

A12 Chelmsford to A120 widening scheme

TR010060

8.13 Statement of Common Ground with CADENT GAS LIMITED

Rule 8 (1)(e)

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A12 Chelmsford to A120 widening scheme
Development Consent Order 202(X)

Statement of Common Ground with
CADENT GAS LIMITED

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Author	A12 Costain Jacobs Partnership Project Team & National Highways

Version	Date	Status of Version
P01.1	February 2023	Draft for Deadline 2
2	April 2023	Draft for Deadline 4

For the submission of the Statement of Common Ground for Deadline 4, between **National Highways** and **Cadent Gas Limited**, updates have been made in the following sections of the document.

Location	Update made
Record of Engagement	Amount of records have been reduced. Records of fortnightly meetings have been removed. Additional records added for engagement since the previous Deadline 2 update.
Agreed issues	No change since Deadline 2 update.
Issues under discussion	The table got split between Cadent Gas Position and Applicant's Position. No new topics added.

STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) National Highways Limited and (2) Cadent Gas Limited

Signed..... 

Phil Davie
Project Director
on behalf of National Highways
Date: 6th April 2023

Signed.....

[NAME]
[POSITION]
on behalf of [Cadent Gas Limited]
Date: [DATE]

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1 Introduction

1.1 Purpose of this document

- 1.1.1 SoCGs are a useful and established means of ensuring that the evidence at the DCO examination focuses on the material differences between the main parties, and so aim to help facilitate a more efficient examination process.
- 1.1.2 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.
- 1.1.3 The purpose of the SoCG is to set out agreed factual information about the proposed DCO application. It is intended that the SoCG should provide matters on which both parties agree. As well as identifying matters which are not in dispute, the SoCG may also identify areas where agreement has not been reached.
- 1.1.4 It is envisaged that this SoCG will evolve during the examination phase of the DCO application.
- 1.1.5 Any subsequent drafts will be agreed and issued, with the version numbers clearly recorded in the 'Document Control' table at the beginning of the document.
- 1.1.6 This Statement of Common Ground ("SoCG") relates to an application made by National Highways Limited ("the Applicant") to the Planning Inspectorate ("PINS") under Section 37 of the Planning Act 2008 ("PA 2008") for the A12 Chelmsford to A120 Widening Development Consent Order ("the DCO"). If made, the DCO would grant consent for the Applicant to undertake the A12 Chelmsford to A120 Widening Scheme ("the Scheme").
- 1.1.7 A detailed description of the Scheme can be found in the ES Chapter 2 "The Proposed Scheme" [[6.1 Environmental Statement - Chapter 2 The proposed scheme \(planninginspectorate.gov.uk\)](#)].
- 1.1.8 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:
[\[A12 Chelmsford to A120 Widening Scheme | National Infrastructure Planning \(planninginspectorate.gov.uk\)\]](#)

1.2 Parties to this Statement of Common Ground

- 1.2.1 This SoCG has been prepared by (1) the Applicant and (2) Cadent Gas Limited (Cadent Gas).
- 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.

- 1.2.3 Cadent Gas is the UK's largest gas distribution network and their assets are affected by the scheme.

2 Record of Engagement

- 2.1.1 A summary of the meetings and correspondence that has taken place between the Applicant and Cadent Gas in relation to the Application is outlined in table below

Table 2.1 Record of Engagement

Reference	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
15/05/2020 - Cadent in receipt of draft gas drawings & latest alignment via public link.	Email	Cadent in receipt of draft gas drawings & latest alignment via public link.
13/11/2020 - C2 Search	Websearch Portal	C2 Search
29/01/2021 - Letter of Authority and C3 Budget Estimate request	Email	Letter of Authority and C3 Budget Estimate request
29/01/2021 - C3 Application	Email	C3 Application
22/06/2021 - LHP C3 Costing from Cadent	Email	LHP C3 Costing from Cadent
02/07/2021 - Cadent introduction re MP mains	Email	Cadent introduction re MP mains
27/08/2021 – National Highways sign and return Customer Agreements to commence C4 Stage / Phase 1.	Email	Customer Agreements (Contracts) for delivery of C4 Stage / Phase 1
28/09/2021 – National Highways make advanced payment for C4 Stage / Phase 1.	Payment	Advanced payment received from National Highways so C4 Stage / Phase 1 can officially commence.
13/10/2021 - LHP Cadent confirm FW as consultants	Email	LHP Cadent confirm FW as consultants
12/11/2021 - MP Diversion designs from Cadent	Email	MP Diversion designs from Cadent
14/02/2022 – Draft Design Studies	Email	Draft indicative route plans released to National Highways for AIA1 to AIA5.
25/03/2022 – Final Design Studies	Email	Release for final Design Studies, including indicative route plans to

