

A12 Chelmsford to A120 widening scheme

TR010060

8.5 Statement of Common Ground with Network Rail Infrastructure Limited

Rule 8 (1)(e)

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A12 Chelmsford to A120 widening scheme

Development Consent Order 202[]

Statement of Common Ground with Network Rail Infrastructure Limited

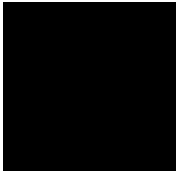
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1	February 2023	Draft for Deadline 2
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4	July 2023	Final for Deadline 7

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..... 

Phil Davie

Project Director

on behalf of National Highways

Date: 3rd July 2023


Signed

Marnix Elsenaar

Partner at Addleshaw Goddard LLP

on behalf of Network Rail Infrastructure Limited

Date: 3 July 2023

For the submission of the Statement of Common Ground for Deadline 7, between **National Highways** and **Network Rail**, updates have been made in the following sections of the document:

Location	Update made
Record of Engagement	Three meetings held: one SoCG meeting and two weekly update meetings. Multiple emails have been exchanged (11 key emails) including updated land plans, shapefiles, updates, SoCG progression and details of NR processes.
Issues agreed	Updates added to 3.1.2, 3.1.4, 3.1.5, 3.1.7, clarity provided for 3.1.8. Removal of 3.2.6 and 3.2.7. 3.2.7a, 3.2.8e, 3.2.10 and 3.2.13 renamed 3.1.11, 3.1.12, 3.1.13, and 3.1.14 respectively.
Issues in discussion	Updates added to 3.2.1, 3.2.3, 3.2.5, 3.2.8a, 3.2.8b, 3.2.8c, 3.2.8d, 3.2.8f, 3.2.8g and 3.2.15. Removal of 3.1.5, 3.2.8, 3.2.9 and 3.2.11.

For the submission of the Statement of Common Ground for Deadline 6, between **National Highways** and **Network Rail**, updates have been made in the following sections of the document:

Location	Update made
Record of Engagement	13 meetings held: two utility clearances meeting, four SoCG meetings, one OLE clearance meeting, one signalling specialist meeting and five weekly update meetings. Multiple emails have been exchanged (23 key emails) including updated plans, models, interoperability regulation details, updates to NR interests, OLE updates, clearance progression, signal sighting update and SoCG exchanges.
Issues agreed	Removal of 3.1.5. Addition of 3.1.8, 3.1.9, 3.1.10, 3.2.6, 3.2.7, 3.2.7a, 3.2.8e, 3.2.10, 3.2.13.
Issues in discussion	Updates added to 3.2.1a, 3.2.2, 3.2.5, 3.2.12, 3.2.14. Addition of 3.1.5, 3.2.8a, 3.2.8b, 3.2.8c, 3.2.8d, 3.2.8f, 3.2.8g, 3.2.15.

For the submission of the Statement of Common Ground for Deadline 4, between **National Highways** and **Network Rail**, updates have been made in the following sections of the document:

Location	Update made
Record of Engagement	11 meetings held: one SoCG meeting, one utilities clearance specific meeting, one face to face meeting, two clearance specific meetings and six weekly update meetings. Five key emails exchanged.
Issued agreed	Addition of 3.1.3, 3.1.4, 3.1.5, 3.1.6, 3.1.7 (formerly point 10 in “Issues in discussion” in Deadline 2 submission).
Issues in discussion	Updates added to 3.2.1, 3.2.2, 3.2.3, 3.2.4, 3.2.5, 3.2.6, 3.2.8 (formerly point 10). Addition of 3.2.1a, 3.2.7a, 3.2.9, 3.2.10, 3.2.11, 3.2.12, 3.2.13, 3.2.14. Removal of point 9.

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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.
- 1.2.3 Network Rail is a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates, maintains and develops the main rail network.

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.

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 th October 2019	Letter from National Highways (NH)	Preferred Route Announcement (PRA) letter.
12 th February 2021	Microsoft Teams meeting held between NR and NH.	<ul style="list-style-type: none"> • BAPA • Proposed Paynes Lane footbridge • WCH requirements of the footbridge • Clearance to OLE (Overhead Line Equipment) • Clearance process for air rights above the railway during construction, maintenance and decommission. Bridge Agreement. • Network Rail land boundary adjacent to the proposed northbound on-slip road • Estimated constructing programme • Disruptive Track Possession • Requirements for Borrow Pits in the vicinity of the railway <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 th June 2021	Letter from NH	Section 42 letter.
5 th August 2021	Microsoft Teams meeting held between NR and NH.	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Project overview • 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 • Possible increase in traffic during or after construction over Network Rail bridges or level crossings or any other Railway assets/infrastructure

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Red Line Boundary • 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. • Level crossing
16 th August 2021	Email from NR to NH.	<p>Email from David Brierley to NH. Letter of response to section 42. Key topics discussed: Impact on Network Rail Infrastructure</p> <ul style="list-style-type: none"> • Freight • Strategic Planning • Level Crossings • Asset Protection (ASPRO) • Investigation and Mitigation • Legal and Land Interests including Standard Provisions <p>Including:</p> <ul style="list-style-type: none"> • Requirement for further information and consultation • Potential Agreements • Network Rail Contacts
6 th September 2021	Microsoft Teams meeting held between NR and NH.	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Requested Beaulieu Park NR information • Requested NR STAT's information • Discussed potentially temporarily moving NR boundary fence during north abutment construction (NR didn't seem to have an issue with this). • The proposed new track alignment and 3rd line associated with the new Beaulieu Railway Station • The proposed OLE layout/changes associated with the track alignment/3rd line • Minimum vertical/horizontal clearances between the OLE & new footbridge • Minimum horizontal offset distances from any bridge piers to the railway boundary & nearest running rail of the physical track. • Realignment of the on-slip ramp • Proposed Carriageway Retaining wall

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • 'Land take' requirements – NR processes, Business/Technical Clearances • Licenses, i.e., for new footbridge/airspace, temporary works, access to NR land, etc, • Design submission requirements – Approval In Principle, Detailed Design, Design Check, etc • Construction requirements – monitoring, daytime and/or possession working, etc • Timescales
<p>26th November, 10th December 2021</p>	<p>Microsoft Teams meetings held between NR and NH.</p>	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Paynes Lane Footbridge • Permanent oversailing • Permanent land take • Retaining wall • Temporary land requirements – access, compounds, hoarding lines, boundary line relocation • BAPA • Temporary car park location • Framework Agreement
<p>Three meetings held between 21st February 2022 and 23rd March 2022</p>	<p>Microsoft Teams meetings held between NR and NH.</p>	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • CAD models/shapefiles • Greater Anglia • RAP (Railway Access Points) • Clearances and timescale • Framework Agreement • Letter of Assurance • Scheme overview • J19 footbridge (Bridge Agreement) and retaining structure (Asset Agreement) to be separate from BAPA • Potential issues at Hatfield Peverel due to stopping up on the carpark and alternative routes • Cross sections • BAPA • Level Crossings • Traffic Management Plans

