

Your ref:
Our ref:
Date: 25-AUG-23

By email only: A66Dualling@planninginspectorate.gov.uk

Dear Sir / Madam

**PROPOSAL: A66 DUALLING
CONSULTATION SEEKING COMMENTS OF UNITED UTILITIES WATER LIMITED ON THE SIDE AGREEMENT
WITH THE APPLICANT**

Thank you for your letter dated 11 August 2023 requesting the comments of United Utilities Water Limited (UUW) regarding the outstanding objection and the side agreement. The side agreement seeks to address a range of matters including (inter alia):

- the need to ensure there is no adverse impact on UUW assets and operations; and
- the need to ensure that UUW is provided with a suitable means of access to its apparatus and property to ensure its rights are not adversely affected and to ensure that it can carry out future works and operations that may be necessary as a result of its obligations as a water and wastewater undertaker.

The outstanding matters that remain under discussion include:

- a) the need to ensure that a suitable access for all UUW Property is provided and agreed; and
- b) the need to ensure that the applicant provides a satisfactory management and maintenance regime for the additional road that is proposed at Penrith Wastewater Treatment Works.

Each is addressed in turn.

Suitable Access for all UUW Property

With respect to suitable access to UUW Property, the sites include:

- (1) Penrith Wastewater Treatment Works, Penrith registered under Title Number CU243785;

- (2) the pumping station known as Whinfell Wastewater Pumping Station registered under Title Number CU129073;
- (3) two parcels of land at Carleton Hall Farm registered under Title Number CU260141; and
- (4) Appleby Wastewater Treatment Works registered under Title Number CU244961 and the associated right of way.

The applicant has queried the inclusion of Appleby Wastewater Treatment Works because it is not included in the Book of Reference. This reflects the fact that our land interests at Appleby Wastewater Treatment works are not within the Order Limits. Despite this, it is the position of U UW that it is imperative that Appleby Wastewater Treatment is included within the side agreement as a named parcel of land as our access to the treatment works is immediately adjacent to the Order Limits where work to the A66 is proposed. Therefore it is critical that we are able to maintain a suitable access for operation at all times. This should include access for any future construction purposes. Two plans are enclosed which present the extent of the Order Limits and its position in respect of the U UW right of way to Appleby Wastewater Treatment Works. These illustrate why we have requested the inclusion of Appleby Wastewater Treatment Works within the proposed Side Agreement. We also wish to note that there is a proposed future capital investment project at Appleby Wastewater Treatment Works in the next investment period (2025-2030). As such, it is imperative that suitable access is provided for any construction works which will need careful consideration and co-ordination between the two parties if the two construction projects align.

A Satisfactory Management and Maintenance Regime for the Additional Road at Penrith Wastewater Treatment Works

We are concerned that the applicant is not committing to the principle of funding the costs of a future management and maintenance regime to the additional road that is proposed to our access to Penrith Wastewater Treatment Works. The view of U UW is that the applicant should be responsible for providing U UW with a road that is the subject of a full management and maintenance regime including a winter gritting service. It would be wholly unreasonable for the applicant to expect the customers of U UW to fund such costs noting the additional length of road and the nature of the route.

