

# **A585 Windy Harbour to Skippool Improvement Scheme**

**TR010035**

## **8.13 Statement of Common Ground with Openreach Limited**

APFP Regulation 5(2)(q)

Planning Act 2008

Infrastructure Planning (Applications: Prescribed  
Forms and Procedure) Regulations 2009

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Infrastructure Planning

Planning Act 2008

The Infrastructure Planning  
(Applications: Prescribed Forms and  
Procedure) Regulations 2009

**A585 Windy Harbour to Skippool  
Improvement Scheme**  
Development Consent Order 2019

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**STATEMENT OF COMMON GROUND WITH OPENREACH  
LIMITED**

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<b>Author:</b>	A585 Windy Harbour to Skippool Improvement Scheme Project Team, Highways England

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## STATEMENT OF COMMON GROUND

This Statement of Common Ground has been prepared and agreed by (1) Highways England Company Limited and (2) Openreach Limited

Signed 

Name (1) *DAVID HOPKIN*

Project Manager

On behalf of Highways England

Date: *16/04/19*

Signed 

Position (2)

On behalf of Openreach Limited

Date: 11 April 2019

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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 A585 Windy Harbour to Skippool Improvement Scheme ("the Application") made by Highways England Company Limited ("Highways England") 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) Highways England as the Applicant and (2) Openreach Limited.
- 1.2.2 Highways England 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 Highways England 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 Highways England.
- 1.2.3 Openreach Limited is owned by BT plc's parent holding company, BT Group plc. Openreach was established in 2006 following an agreement between BT and the UK's telecoms regulator, Ofcom, for the purpose of providing equal access to BT's telecommunications market. Openreach manages BT's local access network which connects customers to their local telephone exchange by installing and maintaining the fibre and copper communications networks that connect homes and businesses. More than 600 service providers use Openreach's network to deliver services ranging from telephony, broadband and television for the home, to high-speed data connections for businesses.

### **1.3 Terminology**

- 1.3.1 In the tables, under the Issues chapter of this SoCG, "Not Agreed" indicates a final position, and "Under discussion" where these points will be the subject of on-going discussion wherever possible to resolve, or refine, the extent of disagreement between the parties. "Agreed" indicates where the issue has been resolved.
- 1.3.2 It can be taken that any matters not specifically referred to in the Issues chapter of this SoCG are not of material interest or relevance to Openreach Limited, and therefore have not been the subject of any discussions 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 Openreach Limited.



## 2 RECORD OF ENGAGEMENT

2.1.1 A summary of the meetings and correspondence that has taken place between Highways England and Openreach Limited in relation to the Application is outlined in table 2.1.

Table 2-1: Record of Engagement

Date	Form of correspondence	Key topics discussed and key outcomes
15 July 2015	Email/ Post	Notification of appointment of O.O. Agent and C2 Preliminary Inquiry letters were sent to Openreach
8 May 2015	Downloaded from Openreach's Safe-Dig data base.	In response to the C2 Preliminary Inquiry, permission was granted to access maps of Openreach's underground assets directly.
05 April 2016	Email	Email to Openreach requesting C3 budget estimate
14 June 2016	Email	Email received containing initial C3 budget estimate and plans indicating location of Openreach's assets.
29 November 2017	Meeting at Openreach offices, Preston.	Meeting where proposed utility asset diversions were discussed, following the preferred route announcement
01 February 2018	Email	Email to Openreach requesting updated C3 budget estimate.
13 March 2018	Email	Email received from Openreach containing C3 Version 2 budget estimate for Openreach's diversions.
03 September 2018	Email	Email, with drawing attached, to Openreach showing modification of existing traffic signal controlled Little Singleton junction that is no longer to become a roundabout.
08 November 2018	Email	Email sent requesting the review of Schedule 10 outlining the Protective Provisions and associated articles.
09 November 2018	Email	Email was passed on to Openreach network regulations to provide comment and advice (14 <sup>th</sup> Nov).
14 November 2018	Email	Face to face meeting offered and chase up of information



Date	Form of correspondence	Key topics discussed and key outcomes
		requested
14 November 2018	Email	Email indicating the request for comment on the SoCG and Protective Provisions had been passed internally to the Network regulations team.
12 December 2018	Email	Follow up email for the Protective Provisions email sent on 8 <sup>th</sup> Nov. Response from Openreach stating they are “happy” with draft protective provisions and have no amendments.
18 December 2018	Email	Response from BT Openreach confirming they are content with the detail provided.
18 February 2019	Email	Email to Openreach requesting confirmation of agreement to the SoCG following agreement by HE.