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Fees • Event of disagreement • Legal proceedings • Borrow Pits
5 th April 2022	Email from NH to NR.	Email from Kaluba Kampandila to Stephen Sprei. Network Rail Costs letter.
6 th April 2022	Email from NR to NH.	Email from Dino Pelusi to Miguel Machado. 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 th April 2022	Email from NH to NR.	Email from Miguel Machado to Dino Pelusi. Information about Borrow Pits provided.
Three meetings held between 6 th April 2022 and 4 th May 2022	Microsoft Teams meetings held between NR and NH.	Key topics discussed: <ul style="list-style-type: none"> • BAPA update - progress, legal costs, liaison with TOC and Countryside Properties plc access • Greater Anglia • Legal – costs • Clearances • Countryside access • Drainage • Beaulieu Park Station • Foot crossing • Right of way • Viaduct for access to the retaining wall
22nd April 2022	Microsoft Teams meeting held between NR, Beaulieu Park Station (BPS) and NH.	Meeting with Murphy's Key topics discussed: <ul style="list-style-type: none"> • Murphy's Infrastructure Overview • Traffic Management • Footbridge • DCO Programme • Murphy's programme – timeline, car park • Ditch • Land Use and Clearance

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Access Road to Paynes Lane Bridge • Bridge Ramps
13 th May 2022	Letter from National Highways	Land Use Design Changes.
Four meetings held between 18 th May 2022 and 29 th June 2022	Microsoft Teams meetings held between NR and NH.	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • BAPA – includes proposed footbridge, slip road realignments and retaining wall. • Specific agreements for the footbridge and retaining wall • Asset Protection Agreement • Borrow pits • Greater Anglia • Legal – cost letter • Clearance – coordinates, plans updated to reduce land take • Statement of Reasons, Cross sections • Clarification of temporary land take at Marks Tey • Beaulieu station – waiting for a response from Countryside about Paynes Lane Bridge (especially northern ramps) • Vehicle incursion around Hatfield Peverel • Retaining structure • APA - needs technical approval • 2/17i • Viaduct • Risk assessment • Document Sharing Platform
9 th June 2022	Letter from National Highways	Proposed changes to the Scheme.
29 th June 2022	Email from NH to NR.	Email from Tracey Harvey to Dino Pelusi and Stephen Sprei. Signed BAPA agreement.
13 th July 2022	Microsoft Teams meeting held	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Greater Anglia

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
	between NR and NH.	<ul style="list-style-type: none"> • Clearance update • Query on purple land - National Highways to clarify rationale behind acquisition of subsoil interests. • Beaulieu Station update – landing of the ramps agreed with Murphy’s to go outside of Countryside’s Red Line Boundary (RLB). DCO submission date to be pushed back to accommodate this change. • Document Sharing platform • Forecast • Clarification of what agreements are required
27 th July 2022	Microsoft Teams meeting held between NR and NH.	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • More complex works e.g. the bridge, on-slip and retaining walls works require an agreement separate to the BAPA • Clearances update and possibility of beginning the bridge agreement • 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) • Beaulieu Park Station – description of works (new station, car park, update to the railway line) • Subsoil rights (purple land-2/17i) • Footbridge and documentation to be shared via sharing platform. • Forecast • Statement of Common Ground • Route for A12 maintenance access – preferred route would be via eastern side of car park, entered from the northern end via a gated maintenance road.
15 th and 27 th July 2022	Microsoft Teams meeting held between NR, BPS and NH.	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Murphy’s update • Programme of works • Railway re-profiling • Footbridge • Document sharing platform and interface

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Land boundaries • Anglian Water – as built needed for BPS • DCO timelines • Access • Carpark detail • Paynes Lane Footbridge • Preferred pedestrian bridge options • Maintenance access track
27 th July 2022	Email from NH to NR.	Email from Miguel Machado to Stephen Sprei. Confirmed that Plot 2/17f has now been removed.
29 th July 2022	Email from NH to NR.	Email from Miguel Machado to Dino Pelusi. Draft copy of DCO attached.
29 th July 2022	Email from NH to NR.	Email from Stephen Sprei to Hugo Rawstone. 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 th July 2022	Microsoft Teams meeting held between NR and NH.	Key topics discussed: <ul style="list-style-type: none"> • Confirmation of Paynes Lane Bridge Land take. • 2/17i. Confirmed that there is a brick arch viaduct that the Boreham Brook goes under • Utilities mast – assumed to be located on 19/11b • Confirmation of works at Marks Tey Station area • CAD model to be sent through by Ardent so that NR can draft clearance plans
Three meetings held between 10 th August 2022 and 31 st August 2022	Microsoft Teams meeting held between NR and NH.	Key topics discussed: <ul style="list-style-type: none"> • Beaulieu Park Station • Forecast – cost breakdowns • Statement of Common Ground • Clearance update • BAPA update • Clash

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Confirmation of deconfliction with BPS workstream. • CAD files • Statement of Common Ground
26 th August 2022	Microsoft Teams meeting held between NR, BPS and NH.	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Clash protection • Levels between A12 slip and the track • Overlay • Timescales • Plan of tentative cross section • Access Road/Car Park • Surface water drainage • Maintenance rights must be added into agreement involving plot 2/15a • Land transfers • Design plans
2 nd September 2022	Email from NH to NR.	<p>Email from Hugo Rawstone to Dino Pelusi.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • 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 RLB and will be operated on a franchise basis • National Highways require an easement to maintain and service the bridge which may need to be through Network Rail land • 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
5 th September 2022	Email from NR to NH.	<p>Email from Dino Pelusi to Hugo Rawstone</p> <p>Stakeholder Contacts – New Paynes Lane Footbridge and Junction 19 works document/ AMP002 form shared.</p>
6 th September 2022	Letter from NH.	Land use design changes letter.

