

# **A12 Chelmsford to A120 widening scheme**

**TR010060**

## **8.5 Statement of Common Ground with Network Rail Infrastructure Limited**

Rule 8 (1)(e)

Planning Act 2008  
Infrastructure Planning (Examination Procedure)  
Regulations 2010

Volume 8

Feb 2023

Infrastructure Planning

Planning Act 2008

The Infrastructure Planning  
(Examination Procedure) Rules 2010

**A12 Chelmsford to A120 widening scheme**  
Development Consent Order 202[ ]

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**Statement of Common Ground with Network Rail Infrastructure Limited**

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|---|--|
| <b>Regulation Reference</b>                   | Rule 8 (1)(e)                          |
| <b>Planning Inspectorate Scheme Reference</b> | TR010060                               |
| <b>Application Document Reference</b>         | TR010060/EXAM/8.5                      |
| <b>Author</b>                                 | A12 Project Team and National Highways |

| <b>Version</b> | <b>Date</b> | <b>Status of Version</b> |
|----------------|-------------|--------------------------|
| P01.1          | 02/2023     | DRAFT for Deadline 2     |

## STATEMENT OF COMMON GROUND

**This Statement of Common Ground has been prepared and agreed by (1) National Highways Company Limited and (2) Network Rail Infrastructure Limited.**

**Signed.....**

**[NAME]**

**Project Manager**

**on behalf of National Highways**

**Date: [DATE]**

**Signed.....**

**[NAME]**

**[POSITION]**

**on behalf of Network Rail Infrastructure 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 the proposed A12 Chelmsford to A120 Widening Scheme ("the Application") made by National Highways Company Limited ("National Highways ") to the Secretary of State for Transport ("Secretary of State") for a Development Consent Order ("the Order") under section 37 of the Planning Act 2008 ("PA 2008").
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere within the Application documents. All documents are available in the deposit locations and/or the Planning Inspectorate website.
- 1.1.3 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) National Highways as the Applicant and (2) Network Rail Infrastructure Limited ("Network Rail").
- 1.2.2 National Highways 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 National Highways 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 National Highways.

## 1.3 Terminology

- 1.3.1 In the tables in the Issues chapter of this SoCG, "Agreed" indicates a final position, and "Under discussion" 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 the Issues chapter of this SoCG are not of material interest or relevance to Network Rail Infrastructure Limited and therefore have not been the subject of any discussion 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 Network Rail Infrastructure Limited.

# 2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and Network Rail Infrastructure Limited in relation to the Application is outlined in table 2.1

**Table 2.1 Record of Engagement**

| Date                           | Form of correspondence                          | Key Topic discussed and key outcomes (the topics should align with the Issues tables)   |
|--------------------------------|---|---|
| 17 <sup>th</sup> October 2019  | Letter from National Highways (NH)              | Preferred Route Announcement.   |
| 12 <sup>th</sup> February 2021 | Microsoft Teams meeting held between NR and NH. | <ul style="list-style-type: none"> <li>• BAPA</li> <li>• Proposed Paynes Lane footbridge</li> <li>• WCH requirements of the footbridge</li> <li>• Clearance to OLE (Overhead Line Equipment)</li> <li>• Clearance process for air rights above the railway during construction, maintenance and decommission. Bridge Agreement.</li> <li>• Network Rail land boundary adjacent to the proposed northbound on-slip road</li> <li>• Estimated constructing programme</li> <li>• Disruptive Track Possession</li> <li>• Requirements for Borrow Pits in the vicinity of the railway</li> </ul> <p>Cross sections showing the proposed ground levels, latest plan of the footbridge with realigned ramps and a high-level programme to assist with producing the BAPA</p> |
| 18 <sup>th</sup> June 2021     | Letter from National Highways                   | Section 42.   |
| 5 <sup>th</sup> August 2021    | Microsoft Teams meeting held between NR and NH. | <ul style="list-style-type: none"> <li>• Project overview</li> <li>• Footpath 4 had been diverted around the new Network Rail electricity feeder station and expressed a preference for the Public Right of Way to be extinguished by the A12 scheme</li> <li>• Possible increase in traffic during or after construction over Network Rail bridges or level crossings</li> <li>• Red line boundary</li> <li>• The Rail Head at Marks Tey to be changed to temporary land as it is leased out for receiving and loading aggregate and cannot be relocated.</li> <li>• Level crossing</li> </ul>   |

