

# **A12 Chelmsford to A120 widening scheme**

**TR010060**

## **7.4 Statement of Common Ground with Network Rail**

Rule 8 (x)(x)

Planning Act 2008  
Infrastructure Planning (Examination Procedure)  
Regulations 2010

Volume 9

Feb 2023

Note: The tracked changes below show Network Rail Infrastructure Limited's comments on this Statement of Common Ground as at 9 March 2023. The SoCG is not yet finalised.

## Infrastructure Planning

### Planning Act 2008

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

## A12 Chelmsford to A120 widening scheme Development Consent Order 2022

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

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<b>Regulation Reference</b>	Rule 8 (x)(x)
<b>Planning Inspectorate Scheme Reference</b>	TR010060
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<b>Author</b>	A12 Project Team and National Highways

<b>Version</b>	<b>Date</b>	<b>Status of Version</b>
P01.1	02/2023	S0 - INITIAL STATUS

## 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 either (i) not of material interest or relevance to Network Rail and therefore have not been the subject of any discussion between the parties, or (ii) are matters which Network Rail is not yet aware of, for example, due to the need to carry out further analysis of the impacts of the works contemplated by the Order following additional information requested from National Highways.
- 1.3.3

## 2 Record of Engagement

2.1.1 A summary of the meetings and correspondence that has taken place between National Highways and Network Rail 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	Preferred Route Announcement
12 February 2021	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• BAPA – what it is, process</li> <li>• Proposed Paynes Lane footbridge</li> <li>• WCH requirements of the footbridge</li> <li>• Clearance to OLE</li> <li>• Clearance process for air rights above the railway during construction, maintenance and decommission. Bespoke 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>
15 <sup>th</sup> March 2021	Email from NH to NR.	Shape files for the A12 Provisional Order Limits attached.
10 <sup>th</sup> May 2021	Email from NH to NR.	Clarification needed regarding land ownership boundary.
12 <sup>th</sup> May 2021	Email from NR to NH.	<p>Plan attached showing land ownership and confirmed overlap on Land Registry title ref EX862877.</p> <ul style="list-style-type: none"> <li>• Requested further detail on the proposed new realignment/design for the A12 on-slip ramp</li> </ul>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
18 <sup>th</sup> June 2021	Letter from National Highways	Section 42 letter
22 <sup>nd</sup> July 2021	Email from NH to NR.	Requested guidance on clearance requirements and minimum distances from piling / construction works to existing rail line.
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>
16 <sup>th</sup> August 2021	Email from NR to NH.	<p>Letter of response to section 42 letter</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> </ul>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
6 <sup>th</sup> September 2021	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Network Rail Contacts</li> <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 2021	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Paynes Lane Footbridge</li> <li>• Permanent oversailing</li> <li>• Permanent land take</li> <li>• Retaining wall</li> <li>• Temporary land requirements – access, compounds, hoarding lines, boundary line relocation</li> <li>• BAPA</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	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Framework Agreement</li> <li>• BAPA - costs</li> <li>• NR requested costs during examination to be paid by NH.</li> <li>• Paynes Lane Bridge – further information required</li> <li>• Temporary car park location</li> <li>• Paynes Lane Footbridge</li> </ul>
21 <sup>st</sup> February 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• CAD models</li> <li>• Greater Anglia</li> <li>• RAP (Railway Access Points)</li> <li>• Clearances</li> <li>• Shapefiles</li> <li>• Framework Agreement</li> <li>• Letter of Assurance</li> </ul>