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

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

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • AOB
2 nd November 2022	Email from NR to NH.	Email from Dino Pelusi to Hugo Rawstone. Current Network Rail and National Highways Overbridge Agreement attached
16 th November 2022	Email from NR to NH.	Email from Tony Ridley to Hugo Rawstone. Table of Network Rail interests and Schedule of Works document attached.
28 th November 2022	Email from NR to NH.	Email from Tony Ridley to Simon Bird. Queries raised about clearances: <ul style="list-style-type: none"> • 2/18d - confirmation of the rights acquired • 19/11a - confirmation of the rights acquired • 19/11b - confirmation of the rights acquired • 19/12a - confirmation of the rights acquired • 19/12b - confirmation of the rights acquired • 19/12c - confirmation of the rights acquired
30 th December 2022	Email from NR to NH.	Email from Dino Pelusi to Simon Bird, Kaluba Kampanila, Tracey Harvey and Hugo Rawstone. Asset Protection Agreement Outside Party and Third-Party Asset Protection Agreement templates attached.
9 meetings held between 23 rd November 2022 and 25 th January 2023	Microsoft Teams meeting held between NR and NH.	Key topics discussed: <ul style="list-style-type: none"> • DCO update • Clearances – update • Beaulieu Park Station – overlay, plans, clashes (2/15, NR boundary, footbridge, utilities, access) • Template agreements – bridge agreements and retaining wall and earthworks, asset agreement • Protective Provisions/Agreements • CM/CEM agreement • Timescale • Drainage – existing ditch, 2/17g, 2/17n • 2/1b NR land interest
19 th January 2023	Email from NH to NR	Email from Hugo Rawstone to Tony Ridley. NR individual plot shape files attached.

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
26th January 2023	Microsoft Teams meeting held between NR, NH and CZ.	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Plans/overlay • Shape files • Area of the car park, main area DCO and Beaulieu 'clash' - coordinated boundary • Land transfer • Assets and issues arising from this • Red line boundary • 2/15a • Purple land • Face to face meeting • Underground search report • Proposed works at Marks Tey and communications with Tarmac Trading
1st February 2023	Microsoft Teams meeting held between NR and NH.	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Clearances – including rejections • NR occupier rights • Filter drain • Ditch and slope design • Viaduct space
6th February 2023	Email from NH to NR	<p>Email from Hugo Rawstorne to Stephen Sprei. Requested shape files to update clearance requests.</p>
8th and 9th February 2023	Microsoft Teams meetings held between NR and NH	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Occupier Parcels - overlay • Clearances – now reduced to 70 • SoCG • Filter drain
15th and 22nd February 2023	Microsoft Teams meetings held between NR and NH	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Clearances • Viaduct Span • Occupier Plots – deeds, boundaries • SoCG • Countryside Zest – new access proposed

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Deed of Undertaking • Purple land – subsoil
22 nd February 2023	Email from NH to NR	Email from Hugo Rawstorne to Dino Pelusi and Tony Ridley. Subsoil rights for 2/17i clarified.
23 rd February 2023	Email from NH to NR	Email from Hugo Rawstorne to Dino Pelusi, Tony Ridley and Kenneth Dinah. Latest SoCG attached.
1 st March 2023	Microsoft Teams meeting held between NR and NH	Key topics discussed: <ul style="list-style-type: none"> • Clearances – signal sighting and access to equipment to assets causing clearance rejection • SoCG
2 nd March 2023	Meeting between NR and NH at NR office	Dino Pelusi, Steve Day, Natassia Chew, Kenneth Dinah, Asa Sibley, Robin Hearn, Simon Martin, Jonathan Garelick, Karen Still, Ian Bland, James Hudson, Tony Ridley, Martyn Wilson, Kaluba Kampanila, Simon Bird, Asit Modi, Hugo Rawstorne and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> • Summary of interaction with Network Rail Land (Junction 19/Beaulieu Park Station/Paynes Lane Footbridge, Boreham Culvert/Viaduct. Marks Tey Station/Junction remodelling • Drainage/Embankment at Junction 19 • Level Crossings • Possible overlaps/interface • Questions
8 th March 2023	Microsoft Teams meeting between NR and NH	Key topics discussed: <ul style="list-style-type: none"> • Actions – bridge design, BPS drawings, interoperability, viaduct access, 2/18b, historic ownership/interest • Clearance – more information needed on level crossing closure • Utilities • SoCG
10 th March 2023	Microsoft Teams meeting between NR and NH	Clearances meeting. Key topics discussed: <ul style="list-style-type: none"> • Clearances/NR Interests

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Area south of Witham (sheet 8 plot) – historic disused railway line
15 th March 2023	Microsoft Teams meeting between NR and NH	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Meeting with solicitors – reference numbers • Clearance requests • BAPA • Bridge design
16 th March 2023	Microsoft Teams meeting between NR and NH	<p>Clearance meeting.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Clearance Update/NR Interests • Reference Numbers in Book of Reference (BoR) • Anomalies in BoR • Disused Railway
17 th March 2023	Email from NR to NH	<p>Email from Dino Pelusi to Sarah Hodge, Tracey Harvey Tony Ridley, Stephen Dagg, Laura Crumpton, Hugo Rawstorne, Kieran Craddock, Steve Day, Kenneth Dinah and Isabel Doyle.</p> <ul style="list-style-type: none"> • 2/1b, 2/1c, 2/1e, 2/2a, 2/2b, 2/2k, 2/8b, 2/15a, 2/15b, 2/15c, & 2/15f • 3/1a • 4/3a • 5/6d • 8/6l • 15/5a • 19/1d, 19/1e, 19/1f, 19/4c & 19/8a,
17 th March 2023	Email from NR to NH	<p>Email from Steve Day to Dino Pelusi, Sarah Hodge, Tracey Harvey Tony Ridley, Stephen Dagg, Laura Crumpton, Hugo Rawstorne, Kieran Craddock, Steve Day, Kenneth Dinah and Isabel Doyle.</p> <p>Clarified that NR do not intend to investigate their interest on plots where NR owns or owned the subsoil beneath existing highway (including the A12). May become relevant if the highway is to be stopped up, but not at this stage.</p>
21 st March 2023	Email from NH to NR	<p>Email from Kieran Craddock to Dino Pelusi, Sarah Hodge, Tracey Harvey, Tony Ridley, Chris Alves-Greenland, Stephen Dagg, Laura Crumpton, Hugo Rawstorne, Steve Day, Kenneth Dinah and Isabel Doyle.</p>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<p>Confirmed that the BoR will be updated accordingly to remove NR interest in selected plots following information provided in email from Dino Pelusi dated 17th March 2023.</p> <ul style="list-style-type: none"> • 2/1b, 2/1d, 2/1e, 2/2a, 2/2b, 2/2k, 3/1a, 4/3a, 5/6d, 8/6l, 19/1d, 19/1e and 19/1f
22 nd March 2023	Microsoft Teams meeting between NR and NH	<p>Key topics discussed:</p> <ul style="list-style-type: none"> • Clearances – outstanding, needs further investigation, ASPRO
29 th March 2023	Microsoft Teams meeting between NR and NH	<p>Tony Ridley, Dino Pelusi, Hugo Rawstone, Isabel Doyle, Dumitru Borcan and Ruth Williams attended.</p> <p>Utility Clearances meeting.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Clearances update • 2/18a, 2/18d, 12/5a, 2/2b, 2/2k, 5/6d, 19/11a, 19/11b, 19/12a, 19/12c • AOB • Utilities at Marks Tey – 19/8a
31 st March 2023	Microsoft Teams meeting between NR and NH	<p>Umi Filby, Sarah Hodge, Tony Ridley, Dino Pelusi, Hugo Rawstone and Isabel Doyle attended.</p> <p>SoCG meeting.</p>
5 th April 2023	Microsoft Teams meeting between NR and NH	<p>Dino Pelusi, Tony Ridley, Chris Alves-Greenland, Simon Bird, Kaluba Kamandila, Hugo Rawstone and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Clearance – signal sighting, electrical clashes, structures, embankments • Viaduct access • 2/18b • Overlay plan • AOB
19 th April 2023	Microsoft Teams meeting between NR and NH	<p>David Bradshaw, Ruth Williams, Hugo Rawstone and Isabel Doyle attended.</p> <p>Utility Clearances meeting.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Scheme overview • Paynes Lane Footbridge