| Date                           | Form of correspondence                          | Key Topic discussed and key outcomes (the topics should align with the Issues tables)  |
|--------------------------------|---|--|
| 16 <sup>th</sup> August 2021   | Email from NR to NH.                            | <p>Letter of response to section 42.</p> <p>Key topics discussed:</p> <p>Impact on Network Rail Infrastructure</p> <ul style="list-style-type: none"> <li>• Freight</li> <li>• Strategic Planning</li> <li>• Level Crossings</li> <li>• Asset Protection (ASPRO)</li> <li>• Investigation and Mitigation</li> <li>• Legal and Land Interests including Standard Provisions</li> </ul> <p>Including:</p> <ul style="list-style-type: none"> <li>• Requirement for further information and consultation</li> <li>• Potential Agreements</li> <li>• Network Rail Contacts</li> </ul>  |
| 6 <sup>th</sup> September 2021 | Microsoft Teams meeting held between NR and NH. | <ul style="list-style-type: none"> <li>• Requested Beaulieu Park NR information</li> <li>• Requested NR STAT's information</li> <li>• Discussed potentially temporarily moving NR boundary fence during north abutment construction (NR didn't seem to have an issue with this).</li> <li>• The proposed new track alignment and 3<sup>rd</sup> line associated with the new Beaulieu Railway Station</li> <li>• The proposed OLE layout/changes associated with the track alignment/3<sup>rd</sup> line</li> <li>• Minimum vertical/horizontal clearances between the OLE &amp; new footbridge</li> <li>• Minimum horizontal offset distances from any bridge piers to the railway boundary &amp; nearest running rail of the physical track.</li> <li>• Realignment of the on-slip ramp</li> <li>• Proposed Carriageway Retaining wall</li> <li>• 'Land take' requirements – NR processes, Business/Technical Clearances</li> <li>• Licenses, i.e., for new footbridge/airspace, temporary works, access to NR land, etc,</li> <li>• Design submission requirements – Approval In Principle, Detailed Design, Design Check, etc</li> <li>• Construction requirements – monitoring, daytime and/or possession working, etc</li> <li>• Timescales</li> </ul> |
| 26 <sup>th</sup> November,     | Microsoft Teams meeting held                    | <ul style="list-style-type: none"> <li>• Paynes Lane Footbridge</li> <li>• Permanent oversailing</li> </ul>  |

| Date  | Form of correspondence                          | Key Topic discussed and key outcomes (the topics should align with the Issues tables)  |
|---|---|--|
| 10 <sup>th</sup> December 2021  | between NR and NH.                              | <ul style="list-style-type: none"> <li>• Permanent land take</li> <li>• Retaining wall</li> <li>• Temporary land requirements – access, compounds, hoarding lines, boundary line relocation</li> <li>• BAPA</li> <li>• Temporary car park location</li> <li>• Framework Agreement</li> </ul>   |
| 3 meeting held between 21 <sup>st</sup> February 2022 and 23 <sup>rd</sup> March 2022 | Microsoft Teams meeting held between NR and NH. | <ul style="list-style-type: none"> <li>• CAD models/shapefiles</li> <li>• Greater Anglia</li> <li>• RAP (Railway Access Points)</li> <li>• Clearances and timescale</li> <li>• Framework Agreement</li> <li>• Letter of Assurance</li> <li>• Scheme overview</li> <li>• J19 footbridge (Bridge Agreement) and retaining structure (Asset Agreement) to be separate from BAPA</li> <li>• Potential issues at Hatfield Peverel due to stopping up on the carpark and alternative routes</li> <li>• Cross sections</li> <li>• BAPA</li> <li>• Level Crossings</li> <li>• Traffic Management Plans</li> <li>• Fees</li> <li>• Event of disagreement</li> <li>• Legal proceedings</li> <li>• Borrow Pits</li> </ul> |
| 5 <sup>th</sup> April 2022  | Email from NH to NR.                            | Network Rail Costs letter  |
| 6 <sup>th</sup> April 2022  | Email from NR to NH.                            | Requested details about the proposed Borrow Pits (depth/size, approximate distance from the railway boundary line, water extraction, whether they will be back filled, use).   |
| 6 <sup>th</sup> April 2022  | Email from NH to NR.                            | Information about Borrow Pits provided.  |
| 3 meetings held between 6 <sup>th</sup> April   | Microsoft Teams meeting held                    | <ul style="list-style-type: none"> <li>• BAPA update - progress, legal costs, liaison with TOC and Countryside Properties plc access</li> <li>• Greater Anglia</li> </ul>  |