Reference	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		be developed during Detailed Design.
01/08/22 A12 Cadent MP Progress Meeting	Meeting	Kick-off meeting with Cadent Medium Pressure Team & Infracore Consulting to introduce new OOA, and understand the key topics and issues to date
06/09/22 A12 Cadent MP Progress Meeting	Meeting	Progress Meeting discussion on proposals for diversions of MP assets, program and C3 costs
14/09/22 Cadent Fingleton White LHP meeting minutes	Meeting	Design Kick Off Meeting
08/03/2023 – C5 Stage / Phase 2B Payments	Email	National Highways makes C6 Stage / 2B Phase payments

- 2.1.2 It is agreed that this is an accurate record of the key meetings and consultation undertaken between (1) the Applicant and (2) Cadent Gas in relation to the issues addressed in this SoCG.

2.2 Terminology

2.2.1 In the tables in the Issues chapter of this SoCG.

- “Agreed” indicates where the issue has been resolved;
- “Under discussion” indicates area(s) of current disagreement where resolution remains possible, and where the parties will continue to discuss the issue(s) to seek to reach agreement by the end of the examination; and
- “Not Agreed” indicates a final position for area(s) of disagreement where the resolution of divergent positions will not be possible, and parties agree on this point.

2.2.2 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 Cadent Gas, 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 Cadent Gas.

3 Issues

3.1 Issues agreed

Table 3.1 Issues agreed.

Ref	Issue	Doc Ref	Agreement	Date
1	Scope of works for High Pressure diversions		<p>Cadent's High-Pressure team and National Highways have been working together during the development phase to identify the solutions required to address the impact of the proposed works on Cadent assets.</p> <p>Cadent initially undertook design studies for the A12 project which Cadent Gas presented a proposed solution to the 5no. Asset Interaction Areas which are required due to the National Highways (NH) proposed scheme. The parties have since the development of this initial study been coordinating and progressing these proposals for the 5no. Asset interactions and are now engaged on the development of the detail design for these diversions.</p>	
2	Scope of works for Medium Pressure diversions		<p>Cadent's Medium-Pressure team and National Highways have been working together during the development phase of the project to develop the proposals to address the impact of the proposed works on Cadent medium pressure assets.</p> <p>This has resulted in the development of 13 outline proposals for the diversion of approximately 6,500m of medium pressure pipeline due to the impact of the proposed National Highways (NH) A12 road widening scheme.</p>	

3.2 Issues in discussion

Table 3.2 Issues in discussion.

Ref	Issue	Doc Reference	Cadent Gas Position	Applicant's position	Status	Date
1	Protective Provisions.		<p>The draft Order includes protection for Cadent's apparatus and the gas distribution network. However, it does not include the specific protection provisions that Cadent requires to prevent serious detriment to this undertaking.</p> <p>Cadent has engaged with NH in relation to the protective provisions that Cadent require are included within the draft Order (the Cadent Protective Provisions) throughout the pre-application process. Cadent has agreed the Cadent Protective Provisions with NH and expects the agreed form of the Cadent Protective Provisions to be secured by an agreement in due course.</p>	<p>Protective provisions for the benefit of Cadent Gas are included within the draft Order Schedule 11 - Part 5</p> <p>The Applicant and Cadent are putting in place legal arrangements which are expected to result in Cadent confirming that it has no objection to the proposed Scheme.</p>	Under Discussion	
2	Cadent's rights to retain its apparatus		Cadent is undertaking a review of existing and proposed accesses to	NH's position is that the PPs as included in Part 5 of Schedule 11	Under Discussion	