9 <sup>th</sup> March 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Scheme overview</li> <li>• Greater Anglia</li> <li>• Plans of proposed upgrade scheme at Junction 19</li> <li>• NR Clearance process and timescale</li> <li>• Potential issues at Hatfield Peverel due to stopping up on the carpark and alternative routes</li> <li>• Retaining wall – separate agreement needed</li> <li>• Detail required for clearance</li> <li>• Cross sections</li> </ul>
23 <sup>rd</sup> March 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• BAPA to include all interfaces</li> <li>• J19 footbridge (Bridge Agreement) and retaining structure (Asset Agreement) to be separate from BAPA</li> <li>• Clearance Process</li> <li>• Framework Agreement</li> <li>• Level Crossings</li> <li>• Traffic Management Plans</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>• Fees</li> <li>• Event of disagreement</li> <li>• Legal proceedings</li> <li>• Borrow Pits</li> </ul>
23 <sup>rd</sup> March 2022	Email from NH to NR.	Requested details about costs to be incurred for the framework agreement, a contact should any disagreement occur and any further relevant information.
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.
6 <sup>th</sup> April 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• BAPA progress, legal costs, liaison with TOC and Countryside Properties plc access</li> <li>• Clearances</li> <li>• Viaduct for access to the retaining wall</li> </ul>
12 <sup>th</sup> April 2022	Email from NH to NR.	Requested NR comments on cost letter
13 <sup>th</sup> April 2022	Email from NR to NH.	Clarified NR would wish for National Highways to pay any costs associated with the Examination
20 <sup>th</sup> April 2022	Email from NH to NR.	<p>Confirming National Highways will be discussing with Murphy about:</p> <ul style="list-style-type: none"> <li>• Required land take, easements</li> <li>• Earthworks, drainage network, comms and any other assets</li> <li>• Programme</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>• Temporary works</li> <li>• Maintenance regime and existing and new assets</li> <li>• Drainage typical details ditch and filter drain proposals adjacent to Great Eastern Mainline attached.</li> </ul>
20 <sup>th</sup> April 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• BAPA update</li> <li>• Greater Anglia</li> <li>• Legal – costs</li> <li>• Clearance</li> <li>• Countryside access</li> </ul>
22 <sup>nd</sup> 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>
4 <sup>th</sup> May 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• BAPA progress</li> <li>• Greater Anglia</li> <li>• Legal fees</li> <li>• Clearance – current drainage proposals for the on-slip will proceed</li> <li>• Beaulieu Park Station</li> <li>• Countryside access</li> <li>• Foot crossing</li> <li>• Right of way</li> </ul>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
13 <sup>th</sup> May 2022	Letter from National Highways	Land Use Design Changes letter
18 <sup>th</sup> May 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Original BAPA sent – includes proposed footbridge, slip road realignments and retaining wall.</li> <li>• Specific agreements for the footbridge and retaining wall will follow</li> <li>• Asset Protection Agreement</li> <li>• Borrow pits – likely to be another BAPA agreement</li> <li>• Greater Anglia</li> <li>• Legal – cost letter</li> <li>• Clearance – coordinates needed</li> <li>• Draft clearance plan shared</li> <li>• For retaining structure, a BAPA is possible but this depends on the value of and maintenance cost of structure <ul style="list-style-type: none"> <li>- APA - needs technical approval.</li> </ul> </li> </ul>
1 <sup>st</sup> June 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Confirmed receipt of BAPA</li> <li>• Cost</li> <li>• Agreements to be entered over asset protection and then separate agreements for clearances</li> <li>• Greater Anglia</li> <li>• Legal</li> <li>• Clearance – plans have been updated to reduce land take</li> <li>• Statement of Reasons, Cross sections</li> <li>• Vehicle incursion around Hatfield Peverel</li> </ul>
9 <sup>th</sup> June 2022	Letter from National Highways	Proposed changes to the Scheme.