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

### 3 ISSUES

3.1.1 There are five locations along the preferred route of the A585 Windy Harbour to Skippool Improvement Scheme where Openreach Limited's apparatus must be either diverted or protected. The issues at each of the five locations are addressed separately in the following tables.

#### 3.2 Skippool Junction and New Skippool Bridge

	Issue	Highways England Comment	Openreach Comment	Status
3.1.1	Diversion of 2-way cross-carriageway ducts across Breck Road east of Skippool Junction and 2 way ducts in new footway on north east side of Skippool Junction / Breck Road. (145m).	Site investigations are planned to confirm location, depth and number of existing ducts.		AGREED
3.1.2	Diversion of 3-way cross-carriageway across Breck Road at access to pumping station and 3 way ducts in new footway along the north side of Breck Road and Old Mains Lane link road to Mains Lane immediately west of 178 Mains Lane Includes connection to existing supply to properties in Old Mains Lane(450m)			AGREED
3.1.3	Diversion of overhead line on south east of Skippool Bridge into 2 way ducts in new			AGREED

	Issue	Highways England Comment	Openreach Comment	Status
	southern footway (300m)			
3.1.4	Diversion of overhead line and pole to avoid new entrance at Skippool Service Station west of Skippool Bridge.			AGREED
3.1.5	Diversion of overhead line and pole to avoid new entrance to Poulton Pumping Station east of Skippool Bridge and north of Breck Road			AGREED

### 3.3 Garstang Road East (Poulton Junction)

	Issue	Highways England Comment	Openreach Comment	Status
3.2.1	Diversion of assumed 4 way ducts generally on the north side of the Poulton traffic signal controlled junction comprising carriageway crossings and ducts in the northern footway of A586 Garstang Road East (344m).	Site investigations are planned to confirm location, depth and number of existing ducts.		AGREED

### 3.4 Lodge Lane

	Issue	Highways England Comment	Openreach Comment	Status
3.3.1	Temporary Diversion west of the existing Lodge Lane comprising two 1 way duct cross-carriageway crossings and a 1-way duct along the temporary diversion while new bridge is constructed. (150m)			AGREED
3.3.2	Permanent Diversion comprising assumed 2-way ducts in new bridge deck (150m)	Site investigations are planned to confirm location, depth and number of existing ducts.		AGREED
3.3.3	Diversion along south verge of new Singleton Hall private access road. 2-way duct assumed		Concern over chamber locations in close proximity to gas main in shared trench.	AGREED

### 3.5 A585 Garstang New Road

	Issue	Highways England Comment	Openreach Comment	Status
3.4.1	Diversion of assumed 4-way ducts to north side of Garstang New Road including two cross carriageway crossings near the proposed Grange Footbridge and the existing Windy Harbour Junction (1,000m)	Site investigations are planned to confirm location, depth and number of existing ducts.	Concern over chamber locations in close proximity to gas main in shared trench.	AGREED

### 3.6 A588 Shard Road Junction with Mains Lane

	Issue	Highways England Comment	Openreach Comment	Status
3.5.1	Diversion of 2 way duct in new east footway of Shard Road and relocation of existing pole	Recent design changes to junction result in carriageway widening and provision of new footway on east side of Shard Road		AGREED

### 3.7 Little Singleton Junction

	Issue	Highways England Comment	Openreach Comment	Status
3.6.1	As a result of the recent design change to retain this junction as a traffic signal-controlled junction, rather than a roundabout, no diversions are required.			AGREED

### 3.8 Land Take, Wayleaves and Easements.

	Issue	Highways England Comment	Openreach Comment	Status
3.6.1	Development Consent Order limits include for all areas of land take envisaged as required for utility apparatus diversions. Any additional land take requirements for diversions would be the responsibility of Openreach Limited to secure under the compulsory purchase process governed by (1) the enabling statute (i.e. the EA 1989) and (2) the Acquisition of Land Act 1981.			AGREED
3.6.2	Wayleaves and easements are legal rights that enable utility companies to have access to private land to install and maintain their apparatus in return for some sort of payments	Existing Openreach easements crossing the areas within the scheme are to be requested		AGREED

### 3.9 Site Investigations for Location of Services..

	Issue	Highways England Comment	Openreach Comment	Status
3.7.1	Site Investigations such as ground penetrating radar and slit trench surveys are to be carried out to establish precise location of Openreach's buried cabling after the DCO application submission.		Openreach to be invited to have a representative present during these investigations.	AGREED



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