| Date   | Form of correspondence                               | Key Topic discussed and key outcomes (the topics should align with the Issues tables)   |
|--|--|---|
| 2022 and 4 <sup>th</sup> May 2022  | between NR and NH.                                   | <ul style="list-style-type: none"> <li>• Legal – costs</li> <li>• Clearances</li> <li>• Countryside access</li> <li>• Drainage</li> <li>• Beaulieu Park Station</li> <li>• Foot crossing</li> <li>• Right of way</li> <li>• Viaduct for access to the retaining wall</li> </ul>   |
| 22nd April 2022  | Microsoft Teams meeting held between NR, BPS and NH. | <p>Meeting with Murphy's</p> <ul style="list-style-type: none"> <li>• Murphy's Infrastructure Overview</li> <li>• Traffic Management</li> <li>• Footbridge</li> <li>• DCO Programme</li> <li>• Murphy's programme – timeline, car park</li> <li>• Ditch</li> <li>• Land Use and Clearance</li> <li>• Access Road to Paynes Lane Bridge</li> <li>• Bridge Ramps</li> </ul>   |
| 13 <sup>th</sup> May 2022  | Letter from National Highways                        | Land Use Design Changes.  |
| 4 meetings held between 18 <sup>th</sup> May 2022 and 29 <sup>th</sup> June 2022 | Microsoft Teams meeting held between NR and NH.      | <ul style="list-style-type: none"> <li>• BAPA – includes proposed footbridge, slip road realignments and retaining wall.</li> <li>• Specific agreements for the footbridge and retaining wall</li> <li>• Asset Protection Agreement</li> <li>• Borrow pits</li> <li>• Greater Anglia</li> <li>• Legal – cost letter</li> <li>• Clearance – coordinates, plans updated to reduce land take</li> <li>• Statement of Reasons, Cross sections</li> <li>• Clarification of temporary land take at Marks Tey</li> </ul> |

| Date                       | Form of correspondence                          | Key Topic discussed and key outcomes (the topics should align with the Issues tables)   |
|----------------------------|---|---|
|                            |   | <ul style="list-style-type: none"> <li>• Beaulieu station – waiting for a response from Countryside about Paynes Lane Bridge (especially northern ramps)</li> <li>• Vehicle incursion around Hatfield Peverel</li> <li>• Retaining structure</li> <li>• APA - needs technical approval</li> <li>• 2/17i</li> <li>• Viaduct</li> <li>• Risk assessment</li> <li>• Document Sharing Platform</li> </ul>   |
| 9 <sup>th</sup> June 2022  | Letter from National Highways                   | Proposed changes to the Scheme.   |
| 29 <sup>th</sup> June 2022 | Email from NH to NR.                            | Signed BAPA agreement.  |
| 13 <sup>th</sup> July 2022 | Microsoft Teams meeting held between NR and NH. | <ul style="list-style-type: none"> <li>• Greater Anglia</li> <li>• Clearance update</li> <li>• Query on purple land - National Highways to clarify rationale behind acquisition of subsoil interests.</li> <li>• Beaulieu Station update – landing of the ramps agreed with Murphy’s to go outside of Countryside’s Red Line Boundary. DCO submission date to be pushed back to accommodate this change.</li> <li>• Document Sharing platform</li> <li>• Forecast</li> <li>• Clarification of what agreements are required</li> </ul>   |
| 27 <sup>th</sup> July 2022 | Microsoft Teams meeting held between NR and NH. | <ul style="list-style-type: none"> <li>• More complex works e.g. the bridge, on-slip and retaining walls works require an agreement separate to the BAPA</li> <li>• Clearances update and possibility of beginning the bridge agreement</li> <li>• Beaulieu Park Station- concerns that some of National Highways works will clash with Network Rail plans (track alignment is being moved 1.5 m to the south and there is some proposed A12 land take here)</li> <li>• Beaulieu Park Station – description of works (new station, car park, update to the railway line)</li> <li>• Subsoil rights (purple land-2/17i)</li> </ul> |