Ref	Issue	Doc Reference	Cadent Gas Position	Applicant's position	Status	Date
	in situ and rights of access to inspect, maintain, renew and repair such apparatus located within or in close proximity to the order limits should be maintained at all times and access to inspect such apparatus must not be restricted.		<p>apparatus which may be impacted by proposals.</p> <p>Resolution is also subject to agreed form of Protective Provisions</p>	afford adequate protection for Cadent assets during and after the construction works planned for the A12 scheme.		
3	Cadent is not yet satisfied that the DCO includes all land and rights required to accommodate diversions as detailed design studies will need to influence these requirements.		Cadent has not yet completed detailed design studies of its diversions therefore land and consents cannot be confirmed at this stage. Cadent will update the ExA once these studies have completed.	<p>NH believes that the land and rights required are sufficient to accommodate the diversions proposed for the scheme and sufficient contingency has been allowed to plan for variations of the proposed diversions along these corridors.</p> <p>NH acknowledges that although these corridors have provided the land required for the diversions the final alignment of these will depend on the completion of the detail design for these diversions which</p>	Under Discussion	

Ref	Issue	Doc Reference	Cadent Gas Position	Applicant's position	Status	Date
				<p>are now underway for both MP and HP assets.</p> <p>Details design for the HP and MP is in progress and several investigations carried out to ensure all option are explored and the best solution identified.</p>		
4	Cadent will require National Highways to obtain and grant to Cadent adequate rights to lay, access, protect and maintain apparatus on Cadent's standard easement terms or equivalent rights acquired by compulsion including the imposition of restrictive covenants to protect apparatus.		As above	<p>This is noted, NH is aware that it will need to obtain and grant to Cadent adequate rights to lay, access, protect and maintain apparatus on Cadent's standard easement terms or equivalent rights acquired by compulsion including the imposition of restrictive covenants to protect apparatus.</p> <p>NH is active discussion with all landowners affected to ensure that it is able to agree with these landowners the agreements to provide the rights required for Cadent.</p>	Under Discussion	
5	Development of detail design for		C5 Stage / Phase 2B Payments made by National Highways on 8 th	National Highways and Cadent are working jointly at present to progress	Under Discussion	

Ref	Issue	Doc Reference	Cadent Gas Position	Applicant's position	Status	Date
	Cadent Gas High Pressure diversions		March 2023 to enable further progress on the detailed design of Cadent's HP diversions required.	and develop the detail design required for the 5 number Asset Interface Areas identified in the Design study phase.		
6	Development of detail design for Medium Pressure diversions		At present Cadent are awaiting payment to enable the progress of design studies to advise on the requirement for diversions of medium pressure assets affected by the scheme.	<p>NH and Cadent were working collaborative to present to progress the detail design required for the 13 diversions required for medium pressure assets affected by the works.</p> <p>Cadent MP expressed concerns about of amount of work that is going into the scheme at this stage as Cadent not recovering cost for any of it. Cadent will prepare an offer for National Highways' acceptance for early project support.</p>	Under Discussion	

3.2.2 The parties will update the Examining Authority as to progress in negotiations as the Examination proceeds and as requested by the Examining Authority. If agreement is not reached, then the Protective Provisions in Schedule 11 of the DCO will apply.

Acronyms

Abbreviation	Term
AIA2	Diversion reference number assigned by Cadent Gas to one of their diversions
BEIS	Business, Energy & Industrial Strategy
CAD	Computer Aided Design
DCO	Development Consent Order
dDCO	Draft Development Consent Order
EIA	Environmental Impact Assessment
FW	Fingleton White (Cadent's HP and IP Designer)
HP	High Pressure
IP	Intermediate Pressure
LHP	Localised High Pressure
MP	Medium Pressure
NH	National Highways Limited
RFI's	Requests for Information
SHEQ	Safety, Health, Environment & Quality
SoCG	Statement Of Common Ground
Applicant	National Highways Limited