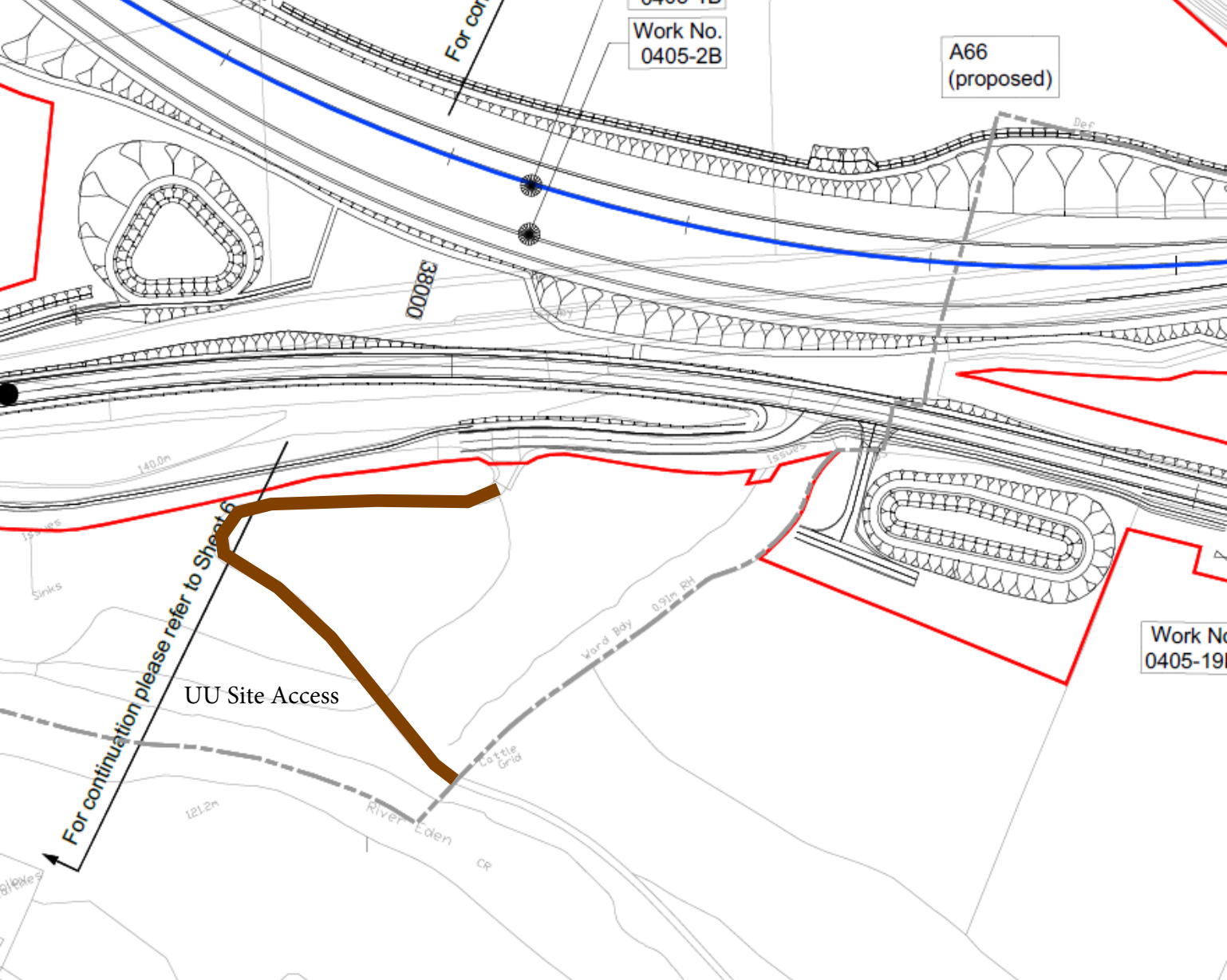
We are hopeful that U UW will be able to address the above matters with the applicant as part of a finalised side agreement to allow us to remove our objection.