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Marks Tey Station • Junction 19 – sheet 2 of land plans • Marks Tey – sheet 19 – 19/11a, 19/11b, 19/12a • Beaulieu Park Station (BPS) • Clearance Rejections
25 th April 2023	Email from NH to NR	Email from Hugo Rawstone to Sarah Hodge. Updated schedule of NR Interests document attached.
25 th April 2023	Email from NH to NR	Email from Kieran Craddock to Andrew Geiger, Sarah Hodge and Hugo Rawstone. Overlap shape files provided.
26 th April 2023	Email from NR to NH	Email from Andrew Geiger to Hugo Rawstone. Plan provided showing NR ownership, NR proposed drainage and A12 parcel boundaries (including car park option 1, Anglian Water building, retention ponds, new footpath and Z00G Road).
26 th April 2023	Microsoft Teams meeting between NR and NH	David Bradshaw, Dino Pelusi, Tony Ridley, Hugo Rawstone and Isabel Doyle attended. Utilities Clearances catch up meeting.
26 th April 2023	Microsoft Teams meeting between NR and NH	Dino Pelusi, Simon Bird, Hugo Rawstone and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> • Outstanding points – clearances (2/17a, 2/17i and 2/17j, 2/18b), utilities clearances
26 th April 2023	Email from NR to NH	Email from Dino Pelusi to Hugo Rawstone and Simon Bird. Clarification provided over interoperability regulations over the proposed new A12 Paynes Lane footbridge.
27 th April 2023	Email from NH to NR	Email from Ruth Williams to Dino Pelusi. Completed A12 Buried Services Request form attached.
2 nd May 2023	Email from NR to NH	Email from Dino Pelusi to Simon Bird. OLE updates provided.
3 rd May 2023	Microsoft Teams meeting between NR and NH	Dino Pelusi, Kenneth Dinah, Tony Ridley, Kaluba Kampanhila, Chris Alves-Greenland, Simon Bird, Hugo Rawstone and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> • Clearance

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Undertaking • Overlaps • New Plans • Drainage
3 rd May 2023	Email from NH to NR	Email from Simon Bird to Dino Pelusi and Tony Ridley. Simplistic Overview of NR Clearances spreadsheet attached.
3 rd May 2023	Email from NR to NH	Email from Dino Pelusi to Simon Bird. Signal Sighting update provided. Details provided on what NH would need to provide for a full signal sighting assessment to take place.
4 th May 2023	Email from NH to NR	Email from Isabel Doyle to Dino Pelusi, Andrew Geiger, Tony Ridley, Steve Day, Charlotte Jones, Umi Filby, Simon Bird and Hugo Rawstone. Latest SoCG draft attached.
4 th May 2023	Microsoft Teams meeting between NR and NH	Dino Pelusi, Andrew Geiger, Tony Ridley, Steve Day, Charlotte Jones, Umi Filby, Simon Bird, Hugo Rawstone and Isabel Doyle attended. SoCG meeting. Key topics discussed: <ul style="list-style-type: none"> • Outstanding actions (Clearances, Land Transfer, Overlaps, Timings, Utilities) • SoCG
5 th May 2023	Email from NR to NH	Email from Dino Pelusi to Simon Bird and Hugo Rawstone. Update provided on allowing for the provision of 3 rd /4 th tracking.
9 th May 2023	Microsoft Teams meeting between NR and NH	SoCG meeting.
9 th May 2023	Email from NH to NR	Email from Umi Filby to Hugo Rawstone, Tony Ridley, Charlotte Jones and Melinda Kovacs. Latest SoCG draft and Comparison Report attached.
10 th May 2023	Microsoft Teams meeting between NR and NH	Nikos Georgakopoulos, Aleksandra Zawadowska, Kenneth Dinah, Dino Pelusi, Krzysztof Szewczyk, Simon Bird and Hugo Rawstone attended. OLE Clearances at Paynes Lane Bridge. Key topics discussed:

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • OLE • Regulations and Distance between Bridge and stanchion • Cross Sections • Obtaining Clearance
10 th May 2023	Microsoft Teams meeting between NR and NH	<p>Dino Pelusi, Kenneth Dinah, Kaluba Kampandila, Simon Bird, Hugo Rawstorne and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • SoCG actions • Drainage drawing • AOB (utilities, Countryside Zest)
10 th May 2023	Email from NH to NR	<p>Email from Simon Bird to Dino Pelusi, Tony Ridley and Kenneth Dinah.</p> <p>Latest drainage drawing attached.</p>
10 th May 2023	Email from NH to NR	<p>Email from Hugo Rawstorne to Andrew Geiger. Draft land plans attached following information provided by Countryside Zest.</p>
12 th May 2023	Email from NH to NR	<p>Email from Chris Alves-Greenland to Dino Pelusi.</p> <p>Bridge model shared.</p>
12 th May 2023	Email from NR to NH	<p>Email from Dino Pelusi to Simon Bird and Hugo Rawstorne</p> <p>Detail provided over signal sighting concerns (signal sighting assessment, extent of railway land proposed for temporary use or permanent acquisition, signal lighting). Copy of Chelmsford signalling plan and copy of Beaulieu Park Station GRIP 5 Scheme plan attached. Marked reduction in safe space available for maintenance staff due to [rp]psed split of land parcel 2/18b.</p>
17 th May 2023	Microsoft Teams meeting between NR and NH	<p>Simon Martin, Dino Pelusi, Kenneth Dinah, Chris Alves-Greenland, Simon Bird, Hugo Rawstorne and Laura Crumpton attended.</p> <p>Signalling specialist meeting.</p>
17 th May 2023	Microsoft Teams meeting between NR and NH	<p>Dino Pelusi, Kenneth Dinah, Chris Alves-Greenland, Simon Bird, Hugo Rawstorne and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Outstanding actions • Clearances