| Date  | Form of correspondence                               | Key Topic discussed and key outcomes (the topics should align with the Issues tables)  |
|---|--|--|
|   |  | <ul style="list-style-type: none"> <li>• Footbridge and documentation to be shared via sharing platform.</li> <li>• Forecast</li> <li>• Statement of Common Ground</li> <li>• Route for A12 maintenance access – best route would be via eastern side of car park, entered from the northern end via a gated maintenance road.</li> </ul>  |
| 15 <sup>th</sup> and 27 <sup>th</sup> July 2022 | Microsoft Teams meeting held between NR, BPS and NH. | <ul style="list-style-type: none"> <li>• Murphy's update</li> <li>• Programme of works</li> <li>• Railway re-profiling</li> <li>• Footbridge</li> <li>• Document sharing platform and interface</li> <li>• Land boundaries</li> <li>• Anglian Water – as built needed for BPS</li> <li>• DCO timelines</li> <li>• Access</li> <li>• Carpark detail</li> <li>• Paynes Lane footbridge</li> <li>• Preferred pedestrian bridge options</li> <li>• Maintenance access track</li> </ul> |
| 27 <sup>th</sup> July 2022                      | Email from NH to NR.                                 | Confirmed that Plot 2/17f has now been removed.  |
| 29 <sup>th</sup> July 2022                      | Email from NH to NR.                                 | Draft copy of DCO attached.  |
| 29 <sup>th</sup> July 2022                      | Email from NH to NR.                                 | Confirmed that there is a live application with Essex Highways to close the crossing at Boreham. Noakes level crossing at 32.77 is proposed to be extinguished under TWAO powers. Requested a meeting to further understand National Highways' latest plans and to understand timescales and the impact on the level crossings along the A12 corridor.   |
| 29 <sup>th</sup> July 2022                      | Microsoft Teams meeting held between NR and NH.      | <ul style="list-style-type: none"> <li>• Confirmation of Paynes Lane Bridge Land take.</li> <li>• 2/17i. Confirmed that there is a brick arch viaduct that the Boreham Brook goes under</li> <li>• Utilities mast – assumed to be located on 19/11b</li> <li>• Confirmation of works at Marks Tey Station area</li> </ul>  |

| Date   | Form of correspondence                                      | Key Topic discussed and key outcomes (the topics should align with the Issues tables)   |
|--|---|---|
|  |   | <ul style="list-style-type: none"> <li>• CAD model to be sent through by Ardent so that NR can draft clearance plans</li> </ul>   |
| <p>3 meetings held between 10<sup>th</sup> August 2022 and 31<sup>st</sup> August 2022</p> | <p>Microsoft Teams meeting held between NR and NH.</p>      | <ul style="list-style-type: none"> <li>• Beaulieu Park Station</li> <li>• Forecast – cost breakdowns</li> <li>• Statement of Common Ground</li> <li>• Clearance update</li> <li>• BAPA update</li> <li>• Clash</li> <li>• Confirmation of deconfliction with BPS workstream.</li> <li>• CAD files</li> <li>• Statement of Common Ground</li> </ul>  |
| <p>26<sup>th</sup> August 2022</p>   | <p>Microsoft Teams meeting held between NR, BPS and NH.</p> | <ul style="list-style-type: none"> <li>• Clash protection</li> <li>• Levels between A12 slip and the track</li> <li>• Overlay</li> <li>• Timescales</li> <li>• Plan of tentative cross section</li> <li>• Access Road/Car Park</li> <li>• Surface water drainage</li> <li>• Maintenance rights must be added into agreement involving plot 2/15a</li> <li>• Land transfers</li> <li>• Design plans</li> </ul>   |
| <p>2<sup>nd</sup> September 2022</p>   | <p>Email from NH to NR.</p>                                 | <ul style="list-style-type: none"> <li>• Countryside Zest – site developers to the north of Paynes Lane bridge are planning to transfer land for an overspill car park to Network Rail. Some of this land will be in the A12 Red Line Boundary and will be operated on a franchise basis</li> <li>• National Highways require an easement to maintain and service the bridge which may need to be through Network Rail land</li> <li>• Conversations with Beaulieu Park Station have revealed that the location of track has been heavily investigated by Network Rail and the regrading of the embankment</li> </ul> |

