCO would grant consent for the A1 in Northumberland, Morpeth to Ellingham (the “Scheme”). The Scheme is formed of two parts as follows: A1 Morpeth to Felton (Part A) and A1 Alnwick to Ellingham (Part B). A detailed description of the Scheme can be found in Chapter 2: The Scheme of the Environmental Statement (ES) [APP-037].
- 1.1.3. This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available on the Inspectorate website:
<https://infrastructure.planninginspectorate.gov.uk/projects/North%20East/A1-in-Northumberland---Morpeth-to-Ellingham/>
- 1.1.4. The 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.

1.2 PARTIES TO THIS STATEMENT OF COMMON GROUND

- 1.2.1. This SoCG has been prepared by (1) Highways England as the Applicant and (2) Northumbrian Water (NW).
- 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 SoS. 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. NW is the company responsible for providing water and sewerage services in the north east of England in the area affected by the proposed Scheme.

1.3 TERMINOLOGY

- 1.3.1. In the tables in the Issues section of this SoCG, “Not Agreed” indicates a final position, and “Under discussion” indicates where these points will be the subject of on-going 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 Chapter 3 of this SoCG are not of material interest or relevance to NW 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 NW.

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2 RECORD OF ENGAGEMENT

- 2.1.1. A summary of the meetings and correspondence that has taken place between Highways England and NW in relation to the Application is outlined in Table 2-1. This table has been split to reflect discussions held on Part A, Part B and the Scheme as a whole.
- 2.1.2. This table has been split to reflect discussions held on Part A, Part B and the Scheme as a whole. This reflects the history of the Scheme. Part A and Part B were originally proposed to be the subject of separate applications for DCOs but were combined into the current single Scheme.
- 2.1.3. Engagement detailed within the separate sections for Part A and Part B relates to discussions held prior to the combination of the two parts of the Scheme in March 2020. All engagement following this date is detailed under the header for the Scheme.

Table 2-1 - Record of Engagement for the Whole Scheme

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
29/01/2021 and 02/02/2021	Exchange of emails between David Green (on behalf of the Applicant) and Chris Austin (Northumbrian Water).	<p>Key Topic Sent a working version of the SoCG.</p> <p>Key Outcome The Applicant passed on a first draft of the SoCG and invited further discussion. Contact details for legal representatives confirmed.</p>
11/02/2021	Email to NW	<p>Key Topic The Applicant's legal team first contacted NW to discuss the draft statement of common ground.</p> <p>Key Outcome NW responded by email on 08/03/2020. Discussions are ongoing.</p>

Table 2-2 - Record of Engagement for Part A Only

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
28/10/2016	C3 Request Issue	<p>Key Topic Cost estimate requested</p> <p>Key Outcome To advise Part A costs</p>
20/12//2016	C3 Cost Estimate received	<p>Key Topic Cost estimate received</p> <p>Key Outcome Part A costs advised</p>
11/08/2017	Email to NW	<p>Key Topic Advising of change in consultant acting for Highways England. Request for confirmation that diversion of water mains in Causey Park Road are included in previously provided C3 costs. Advising NW that Highways England will inform them of any sewers identified by future surveys that do not appear on the records or on C3 costs will be identified to them.</p>

Date	Form of correspondence	Key Topics Discussed and Key Outcomes
		<p>Key Outcome NW informed that Highways England will be taking utility diversion and protection matters related to Part A forward.</p>
13/09/2017	Meeting with Chris Austin of NW at WSP Office in Newcastle	<p>Key Topic Review of queries to NW from email dated 11/08/2017 and of preferred route option against NW records.</p> <p>Key Outcome Requirement to refresh C2 record plans as those previously procured may now be out of date. Causey Park Road diversions will need to be diverted and this should form part of revised C3 process. Previously procured C3 costs were not related to the preferred route and should be renewed by new application. As a general comment, NW would prefer that any required diversions are online (at a revised depth to suit the proposed highway alignment) rather than the introduction of new bends that will affect flows at all diversion locations.</p>
20/09/2017	Email from NW	<p>Key Topic Confirmation that proposed National Grid diversion at Causey Park will not affect NW assets.</p> <p>Key Outcome Confirmation that Highways England should include preliminary design proposals with the request for updated C3 costs.</p>
01/05/2018	Letter & Drawings to NW	<p>Key Topic and Outcome Request for updated C3 costs based on provided drawings showing proposed route and diversions.</p>
30/05/2018	Letter to NW	<p>Key Topic Section 85 Notice.</p> <p>Key Outcome Notice of major works affecting undertaker's apparatus.</p>
09/07/2018	Emails from NW	<p>Key Topic C3 response</p> <p>Key Outcome Receipt of C3 costs pack and confirmation that costs are based on drawings provided by Highways England on 01/05/2018.</p>