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
17 th May 2023	Email from NH to NR	<p>Email from Simon Bird to Dino Pelusi, Simon Martin and Hugo Rawstone.</p> <p>Cross sections and details of Paynes Lane Footbridge, General Arrangement of Paynes Lane Footbridge and Concept drainage detail between the two embankments shared.</p>
24 th May 2023	Email from NH to NR	<p>Email from Kaluba Kampanbila to Charlotte Jones.</p> <p>Fee clarification. NR Costs letter attached.</p>
25 th May 2023	Microsoft Teams meeting between NR and NH	<p>Charlotte Jones, Andrew Geiger, Dino Pelusi, Stephen Sprei, Karen Still, Steve Day, Julian Sheppard, Umi Filby, Simon Bird, Hugo Rawstone and Laura Crumpton attended.</p> <p>SoCG meeting.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Maintenance road to Paynes Lane • Land in Beaulieu Park Station limits • Plots 2/17i and 2/17j • Feering bridge • Clearances • Framework Agreement/PPs • Interaction with BPS • 2/18b • Restrictions on access
25 th May 2023	Email from NH to NR	<p>Email from Hugo Rawstone to Dino Pelusi, Tony Ridley and Karen Still.</p> <p>Latest SoCG draft attached.</p>
30 th May 2023	Email from NH to NR	<p>Email from Hugo Rawstone to Andrew Geiger.</p> <p>Shared utility model attached. Disclaimer attached.</p>
31 st May 2023	Microsoft Teams meeting between NR and NH	<p>Dino Pelusi, Kenneth Dinah, Chris Alves-Greenland, Simon Bird, Hugo Rawstone and Laura Crumpton attended.</p> <p>Key topics discussed:</p> <ul style="list-style-type: none"> • Actions • Drainage • Bridge/OLE
2 nd June 2023	Email from NR to NH	<p>Email from Dino Pelusi to Simon Bird and Hugo Rawstone.</p>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		Summaries of responses from Geotech (earthworks), Drainage and OLE stakeholders provided.
2 nd June 2023	Email from NH to NR	<p>Email from Simon Bird to Simon Martin, Dino Pelusi and Hugo Rawstone.</p> <p>Revised land plan drawing, shapefile and drainage detail drawing attached.</p> <p>Outlined changes made:</p> <ul style="list-style-type: none"> • 2/17a, 2/17b, 2/17h, 2/17m & 2/17n removed completely • Plot 2/17g replaced by two much smaller plots at the Boreham Viaduct end of the original plot. The new plots are 2/17s (temporary land take) & 2/17t (permanent land take, depending on the position of the existing drainage route) • Plot 2/18b split to have a section parallel to the new drainage detail which would be required to enable it to be constructed (plot 2/17r green, temporary land take) and the rest of 2/18b remains pink (permanent land take) as this plot currently has the A12 slip embankment on top of it) • 2/17ci and 2/17ei created to ensure the air rights for the new footbridge are extended across the full width of NR operational land as 2/17g has been reduced. These can be removed, if not required.
6 th June 2023	Microsoft Teams meeting between NR and NH	<p>Dino Pelusi, Stephen Sprei, Karen Still, Roger Ward, Marnix Elsenaar, Umi Filby, Stephen Dagg, Simon Bird, Hugo Rawstone and Isabel Doyle attended.</p> <p>SoCG meeting.</p> <ul style="list-style-type: none"> • Land take and new land plans • Drainage • Paynes Lane Footbridge • Signal Sighting
9 th June 2023	Email from NH to NR	SoCG shared with NR.
9 th June 2023	Email from NR to NH	<p>Email from Dino Pelusi to Hugo Rawstone.</p> <p>Detail provided on railway related assets within the embankment and their last examinations. Questioned ownership of Boreham brook culvert.</p>
13 th June 2023	Email from NH to NR	<p>Email from Simon Bird to Dino Pelusi.</p> <p>Latest Principal inspection and General inspection records for the Boreham Culvert attached.</p>

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
13 th June 2023	Email from NR to NH	Email from Stephen Sprei to Hugo Rawstorne Land plan attached based on shapefiles provided.
14 th June 2023	Email from NR to NH	Email from Andrew Geiger to Hugo Rawstorne. Updated overlay plan attached. Strategic cycleway protruding into 2/15a, 'L' shaped overlap land in 2/15a shapefiles attached.
14 th June 2023	Email from NH to NR	Email from Hugo Rawstorne to Dino Pelusi. Utilities clearances updates provided.
14 th June 2023	Email from NH to NR	Email from Hugo Rawstorne to Stephen Sprei. Latest SoCG draft attached. Examination deadlines shared.
14 th June 2023	Microsoft Teams meeting between NR and NH	Dino Pelusi, Kenneth Dinah, Stephen Sprei, Tracey Harvey, Chris Alves-Greenland, Simon Bird, Hugo Rawstorne and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> • Utilities • Updated plans • SoCG • Drainage • Signal Sighting • Levels – drainage • Greater Anglia – Temporary car park
15 th June 2023	Email from NH to NR	Email from Hugo Rawstorne to Andrew Geiger. CAD/SHP files for transfer land requested.
19 th June 2023	Email from NR to NH	Email from Stephen Sprei to Hugo Rawstorne. Explanation of NR consultation process. Minimum of Information (SMI) template attached with questions to aid form completion.
21 st June	Microsoft Teams meeting between NR and NH	Dino Pelusi, Simon Bird, Chris Alves-Greenland, Tracey Harvey, Hugo Rawstorne and Laura Crumpton attended. Key topics discussed: <ul style="list-style-type: none"> • SoCG • Outstanding Actions • Solicitor Letter • Gantry

Date	Form of correspondence	Key Topic discussed and key outcomes (the topics should align with the Issues tables)
		<ul style="list-style-type: none"> • Drainage
22 nd June 2023	Email correspondence between NH and NR	Emails between Hugo Rawstorne and Dino Pelusi. Countryside Zest agreement plans, Countryside Zest's Adoptable Road plan and updated NR land plan.
27 th June 2023	Email from NH to NR	Email from Hugo Rawstorne to Stephen Sprei. Updated NR agreement plans shared.
28 th June 2023	Microsoft Teams meeting between NR and NH	SoCG meeting.
28 th June 2023	Email from NH to NR	Email from Hugo Rawstorne to Stephen Sprei. Shapefiles for entire scheme provided.
30 th June 2023	Email from NH to NR	Email from Umi Filby to Marnix Elsenaar. Final SoCG attached for signature.