| Date   | Form of correspondence                               | Key Topic discussed and key outcomes (the topics should align with the Issues tables)  |
|--|--|--|
| 5 <sup>th</sup> September 2022                       | Email from NR to NH.                                 | Stakeholder Contacts – New Paynes Lane Footbridge and Junction 19 works document/ AMP002 form shared.  |
| 6 <sup>th</sup> September 2022                       | Letter from NH.                                      | Land use design changes letter.  |
| 7 <sup>th</sup> September 2022                       | Microsoft Teams meeting held between NR and NH.      | <ul style="list-style-type: none"> <li>• Land transfer from Countryside Zest to Network Rail</li> <li>• Clearance – make sure that none of the land transfer will impact this</li> <li>• Beaulieu Park Station – land take, how much of an effect to the land parcels of the land south of the railway</li> <li>• Overlay</li> <li>• Technical clearance</li> <li>• Insurance</li> </ul> |
| 13 <sup>th</sup> September 2022                      | Email from NH to NR.                                 | Beaulieu Park Station interface attached.  |
| 13 <sup>th</sup> September 2022                      | Email from NH to NR.                                 | Car park overlay attached.   |
| 20 <sup>th</sup> September 2022                      | Letter from NH.                                      | Section 56.  |
| 14 <sup>th</sup> and 21 <sup>st</sup> September 2022 | Microsoft Teams meeting held between NR and NH.      | <ul style="list-style-type: none"> <li>• Drainage</li> <li>• Clearances update – business and technical</li> <li>• Collaboration Space</li> <li>• Land acquisition</li> <li>• Beaulieu Park Station</li> <li>• Structures – footbridge, detailed design</li> <li>• Cost undertaking</li> </ul>   |
| 28 <sup>th</sup> September 2022                      | Microsoft Teams meeting held between NR, BPS and NH. | <ul style="list-style-type: none"> <li>• DCO programme</li> <li>• Clearance</li> <li>• Bridge/ramp design</li> <li>• Land acquisition/design</li> <li>• Drainage</li> <li>• Embankment</li> </ul>  |

| Date  | Form of correspondence                                     | Key Topic discussed and key outcomes (the topics should align with the Issues tables)  |
|---|--|--|
| <p>3 meetings held between 7<sup>th</sup> October 2022 and 26<sup>th</sup> October 2022</p>   | <p>Microsoft Teams meeting held between NR and NH.</p>     | <ul style="list-style-type: none"> <li>• Paynes Lane Footbridge</li> <li>• Ownership of footbridge</li> <li>• Clearance overview</li> <li>• Timescales</li> <li>• Deliverables</li> <li>• DDA Compliance</li> <li>• Design – steps/ramps</li> <li>• Survey access</li> <li>• Clearance update</li> <li>• Asset Protection Agreement</li> <li>• Land acquisition – Junction 19 and Marks Tey area</li> <li>• Process Overview</li> <li>• Bridge Agreement</li> <li>• Embankment subsidence</li> </ul> |
| <p>14<sup>th</sup> October 2022</p>   | <p>Microsoft Teams meeting held between NR, CZ and NH.</p> | <ul style="list-style-type: none"> <li>• District Valuer</li> <li>• Overlay plan – overlays all interests in the area (National Highways, Network Rail and Beaulieu Park Station)</li> <li>• Timescales for the diversion east to west route</li> <li>• Land transfer</li> <li>• Operational access along the fence line (Murphy’s)</li> <li>• Timescales for the footbridge</li> </ul>  |
| <p>3 meetings held between 2<sup>nd</sup> November 2022 and 16<sup>th</sup> November 2022</p> | <p>Microsoft Teams meeting held between NR and NH.</p>     | <ul style="list-style-type: none"> <li>• Clearance</li> <li>• Relevant Representation</li> <li>• Bridge agreement</li> <li>• Embankment subsidence</li> <li>• Deed of undertaking</li> <li>• Strategy Clearance</li> <li>• Countryside Zest – land transfer</li> <li>• Plans</li> <li>• AOB</li> </ul>   |
| <p>2<sup>nd</sup> November 2022</p>   | <p>Email from NR to NH.</p>                                | <p>Current Network Rail and National Highways Overbridge Agreement attached</p>  |