15 <sup>th</sup> June 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• BAPA update</li> <li>• Greater Anglia – National Highways are responding to concerns and compensation payments</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>• Legal – co-signed letter received by National Highways</li> <li>• Clearance - documents submitted</li> <li>• Clarification of temporary land take at Marks Tey</li> <li>• Beaulieu station – waiting for a response from Countryside about Paynes Lane Bridge (especially northern ramps)</li> </ul>
15 <sup>th</sup> June 2022	Email from NH to NR.	<ul style="list-style-type: none"> <li>• Land Plans, earthworks and initial drainage proposals, in requested format including CAD layers provided.</li> </ul>
29 <sup>th</sup> June 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• BAPA</li> <li>• Greater Anglia – commercial and legal update</li> <li>• Legal</li> <li>• Clearance – all documents submitted</li> <li>• 2/17i</li> <li>• Viaduct</li> <li>• Risk assessment</li> <li>• Document Sharing Platform</li> </ul>
29 <sup>th</sup> June 2022	Email from NR to NH.	<p>Plot 2/18d (temporary possession and permanent rights)</p> <ul style="list-style-type: none"> <li>• Request for updated land plans</li> <li>• Explanations for the changes</li> </ul>
29 <sup>th</sup> June 2022	Email from NH to NR.	Signed BAPA agreement.
13 <sup>th</sup> July 2022	Email from NR to NH.	<p>Outline of types of agreements required:</p> <ul style="list-style-type: none"> <li>• Property</li> <li>• Asset Protection</li> </ul>
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> </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>• 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>
13 <sup>th</sup> July 2022	Email from Nr to NH.	<p>Outline of agreements needed:</p> <ul style="list-style-type: none"> <li>• Property</li> <li>• Asset Protection</li> </ul>
15 July 2022	Microsoft Teams meeting held between NR, BPS and NH.	<p>Meeting with Murphy’s</p> <ul style="list-style-type: none"> <li>• Latest options document produced for the Paynes Lane footbridge</li> <li>• Preferred pedestrian bridge options</li> <li>• Beaulieu Park update</li> <li>• Interface and information sharing</li> <li>• NR advice of maintenance access track</li> </ul>
20 July 2022	Email from NR to NH.	<p>Update on Network Rail’s legal drafting of the permanent and temporary land takes, on a plot-by-plot basis with a description of proposed use.</p> <p>Request to confirm the legal drafting. Request of Shape files for the above.</p>
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> </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>• 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> <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>
27 <sup>th</sup> July 2022	Microsoft Teams meeting held between NR, BPS and NH.	<p>Meeting with Murphys</p> <ul style="list-style-type: none"> <li>• Murphys update</li> <li>• Programme of works</li> <li>• Railway re-profiling</li> <li>• Footbridge</li> <li>• Document sharing platform</li> <li>• Land boundaries</li> <li>• Anglian Water – asbuilt needed for Beaulieu Park Station</li> <li>• DCO timelines</li> <li>• Access</li> <li>• Carpark detail</li> </ul>
27 <sup>th</sup> July 2022	Email from NH to NR.	Confirmed that Plot 2/17f has now been removed. Comments attached to email sent by Stephen Sprei 20 <sup>th</sup> July 2022 about legal drafting on plot-by-plot basis.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
29 <sup>th</sup> July 2022	Email from NH to NR.	Draft copy of DCO attached.
29 <sup>th</sup> July 2022	Email from NR to NH.	<p>Network Rail land plans attached for plots 19/11a, 19/11b, 19/12a, 19/12b, 19/12c, 2/17a, 2/17b, 2/17c, 2/17e, 2/17f, 2/17g, 2/17h, 2/17i, 2/17j, 2/17k, 2/17l, 2/17m, 2/17n, 2/18a, 2/18b, 2/18c, 2/18d.</p> <p>Easements and Wayleaves – location of the mast confirmed to fall under plot 19/12b.</p> <p>Mileage of level crossing proposed to be closed under the DCO provided.</p>
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	Email from NR to NH.	Asked for confirmation that National Highways' intention to construct the bridge to replace the level crossing.
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> <li>• CAD model to be sent through by Ardent so that NR can draft clearance plans</li> </ul>
1 <sup>st</sup> August 2022	Email from NH to NR.	Paragraph extracted from the Environmental Statement, Section 11 Population and Human Health 11.3 Operation to show National