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.

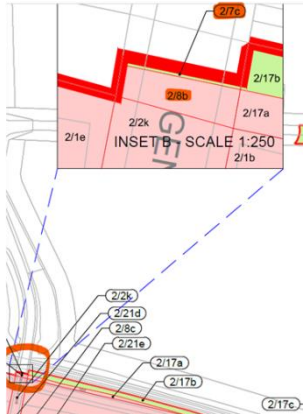
3 Issues

3.1 Issues agreed


Table 3.1 Issues agreed.

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
3.1.1.	Utilities, including the telecoms mast at Marks Tey	N/A	There are concerns over the mast location being within NR land.	The mast is confirmed to be located on NH land.	Agreed	Aug 2022
3.1.2.	Data sharing	N/A	A data sharing platform will ensure the correct and most up to date information is being exchanged between the parties.	A data sharing platform has been set up to provide up to date information to NR.	Agreed	Jun 2022
3.1.3.	Subsoil Interests in respect of land under Boreham Viaduct (2/17i)	N/A	NR will grant rights to NH over this land but does not see that permanent acquisition of the land by NH is necessary or appropriate. NR notes that NH have confirmed that they will not vest plot 2/17i pursuant to the DCO. NR notes that clearance is no longer required in respect of this plot.	NH agree that they do not require rights over plot 2/17i and agree that NR will allow NH to obtain access as necessary at the relevant time subject to suitable asset protection arrangements being put in place.	Agreed	Jun 2023
3.1.4.	Land parcel 2/17f	REP6-015, REP6-042	NR do not believe this land parcel is needed for the scheme.	This land parcel was included but is now not needed for the scheme. NH has removed land parcel 2/17f from the BoR.	Agreed	Jul 2022

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Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
3.1.5.	Removal of NR land interest on selected plots (2/1b, 2/1d, 2/1e, 2/2a, 2/2b, 2/2k, 3/1a, 4/3a, 5/6d, 8/6l, 19/1d, 19/1e and 19/1f)	REP6-015, REP6-042	NR agree that there is no NR interests in this land. Therefore, reference to NR in respect of these plots should be removed from the BoR.	Based on evidence provided from NR, NH are removing plots 2/1b, 2/1d, 2/1e, 2/2a, 2/2b, 2/2k, 3/1a, 4/3a, 5/6d, 8/6l, 19/1d, 19/1e and 19/1f from NR Interest in the BoR following discussions and investigations.	Agreed	Jun 2023
3.1.6.	Addition of plots 2/7c and 2/8b for clearance. Revised land plans do not include these plots, they have been renamed 2/17a and 2/17b respectively.	REP6-015, REP6-042	NR agreed that it now has ownership of these plots and that they could be renamed on DCO Land Plans with plots 2/17a and 2/17b which are already in the BoR as a NR asset. 	These plots constitute the historic Generals Lane Bridge which was demolished in 2016 and attributed to Essex County Council/NH. NH has been advised that these plots now belong to NR and the BoR has been updated accordingly.	Agreed	Mar 2023
			NR understand that these plots are not required for NH's scheme and the Framework Agreement between NR and NH will confirm			

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Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			that the plots will not be vested pursuant to the Order.			
3.1.7.	Rights of Way relating to the historic Level Crossing removal – Boreham Level Crossing (2/17c)	REP6-004, REP6-042	<p>The level crossing at 2/17c has been closed following confirmation of a level crossing closure order on 13th February 2023. However, NR still require NH to use DCO powers (if necessary) to extinguish any private rights or PRow in place, including any rights relating to the existing public rights of way labelled ‘Bridleway 213 23’, this crossing being shown at plot 2/17c on Sheet 2 of the Permanent Works Plans.</p>  <p>NR understand that NH do not need air rights over this plot and the clearance requests will be withdrawn [June 2023]. The BoR states that no compulsory powers</p>	NH believe this land parcel is no longer required for the scheme but it will remain in the DCO due to reasons outlined in NR position.	Agreed	Mar 2023

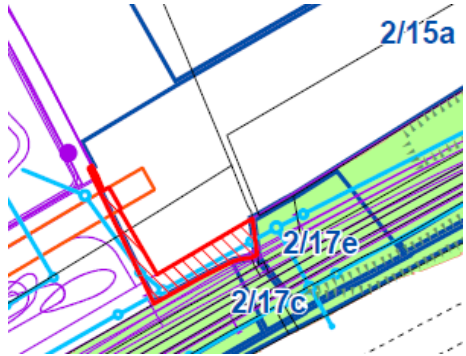
Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			are sought in respect of Plot 2/17c.			
3.1.8.	Restriction on compulsory acquisition	REP6-108	NR agree that the Protective Provisions for its benefit in the draft Order restrict the use of compulsory land powers in relation to its interests without its consent. It has a number of comments on the draft Protective Provisions and NR provided an amended set of draft Protective Provisions to the Examining Authority at Deadline 6.	The Protective Provisions contained in the DCO would prevent NH from: <ul style="list-style-type: none"> 1) compulsorily acquiring land from NR or rights over NR land; 2) extinguishing the rights and easements NR hold in third party land; or 3) taking access to NR land without the consent of NR. 	Agreed (in respect of restriction on exercise of compulsory land powers)	May 2023
3.1.9.	Interoperability requirements	REP4-079	In the Network Rail Assurance Panel (NRAP), NR have noted "it is considered that the works do not require an authorisation under the Railways (Interoperability) Regulations".	NH are in agreement.	Agreed	Apr 2023
3.1.10.	Common Safety Method (CSM)	REP4-079	NRAP note that "the works are considered not significant under the Common Safety Method on Risk Evaluation and Assessment (CSM) and independent assessment of the CSM is not therefore required"	NH are in agreement.	Agreed	Apr 2023