| Date   | Form of correspondence                              | Key Topic discussed and key outcomes (the topics should align with the Issues tables)  |
|--|---|--|
| 16 <sup>th</sup> November 2022   | Email from NR to NH.                                | Table of Network Rail interests and Schedule of Works document attached.   |
| 28 <sup>th</sup> November 2022   | Email from NR to NH.                                | <p>Queries raised about clearances:</p> <ul style="list-style-type: none"> <li>• 2/18d - confirmation of the rights acquired</li> <li>• 19/11a - confirmation of the rights acquired</li> <li>• 19/11b - confirmation of the rights acquired</li> <li>• 19/12a - confirmation of the rights acquired</li> <li>• 19/12b - confirmation of the rights acquired</li> <li>• 19/12c - confirmation of the rights acquired</li> </ul>  |
| 30 <sup>th</sup> December 2022   | Email from NR to NH.                                | Asset Protection Agreement Outside Party and Third-Party Asset Protection Agreement templates attached.  |
| 9 meetings held between 23 <sup>rd</sup> November 2022 and 25 <sup>th</sup> January 2023 | Microsoft Teams meeting held between NR and NH.     | <ul style="list-style-type: none"> <li>• DCO update</li> <li>• Clearances – update</li> <li>• Beaulieu Park Station – overlay, plans, clashes (2/15, NR boundary, footbridge, utilities, access)</li> <li>• Template agreements – bridge agreements and retaining wall and earthworks, asset agreement</li> <li>• Protective Provisions/Agreements</li> <li>• CM/CEM agreement</li> <li>• Timescale</li> <li>• Drainage – existing ditch, 2/17g, 2/17n</li> <li>• 2/1b NR land interest</li> </ul> |
| 26 <sup>th</sup> January 2023  | Microsoft Teams meeting held between NR, NH and CZ. | <ul style="list-style-type: none"> <li>• Plans/overlay</li> <li>• Shape files</li> <li>• Area of the car park, main area DCO and Beaulieu 'clash' - coordinated boundary</li> <li>• Land transfer</li> <li>• Assets and issues arising from this</li> <li>• Red line boundary</li> <li>• 2/15a</li> <li>• Purple land</li> <li>• Face to face meeting</li> <li>• Underground search report</li> </ul>  |

| Date  | Form of correspondence                          | Key Topic discussed and key outcomes (the topics should align with the Issues tables)  |
|---|---|--|
|   |   | <ul style="list-style-type: none"> <li>• Proposed works at Marks Tey and communications with Tarmac Trading</li> </ul>   |
| 1 <sup>st</sup> February 2023                     | Microsoft Teams meeting held between NR and NH. | <ul style="list-style-type: none"> <li>• Clearances – including rejections</li> <li>• NR occupier rights</li> <li>• Filter drain</li> <li>• Ditch and slope design</li> <li>• Viaduct space</li> </ul> |
| 8 <sup>th</sup> and 9 <sup>th</sup> February 2023 | Microsoft Teams meeting held between NR and NH  | <ul style="list-style-type: none"> <li>• Clearances – now reduced to 70</li> <li>• SoCG</li> <li>• Filter drain</li> </ul>   |

2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) National Highways and (2) Network Rail Infrastructure Limited in relation to the issues addressed in this SoCG.