Table 2-3 - Record of Engagement for Part B Only

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
28/10/2016	C3 Request Issue	<p>Key Topic Cost estimate requested</p> <p>Key Outcome To advise Part B costs</p>
20/12//2016	C3 Cost Estimate received	<p>Key Topic Cost estimate received</p> <p>Key Outcome Part B costs advised</p>
11/08/2017	Email to NW	<p>Key Topic Advising of change in consultant acting for Highways England. Advising NW that Highways England will inform them of any sewers identified by future surveys that do not appear on the records or on C3 costs will be identified to them.</p> <p>Key Outcome NW informed that Highways England will be taking utility diversion and protection matters related to Part B forward.</p>
30/05/2018	Letter to NW	<p>Key Topic Section 85 Notice.</p> <p>Key Outcome Notice of major works affecting undertaker's apparatus.</p>
02/11/2018	Letter & Drawings to NW	<p>Key Topic Request for updated C3 costs based on provided drawings showing proposed route and diversions.</p> <p>Key Outcome Response received from NW on 11/02/2019.</p>
03/01/2019	Exchange of emails	<p>Key Topic C3 cost estimate</p>

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		Key Outcome Highways England confirmed basis of cost estimate.
11/02/2019	Email from NW	Key Topic C3 response Key Outcome Receipt of C3 costs pack

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3 ISSUES

Table 3-1 - Issues Related to the Whole Scheme

Item	Northumbrian Water	Highways England Response	Status
	<p>NWL does have water apparatus contained in land which is proposed to be acquired under or affected by the DCO and therefore has rights of access or rights to place the apparatus within that third party land. For this reason, NWL does have commensurable interest in land included within the DCO.</p> <p>In line with the NRSWA Code of Practice, NWL's starting point is that apparatus should not be moved because of the proposed works to the A1 unless it cannot be safely protected & remains accessible.</p>	<p>The Applicant considers that NW is sufficiently protected by the protective provisions for water undertakers in Part 1 of Schedule 10 to the dDCO [REP3-004 and 005].</p> <p>The Applicant is in correspondence with NWL on the content of an Asset Protection Agreement. The parties are close to agreement on the outstanding matters but are likely to complete the Agreement either on 5 July 2021 or shortly after the close of the Examination. Should the Agreement complete on or before 5 July 2021, a further iteration of this statement of common ground, signed by both parties, will be submitted to the Examination to confirm the position.</p>	Under discussion
	<p>Diversions may be required to apparatus at the following locations. However, this list is not exhaustive and may be revised when further technical and design information is made available.</p> <p>The effect of your proposed works on our sewers is still being investigated.</p> <p>For water apparatus.</p> <ul style="list-style-type: none"> - 150 mm supply to Felton near Shortlaw Cottage. - 4" UPVC supply to West Thirston near West Moor. - Fieldhead reservoir inlet and outlet 6" mains near Causey Park Hag. - 4" main to Fenrother near bloom plantation. - 4" UPVC near Stafford House. - Pigdon mains 280 mm, 10", and 4" main to Stafford House near Northgate Farm to Stafford House. - 9" North Charlton to Rock Lodge, spine main. - Two 125 mm Charlton Mires Junction. South Charlton and Rock Village take off. - 90 mm Rock South Farm. - Potential local connections along the length. 	<p>During investigation at C2 and C3 (email correspondences dated 09/07/18 (part A) & 11/02/19 (part B)) stage Northumbrian Water identified no sewers that were affected by the proposed scheme.</p> <p>All water mains that were identified by Northumbrian Water as affected by the scheme are included in the C3 diversion estimates provided by Northumbrian Water. These include the water apparatus identified by Northumbrian Water, opposite.</p>	Under discussion

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