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Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
3.1.11.	<p>Concern about the ownership of parts of land parcel 2/15a which is currently owned by Countryside Zest (CZ).</p> <p>The particular concerns are:</p> <ul style="list-style-type: none"> - NR requires land for its BPS overflow car park - a cycle track consented by NR's BPS planning permission makes an incursion into plot 2/15a. - access must be provided from the Paynes Lane footbridge to the new NR car park. 	N/A	<p>NR requested that NH agree not to vest L shaped section of plot in the Framework Agreement.</p> <p>NR will apply to amend its BPS planning permission so that the cycle track (shown bright pink on the plan below) does not extend into plot 2/15a or will only implement the planning permission in part.</p> <p>The land required for the access from the footbridge to the BPS car park will be adopted by Essex County Council as public highway. NH are to agree a highways agreement with ECC.</p> <p>An agreement needs to be finalised and completed to transfer land from CZ to NR and NH.</p>	NH will liaise with NR to provide access when required whilst NH are constructing Paynes Lane Footbridge.	Agreed	Jun 2023

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Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
						
3.1.12.	OLE – Auto Transformer Feed (2/17e)	REP4-079, REP3-074	There is expected to be an impact on the electrification of the lines due to the height of the proposed Paynes Lane Footbridge. The OLE stakeholder has noted that they can accommodate the installation of the ATF locally within troughing around the footbridge.	This resolution is acceptable to NH.	Agreed	Jun 2023
3.1.13.	Access via Boreham Viaduct (2/17i, 2/17j)	REP3-074	Plots 2/17i and 2/17j will not be vested pursuant to the DCO.	Plots 2/17i and 2/17j will not be vested pursuant to the DCO.	Agreed	Jun 2023
3.1.14.	Existing infrastructure – Overbridge at New Lane, Feering (near Junction 24)	REP2-092	NR is concerned about additional strain on its existing infrastructure, in particular about the overbridge near Junction 24, as it understands that the Proposed Development will result in an	The traffic impact on the overbridge at New Lane, Feering (near Junction 24) is expected to be small, with around 20 to 50 additional vehicles per day predicted to use the bridge as a result of the proposed scheme.	Agreed	Apr 2023

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			increase in traffic using the existing bridge.			

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
3.2.1.	Business clearance	N/A	<p>NR'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> <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, 32 clearance applications in respect of NR-owned land have been submitted.</p> <p>An additional 29 clearance applications relate to third party land (but over which NR has rights), were submitted in March 2023.</p> <p>Some 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 NR's Written Representation. However, the parties have regular weekly meetings scheduled and are hopeful of reaching a solution in due course.</p>	NH is requesting an update on the 32 NR land business clearances submitted.	Under discussion	Jun 2023

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Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			<p>Plots 2/17i and 2/17j will not be vested pursuant to the DCO and, therefore, clearance will not be required in respect of those plots.</p> <p>NR will review which clearances are no longer needed and to update this list.</p>			

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Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
3.2.1a.	Business Clearance – Utilities interests	N/A	NR are waiting for business clearance on third party land and utilities clearances.	<p>NH are working through these with NR. NH are sharing utilities data as requested by NR.</p> <p>NH are waiting design details from Openreach which are expected end of June 2023.</p> <p>NH are waiting for further information from Essex and Suffolk Water and Anglian Water for possible direction regarding drilling under the railway line at Hatfield Peverel and at Boreham.</p>	Under discussion	Jun 2023
3.2.2.	Technical Clearance	N/A	<p>Signals and Structures have lodged objections. Details of these objections were shared with NH on 5th April 2023. Other disciplines still to feedback.</p> <p>Some 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 NR's Written Representation.</p>	<p>Discussions on Technical Clearance have commenced.</p> <p>Details of objection have been shared with NH on 5th April 2023.</p> <p>NH would like to work through the objections and have asked NR for further information.</p> <p>NH have shared Paynes Lane Footbridge design</p>	Under discussion	Jun 2023

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Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
				<p>proposals with NR and is awaiting feedback.</p> <p>Further discipline specific discussions have been held and NH is progressing the design to mitigate the concerns raised by the Signalling and Structures team. These changes should help with other disciplines concerns as well.</p>		
3.2.3.	Framework Agreement	N/A	<p>NR provided their template draft Framework Agreement, including proposed Protective Provisions for NR on 29th December 2022.</p> <p>NR is waiting for an updated draft from NH.</p>	NH legal team (WBD) will provide an updated draft Framework Agreement to the NR team.	Under discussion	Jun 2023
3.2.4.	Network Rail Documents – Third Party Asset Protection Agreement (APA)/Outside Party Asset Protection Agreement (OPAPA)	N/A	NR has provided templates of APA and OPAPA. The template is now agreed and detailed negotiations can begin.	<p>NH is reviewing the template.</p> <p>NH believe it will be an APA but awaiting confirmation from NR.</p> <p>NH legal team (WBD) have reviewed the Bridge Agreement.</p>	Under discussion	Jun 2023
3.2.5.	Protective Provisions (PPs)	REP6-108	NR supplied their Standard PPs for inclusion within the DCO on 29th December 2022.	NH agrees in principle to the inclusion of PPs in the	Under discussion	Jun 2023

Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			<p>The response was reviewed 21st February 2023 and comments returned to WBD 23rd February 2023.</p> <p>NR has provided its comments on the PPs in the DCO to the Examining Authority at Deadline 6.</p>	<p>DCO and the parties are currently discussing a few technical points.</p> <p>Each party will make their own submission in respect of the PPs to the ExA.</p>		
3.2.8a	Access concerns at Beaulieu Park Station (2/15b)	REP2-092	<p>The Proposed BPS Development impacts on plots that will be needed for access to the new station and its car park.</p> <p>The extent of land parcel 2/15b is being reduced so that NR's car park access will not be affected. This is to be reflected in the Framework Agreement.</p>	<p>NH has asked for temporary rights for the access road to construct Paynes Lane Bridge. NH will ensure that any operational needs to access the proposed car park are maintained during construction.</p>	Under discussion	Jun 2023
3.2.8b	Parking concerns at Beaulieu Park Station (2/15b)	REP2-092	<p>The Proposed BPS Development impacts on plots that will be needed for parking to the new station and its car park.</p> <p>The extent of temporary land take at land parcel 2/15b is being reduced so that NR's car park access will not be affected. This is to be reflected in the Framework Agreement.</p>	<p>The car park is not affected. NH require a route from the adopted highway to the proposed construction area.</p>	Under discussion	Jun 2023
3.2.8c	Utilities concerns at Beaulieu Park Station (2/22b)	REP2-092	<p>The Proposed BPS Development impacts on plots that will be needed for utilities to the new station and its car park.</p> <p>NR has sent a SMI form to NH asking for a utility survey to be undertaken. If clearance is required, NR's easements and wayleaves</p>	<p>NH is awaiting detailed information regarding BPS utilities.</p> <p>NH has agreed to incorporate any existing and future utilities</p>	Under discussion	Jun 2023