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		Highways' intention regarding the proposed bridge to replace the level crossing.
1 <sup>st</sup> August 2022	Email from NH to NR.	Coordinates for the pole shared. Confirmed this is an Openreach comms line. Requested confirmation of ownership of the pole.
10 <sup>th</sup> August 2022	Email from NH to NR.	Updated CAD files shared.
10 <sup>th</sup> August 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Update on BAPA – clarity needed around the other agreements required</li> <li>• Clearance update</li> <li>• Confirmation of deconfliction with BPS (Beaulieu Park Station) workstream.</li> <li>• CAD files</li> <li>• Forecast update</li> <li>• Statement of Common Ground</li> </ul>
24 <sup>th</sup> August 2022	Microsoft Teams meeting held between NR and NH.	<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 – updated liability insurance certificate and purchase order are required</li> </ul>
26 <sup>th</sup> August 2022	Microsoft Teams meeting held between NR, BPS and NH.	<p>Meeting with Murphy's</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> </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>• Land transfers</li> <li>• Design plans</li> </ul>
31 <sup>st</sup> August 2022	Microsoft Teams meeting held between NR and NH.	Discussing clash with NR land and works proposed by the Order
2 <sup>nd</sup> September 2022	Email from NH to NR.	<p>Matters raised:</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>
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> </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>• 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.
14 <sup>th</sup> September 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• National Highways confirmed receipt of Beaulieu Park Station CAD drawings</li> <li>• Drainage</li> <li>• Business Clearance – update</li> <li>• Land acquisition</li> <li>• AOB</li> </ul>
20 <sup>th</sup> September 2022	Letter from NH.	<ul style="list-style-type: none"> <li>• Section 56 letter.</li> </ul>
21 <sup>st</sup> September 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Clearances update – business and technical</li> <li>• Collaboration Space</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>
29 <sup>th</sup> September 2022	Email from NR to NH.	<p>Network Rail guidance documents attached for Approved in Principle submission</p> <p>Guidance Note for Formal Technical Review Rev 02 – June 2019.pdf</p> <p>NR Technical Requirement for OP works Rev 02 – 2013.pdf</p> <p><i>NR/L2/CIV/003-Form A – ASPRO Rev0.docx</i></p> <p>Certificate of Approval in Principle (AiP)</p>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<p><i>NR/L2/CIV/003-FormB – ASPRO Rev0.docx</i> Certificate of Design and Check for permanent works.</p> <p><i>NR/L2/CIV/003-FormC – ASPRO Rev0.docx</i> Certificate of Design and Check for temporary works.</p> <p><i>NR/L2/RSE/02009-F0039 – CEM.docx</i> Appointment of Contractor's Engineering Manager (CEM)</p> <p><i>NR/L2/RSE/02009-F0040 – CRE.docx</i> Appointment of Contractor's Responsible Engineer (CRE)</p> <p><i>Designer, Checker, CRE &amp; CEM.doc</i> Identification of Designer, Checker, Contractor's Responsible Engineer and Contractor's Engineering Manager.</p> <ul style="list-style-type: none"> <li>• Amended forms</li> </ul>
7 <sup>th</sup> October 2022	Microsoft Teams meeting held between NR and NH.	<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> </ul>
13 <sup>th</sup> October 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <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>• AOB</li> </ul>
14 <sup>th</sup> October 2022	Microsoft Teams meeting held between NR, CZ and NH.	<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> </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>• 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>
26 <sup>th</sup> October 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Clearance</li> <li>• Asset Protection Agreement</li> <li>• Embankment subsidence</li> <li>• Bridge Agreement</li> <li>• AOB</li> </ul>