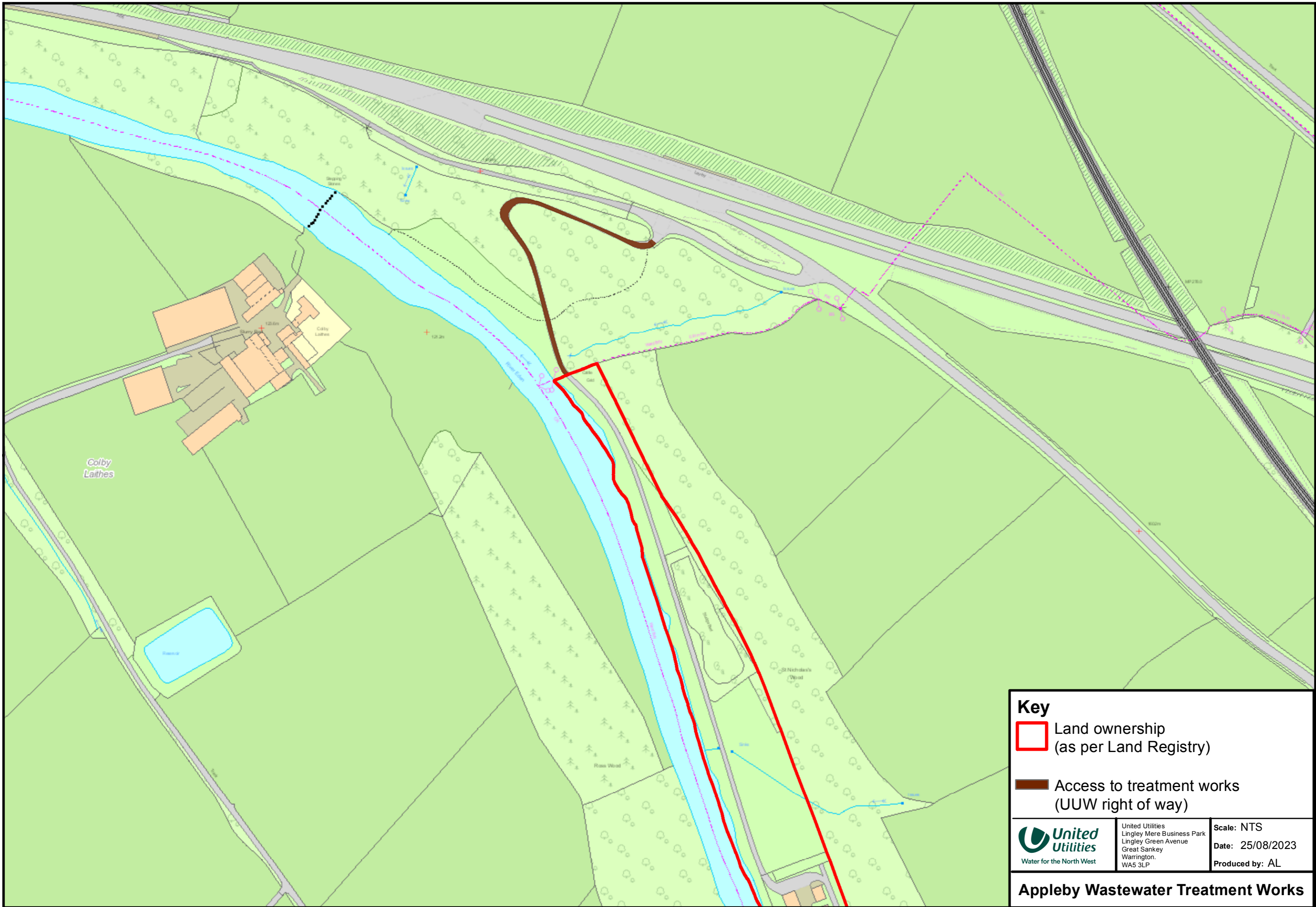
If you wish to discuss the detail of this letter further, please do not hesitate to contact me at planning.liaison@uuplc.co.uk.




Yours faithfully

Andrew Leyssens
Planning, Landscape and Ecology
United Utilities Water Limited

Encs.





Key		
	Land ownership (as per Land Registry)	
	Access to treatment works (UJW right of way)	
	United Utilities Lingley Mere Business Park Lingley Green Avenue Great Sankey Warrington. WA5 3LP	Scale: NTS Date: 25/08/2023 Produced by: AL
Appleby Wastewater Treatment Works		

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