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Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
			team will deal with this. The issue will need to be addressed in the Framework Agreement.	rights/easements required by NR into the Framework Agreement.		
3.2.8d	Drainage concerns at Beaulieu Park Station (2/15a and 2/15b)	REP2-092	<p>The Proposed BPS Development impacts on plots that will be needed for drainage to the new station and its car park.</p> <p>NR is to secure a drainage easement from Countryside Zest. The Framework Agreement must incorporate that NH's rights over the plots are subject to NR's existing and future drainage rights.</p>	<p>NH is awaiting detailed information regarding BPS drainage.</p> <p>NH has agreed to incorporate any existing and future drainage rights/easements required by NR into the Framework Agreement.</p>	Under discussion	Jun 2023
3.2.8f	2/18b and all plots in close proximity to the operational railway	REP2-092	<p>NR has called for land take to be adjusted in Framework Agreement. NR is concerned that plot 2/18b is excessive for NH's proposed engineering solution.</p> <p>There is concern that revised NR ownership will not allow for future rail enhancements and have a detrimental impact on NR's ability to operate and maintain the railway.</p>	NH agrees that the Framework Agreement will provide for a smaller extent of land to be vested	<p>Under discussion</p> <p>NH has agreed not to vest the following plots pursuant to the draft Order: 2/17a, 2/17b, 2/17h, 2/17m, 2/17n</p>	May 2023
3.2.8g	Concerns that the proximity of Paynes Lane footbridge to OLE	REP4-079, REP3-074	The foundations for the new OLE (goalpost) gantry B/32/39A, immediately adjacent to the west of the proposed Paynes Lane footbridge, have already been installed.	NH have 700mm flexibility to move the bridge. NH has offered for the works associated with this	Under discussion	Jun 2023

Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
	gantry B/32/39A will restrict access for maintenance and future enhancement works (2/17c)		<p>The BPS team have advised that due to programme constraints, any remodelling of the OLE gantry could not be accommodated until after May 2024.</p> <p>The works associated with this remodelling would have to be considered as a stand-alone project sponsored and paid for by NH.</p>	remodelling to be considered as a stand-alone project, sponsored and paid for by NH.		
3.2.12.	Signal Sighting (plots 2/17a, 2/17g, 2/17h, 2/17i, 2/17j, 2/17k, 2/17l, 2/17m, 2/17n, 2/18a, 2/18b, 2/18c)	REP3-074, REP2-092	<p>The A12 scheme will impact on sighting of NR signals to train drivers. NR has concerns about the accessibility and safety for its maintainers when accessing the railway's signalling assets. NR also has concern about the proximity of the plots to the operational railway. These concerns cannot be resolved by NR modifying its infrastructure; therefore, it necessitates NH to make modifications to the design of the project.</p> <p>NR have asked NH to undertake separate specialist Signal Sighting and Luminance studies.</p>	<p>The concerns regarding signal sighting were raised in April 2023 as the NR clearance process requires only land plans to be submitted. NH will ensure, in coordination with NR, that the permanent works do not affect signal sighting for either the current layout or the proposed 3 track layout as BPS is developed.</p> <p>NH are working to resolve signal sighting concerns by undertaking Signal Sighting and Luminance Studies and addressing any issues that are raised.</p>	<p>Under discussion</p> <p>NH has agreed to undertake a signal sighting study and to provide the results to NR. NH has also agreed not to vest the following plots pursuant to the draft Order: 2/17a, 2/17b, 2/17h, 2/17m, 2/17n</p>	Jun 2023
3.2.14.	Existing Infrastructure -	REP3-074, REP2-092	There is concern about the works at plots 2/17g and 2/17m which would lead to	The drainage design proposal will be worked	Under discussion	Jun 2023

Statement of Common Ground with Network Rail

Ref	Issue	Doc Reference	Network Rail Infrastructure Limited Position	National Highways Position	Status	Date
	Drainage and Embankment Stability (plots 2/17g and 2/17m)		<p>structural implications relating to the stability of the existing railway embankments.</p> <p>The NR embankment must not be affected by the NH drainage proposals.</p> <p>NR need to agree to any outline/in principal design rather than waiting until the detailed design stage.</p>	<p>through in detailed design with due consideration of the potential interface with the existing railway embankment and agreed with NR.</p> <p>Revised in Principle Drawings were circulated to NR on 2nd June 2023.</p>	These issues will be addressed in the Framework Agreement between the parties. The agreement will allow for the plot sizes to be reduced.	
3.2.15	Section 10 (S10) Claim for Loss of Profit to existing Hatfield Peverel Station Car Park for Greater Anglia (Train Operating Company)	N/A	<p>Greater Anglia has requested confirmation of the legal mechanism for recovery of revenue loss due to the temporary car park proposed in Hatfield Peverel being free.</p> <p>If TOC submit a claim to NR, NH will deal and be liable for any losses. An indemnity is needed from NH for any claim by TOC. This is to be addressed in the Framework Agreement.</p>	<p>NH have confirmed that Greater Anglia would need to substantiate and evidence the claim. National Highways will consider the substance of the claim in line with its normal process. Further to Greater Anglian request, National Highways has clarified the process for claiming via the S10 process.</p>	Under discussion	Jul 2022

Acronyms

Abbreviation	Term
AOB	Any Other Business
APA	Third Party Asset Protection Agreement
ASPRO	Asset Protection
ATF	Auto Transformer Feed
BAPA	Basic Asset Protection Agreement
BoR	Book of Reference
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
PPs	Protective Provisions
OPAPA	Outside Party Asset Protection Agreement
RLB	Red Line Boundary (Order Limits)
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

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		
Business Clearance – Utilities interests		
Technical Clearance		
Framework Agreement		
Network Rail Documents – Third Party Asset Protection Agreement (APA)/Outside Party Asset Protection Agreement (OPAPA)		
Protective Provisions (PPs)		
Access concerns at Beaulieu Park Station (2/15b)		
Parking concerns at Beaulieu Park Station (2/15b)		
Utilities concerns at Beaulieu Park Station (2/22b)		
Drainage concerns at Beaulieu Park Station (2/15a and 2/15b)		

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2/18b and all plots in close proximity to the operational railway		
Concerns the proximity of Paynes Lane footbridge to OLE gantry B/32/39A, will restrict access for maintenance and future enhancement works (2/17c)		
Signal Sighting (plots 2/17a, 2/17g 2/17h, 2/17i, 2/17j, 2/17k, 2/17l, 2/17m, 2/17n 2/18a, 2/18b, 2/18c)		
Existing Infrastructure - Drainage and Embankment Stability (plots 2/17g and 2/17m)		
Section 10 Claim for Loss of Profit to existing Hatfield Peverel Station Car Park for Greater Anglia (Train Operating Company)		