2.1.3 This statement is The Applicant's draft, it is not agreed with Network Rail. Network Rail were only provided with the draft statement on 9th February 2023 and will comment on the draft at Deadline 3 [9th March 2023]



### 3 Issues

#### 3.1 Issues agreed

**Table 3.1 Issues agreed.**

| Ref | Issue  | Doc Reference | Network Rail Infrastructure Limited Position         | National Highways Position  | Status | Date    |
|-----|--|---------------|--|---|--------|---------|
| 1.  | Utilities, including telecoms mast at Marks Tey. |               | Concerns over the mast location being within NR land | The mast is located on National Highways land.                        | Agreed | Aug-22  |
| 2.  | Data sharing                                     |               |  | Data sharing platform set up to provide up to date information to NR. | Agreed | June-22 |

#### 3.2 Issues in discussion

**Table 3.2 Issues in discussion.**

| Ref | Issue              | Doc Reference | Network Rail Infrastructure Limited Position   | National Highways Position  | Status           | Date   |
|-----|--------------------|---------------|--|---|------------------|--------|
| 1.  | Business Clearance |               | Update [11 January 2023] - One has been rejected [insert clearance no]. There have been delays due to the production of the overlay plans, in a SHP file.<br>Countryside can comment how Beaulieu is affecting the NR. | Countryside Zest [developer of area to the east of new Beaulieu Park Railway Station] have provided the overlays to NR on 21 <sup>st</sup> November 2022<br>On 11 <sup>th</sup> January 2023, Network Rail confirmed that | Under discussion | Feb-23 |

| Ref | Issue               | Doc Reference | Network Rail Infrastructure Limited Position  | National Highways Position   | Status           | Date   |
|-----|---------------------|---------------|---|--|------------------|--------|
|     |                     |               | <p>217G/ii has business clearance 2/17g ii, not yet technical clearance.</p> <p>Plot 2/17m (iii) approval for business clearance.</p> | <p>there are now 164 Clearances to approve.</p> <p>NH requested a clearance status confirmation schedule on 11<sup>th</sup> January 2023 in order to resource and assist NR in working through the clearances.</p> <p>As requested, NH resent the Shapefile to NR on 19<sup>th</sup> January 2023.</p> <p>NH have reviewed outstanding clearance parcels and believe some can be removed from the Book of Reference.</p> |                  |        |
| 2.  | Technical Clearance |               | Awaiting business clearance   | <p>Discussions on Technical Clearance have commenced.</p> <p>19/01/23 NR are organising an internal meeting with Kenneth Dinah (Technical Clearance Manager) to expedite process.</p>  | Under discussion | Feb-23 |
| 3.  | Framework Agreement |               | NR provided their template draft Framework Agreement.   | National Highways is reviewing the draft Agreement.  | Under discussion | Feb-23 |

| Ref | Issue   | Doc Reference | Network Rail Infrastructure Limited Position   | National Highways Position  | Status           | Date   |
|-----|---|---------------|--|---|------------------|--------|
| 4.  | Network Rail Documents – Overbridge Agreement or Asset Protection Agreement/ – review the RR and talk about PPs |               | NR provided a template Overbridge Agreement.   | National Highways are reviewing the template.   | Under discussion | Feb-23 |
| 5.  | Protective Provisions   |               | NR has requested that their Standard Protected Provisions for inclusion within DCOs. | National Highways agrees in principle to the inclusion of protective provisions in the DCO and the parties are currently discussing a few technical points. | Under discussion | Feb-23 |
| 6.  | Maintenance road to Paynes Lane Bridge. Located on Countryside Zest land, to be transferred to Network Rail     |               | The access being proposed by NH for maintenance is not a permanent access track.     | National Highways is in discussion with NR and Countryside Zest.  | Under discussion | Feb-23 |
| 7.  | Transfer of Countryside Land to NR. Clash at bottom right of NR operational                                     |               | Land is within the order limits that is required for Beaulieu Park Station.          | To be worked through in Detailed Design and agreed with Network Rail. NH will agree to having a right to build and maintain the pedestrian bridge. The      | Under discussion | Feb-23 |