26 <sup>th</sup> October 2022	Email from NR to NH.	NR/L2/PRO/001 Issue 1 Property Clearance Process attached to offer guidance on Network Rail clearance process.
2 <sup>nd</sup> November 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Clearance</li> <li>• Bridge agreement</li> <li>• Embankment subsidence</li> <li>• Deed of undertaking</li> <li>• AOB</li> </ul>
2 <sup>nd</sup> November 2022	Email from NR to NH.	Current Network Rail and National Highways Overbridge Agreement attached
9 <sup>th</sup> November 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Relevant Representation</li> <li>• Clearances update</li> <li>• Strategy Clearance</li> <li>• Plans</li> </ul>
9 <sup>th</sup> November 2022	Email from NH to NR.	Shape files containing plot numbers attached.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
9 <sup>th</sup> November 2022	Email from NH to NR.	Land Use Descriptions attached
16 <sup>th</sup> November 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Clearances</li> <li>• Countryside Zest – land transfer</li> </ul>
16 <sup>th</sup> November 2022	Email from NR to NH.	Table of Network Rail interests and Schedule of Works document attached.
23 <sup>rd</sup> November 2022	Microsoft Teams meeting held between NR and NH.	Clearance – Timescales, Countryside Zest
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> November 2022	Microsoft Teams meeting held between NR and NH..	<ul style="list-style-type: none"> <li>• Clearance update</li> </ul>
7 <sup>th</sup> December 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Clearance objection</li> <li>• Clearances update</li> <li>• Framework Agreement and Protected Provisions</li> <li>• Technical and Business clearances – timeline</li> <li>• Timescale</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>• Bridge agreement</li> <li>• Missing clearances</li> </ul>
7th December 2022	Email from NR to NH.	Table of Network Rail Interests attached.
8th December 2022	Email from NR to NH.	<ul style="list-style-type: none"> <li>• Foundations for the footbridge ramp</li> <li>• Interface with Beaulieu Park Station drainage</li> <li>• A12 footbridge details, especially to the north of the railway line, requested</li> </ul>
9th December 2022	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Overlay</li> <li>• Beaulieu boundary</li> <li>• Utilities around the footbridge</li> </ul>
9th December 2022	Email from NH to NR	Current design model for Paynes Lane Footbridge attached. Requested Beaulieu Drainage design.
15th December 2022	Email from NH to NR.	Updated Table of Network Rail interests attached and shapefiles for Countryside Zest attached.
15th December 2022	Email from NR to NH.	Updated that there are an additional 30 clearances.
30th December 2022	Email from NR to NH.	Asset Protection Agreement Outside Party and Third-Party Asset Protection Agreement templates attached.
14th December 2022, 21st December 2022, 11th January 2023 and 18th 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, access)</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>• Template agreements – bridge agreements and retaining wall and earthworks, asset agreement</li> <li>• Protective Provisions/Agreements</li> <li>• CM/CEM agreement</li> </ul>
12 <sup>th</sup> January 2023	Email from NH to NR	Requested an update on the 164 Network Rail Clearances.
19 <sup>th</sup> January 2023	Email from NH to NR	Shapefiles of all individual plot test numbers and plot boundaries for all of the Network Rail Plots attached.
25 <sup>th</sup> January 2023	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> <li>• Clearances</li> <li>• Drainage issues – 2/17g, 2/17n</li> <li>• 2/1b - Network Rail have a land interest in this parcel</li> <li>• Existing drainage ditch</li> <li>• Shapefiles</li> <li>•</li> </ul>
26 <sup>th</sup> January 2023	Microsoft Teams meeting held between NR, NH and CZ.	<p>Meeting with Countryside Properties</p> <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> <li>• Proposed works at Marks Tey and communications with Tarmac Trading</li> </ul>



Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
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>

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 in relation to the issues addressed in this SoCG.

### 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 and safety concerns		<p>Network Rail's internal processes require NR to obtain business and technical clearance for any projects that will impact on the railway.</p> <p>Business clearance and technical clearance is required for a project to be approved.</p>		Under discussion	<p>March 23</p> <p>-</p>

## Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			<p>In summary, to complete this process, details of the project are sent to relevant teams within NR as clearance conditions requests, the teams review the details and analyse the proposed project works to ensure the project can come forward without detriment to the use and safety of the railway.</p> <p>For the A12 project approximately 60 of the anticipated 130 required business clearances have been submitted. However, not all have been submitted as there is still information outstanding from national highways which NR require to submit the clearances.</p> <p>In addition, approximately 50 of the submitted business clearances have been rejected or put on hold due to safety concerns, primarily relating to access and signalling, as further detailed in Network Rail's Written Representation.</p>			

## Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			<p>The parties met on 2 and 8 March to discuss these concerns and NH have agreed to send a plan showing exactly the proposed land take, drainage channels, and retaining wall for the new carriageway at Boreham viaduct</p> <p>The concerns mentioned above and set out in more detail in NR's Written Representation remain. However, the parties have regular weekly meetings scheduled and are hopeful of reaching a solution in due course.</p>			

## Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
2.	Technical Clearance		Awaiting business clearances to be approved before technical clearances can be progressed.	Awaiting business clearance before technical clearances can be progressed.	Under discussion	March 23 -
3.	Technical Details		<p>NR (though Addleshaw Goddard) requested information on the details of the works expected on each of the NR Plots on 3 November 2022.</p> <p>On the 21 February 2023 a response was received from WBD stating that the relevant information has now been provided to NR directly.</p> <p>NR is now reviewing this information, but does not believe it has sufficient information to analyse all the impacts the A12 project will have on the railway still, or to submit all the relevant clearances.</p>		Under discussion	March 23

## Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
4.	Framework Agreement		<p>NR provided their template draft Framework Agreement, including proposed protective provisions for Network Rail on 29 December 2022.</p> <p>To date no substantive response received</p>	WBD are reviewing and taking instructions.	Under discussion	March 23
5.	Network Rail Documents – Overbridge Agreement		NR have provided a template Overbridge Agreement to NH.	WBD are reviewing the template.	Under discussion	March 23
6.	Protective Provisions		<p>NR supplied their Standard Protected Provisions for inclusion within DCOson 29 December 2022.</p> <p>Response received 21 February 2023 and comments returned to NH solicitor 23 February 2023.</p>	WBD are reviewing and taking instructions.	Under discussion	March 23 -

## Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
7.	Maintenance road to Paynes Lane Bridge. Located on Countryside Zest land, to be transferred to Network Rail		NH would like to secure access over land that is due to be transferred to NR (as part of the Beaulieu Station redevelopment) for access to the proposed new Paynes Lane Bridge.  However, the access being proposed by NH for maintenance is not a permanent access track, so will not be suitable.	NH is in discussion with NR and Countryside Zest.	Under discussion	March 23 -
8.	Transfer of Countryside Land to NR. Clash at bottom right of NR operational overspill car park (plot 2/15a)		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 clash appears to be down to the thickness of the Red Line Boundary.	Under discussion	March 23
9.	Drainage design for A12 scheme interaction with NR embankment		NR embankment must not be affected by the NH drainage proposals.  NR need to agree to any outline/in principal design	Design to be developed during stage 5 detailed design stage with consideration for NR asset risks.	Under discussion	March 23 -

## Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			rather than waiting until the detailed design 5 stage			
10.	Strain on existing Network Rail infrastructure		<p>Network Rail has concerns over additional strain on its existing infrastructure including the overbridge near junction 24 as it understands that the proposed development will allow more traffic to enter and exit A12 using the existing bridge.</p> <p>There is also concern about works at Plots 2/17g and 2/7m which would lead to structural implications relating to the stability of the existing railway embankments</p>		Under discussion	March 23
11.	Interaction with proposed new Beaulieu Park Station		<p>NR are waiting on Beaulieu Park ASPRO team to provide information for NH to design to.</p> <p>There is concern over overlapping with access and</p>	Design to be developed during stage 5 detailed design stage with consideration for NR asset risks. Dialogue ongoing with BPS.	Under discussion	March 23



## Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			<p>drainage which need to be resolved, as well as room for a third rail and overhead lines, as further detailed in Network Rail's Written Representation.</p> <p>An overlay plan is being prepared.</p>			
12.	Access to Boreham Viaduct		<p>Boreham Viaduct is owned and maintained by Network Rail. Boreham Viaduct falls within or in close proximity to Plots 2/15c, 2/17i, 2/18b and 2/17j. Network Rail need to ensure that NH proposed rights are not to the detriment on existing Network Rail rights required to access, maintain and / or partially infill Boreham Viaduct</p>		Under discussion	March 23

## Acronyms

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

## Glossary

Term	Definition

## References

## 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