| Ref | Issue   | Doc Reference | Network Rail Infrastructure Limited Position   | National Highways Position  | Status           | Date   |
|-----|---|---------------|--|---|------------------|--------|
|     | overspill car park (plot 2/15a)                                       |               |  | perceived clash appears to be down to the thickness of the Red Line Boundary.   |                  |        |
| 8.  | Level Crossing removal – Generals Lane (located to the north of 2/7c) |               | NR ASPRO team have no issues with it being removed but await operational approval.       | Application has commenced with NR Easements and Wayleaves team.   | Under discussion | Feb-23 |
| 9.  | Drainage design for A12 scheme interaction with NR embankment         |               | NR embankment cannot be affected by the NH drainage proposals.                           | Design to be developed during the detailed design stage with consideration for NR asset risks.                            | Under discussion | Feb-23 |
| 10. | Interaction with proposed new Beaulieu Park Station                   |               | NR are waiting on Beaulieu Park ASPRO team to provide information to inform NH's design. | Design to be developed during the detailed design stage with consideration for NR asset risks. Dialogue ongoing with BPS. | Under discussion | Feb-23 |

## Acronyms

| Abbreviation | Term                             |
|--------------|----------------------------------|
| AOB          | Any Other Business               |
| APA          | Asset Protection Agreement       |
| ASPRO        | Asset Protection                 |
| BAPA         | Basic Asset Protection Agreement |
| BPS          | Beaulieu Park Station            |
| CAD          | Computer Aided Design            |
| CZ           | Countryside Zest                 |
| DDA          | Disability Discrimination Act    |
| DCO          | Development Consent Order        |
| NH           | National Highways                |
| NR           | Network Rail                     |
| OLE          | Overhead Line Equipment          |
| SoCG         | Statement of Common Ground       |
| TOC          | Train Operating Companies        |
| WBD          | Womble Bond Dickinson            |

## Glossary

| Term                | Definition   |
|---------------------|--|
| Business Clearance  | Part of Network Rail's internal (non-statutory) clearance process which is required before land or rights can be disposed of and is a business requirement before the disposal can be signed off under the terms of their Network Licence. |
| Technical Clearance | Part of Network Rail's internal (non-statutory) clearance process which is required before land or rights can be disposed of and is a business requirement before the disposal can be signed off under the terms of their Network Licence  |

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## References

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## Appendix

### A.1 Appendix A

A.1.1 Clearance list provided by NR on 15.12.22

### A.2 Appendix B

A.2.1 Meeting minutes

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**For each of those areas that are in dispute, it would be beneficial if each party would put their estimation as to the likelihood that disagreement will remain by the end of the Annex F**

**F2 Examination. This should be done on a ‘Low’, ‘Medium’ and ‘High’ traffic light model. This will allow the ExA to assess those areas where oral discussions may be most beneficial.**

|  |        |
|--|--------|
|  | Low    |
|  | Medium |
|  | High   |

| Issue/ Matters under discussion   | RAG Status Estimation | RAG Status Estimation |
|---|-----------------------|-----------------------|
|   | National Highways     | Network Rail (NR)     |
| Business Clearance  |                       |                       |
| Technical Clearance   |                       |                       |
| Framework Agreement   |                       |                       |
| Network Rail Documents –<br>Overbridge Agreement or<br>Asset Protection Agreement/<br>– review the RR and talk<br>about PPs |                       |                       |
| Protective Provisions   |                       |                       |
| Maintenance road to Paynes Lane Bridge. Located on Countryside Zest land, to be transferred to Network Rail                 |                       |                       |
| Transfer of Countryside Land to NR. Clash at bottom right of NR operational overspill car park (plot 2/15a)                 |                       |                       |
| Level Crossing removal – Generals Lane (located to the north of 2/7c)   |                       |                       |

|   |  |  |
|---|--|--|
| Drainage design for A12 scheme interaction with NR embankment |  |  |
| Interaction with proposed new Beaulieu Park Station           |  |  |

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