

A46 Newark Bypass

Scheme Number: TR010065

Statement of Common Ground with Newark & Nottinghamshire Agricultural Society

APFP Regulation 8(1)(e)

Planning Act 2008

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

Volume 7

March 2025

Infrastructure Planning

Planning Act 2008

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

**The A46 Newark Bypass
Development Consent Order 202[x]**

**Statement of Common Ground with
Newark & Nottinghamshire Agricultural Society**

Regulation Number:	8(1)(e)
Planning Inspectorate Scheme Reference	TR010065
Application Document Reference	7.28
Author:	A46 Newark Bypass Project Team, National Highways

Version	Date	Status of Version
Rev 0	October 2024	Deadline 1
Rev 1	November 2024	Deadline 2
Rev 2	March 2025	Deadline 7

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1 Introduction

1.1 Purpose of this document

- 1.1.1 This Statement of Common Ground (this “SoCG”) has been prepared in respect of the A46 Newark Bypass (the “Scheme”) as part of the application made by National Highways (the “Applicant”) to the Secretary of State for Transport, via the Planning Inspectorate (the “Inspectorate”) for a development consent order (DCO) under section 37 of the Planning Act (the “2008 Act”). A detailed description of the Scheme can be found in Chapter 2 The Scheme of the Environmental Statement [\[APP-046\]](#).
- 1.1.2 This SoCG does not seek to replicate information which is available elsewhere with the application documents. All application documents will be made available on the Planning Inspectorate website.
- 1.1.3 This 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 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 between 1) National Highways as the Applicant and 2) Newark & Nottinghamshire Agricultural Society.
- 1.2.2 National Highways (previously known as 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 National Highways made provision for all legal rights and obligations, including in respect of the application, to be conferred upon or assumed by National Highways.
- 1.3 The Newark & Nottinghamshire Agricultural Society (NNAS) is a Charity whose principal objective is to support and promote Agriculture and related industries. It achieves this through various agricultural shows, education, grant assistance and support for both rural and urban communities, educational establishments and other organisations. NNAS is based in and runs many of these activities from Newark Showground, a site amounting to some 180 acres overall which it owns on a freehold basis. In order to generate income with which to carry out its charitable purpose, NNAS utilises (through a trading subsidiary) much of the site, when not in use for its own activities, as a multi-faceted conference, meeting and event centre. The busy site operates more than 500 events each year with a visitor attendance of over 500,000 people which in turn generates significant employment, economic and social benefit to the Newark & Sherwood district and the wider region. It is one of the premier events centres in the Midlands.

1.4 Terminology

- 1.4.1 Within the table in [Section 3](#), Issues of this SoCG, the terminology is as follows:
- “Agreed” indicates area(s) of agreement:
 - “Under Discussion” indicates area(s) of current disagreement where resolution remains possible, and where parties continue discussing the issue(s) to determine whether they can reach agreement by the end of the examination; and
 - “Not Agreed” indicates a final position for area(s) of disagreement where the resolution of the divergent positions will not be possible, and parties agree on this point.

1.4.2 It can be assumed that any matters not specifically referred to in Section 3, Issues of this SoCG are not of material interest or relevant to NNAS and therefore have not been 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 NNAS.

2 Record of Engagement

2.1 A summary of the meetings and correspondence that has taken place between National Highways and NNAS in relation to the application is outlined in **Table 2.1.1** below.

Table 2.1.1 Record of Engagement

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
28/04/2022	In Person – NNAS, representatives from Allen Farms & the Applicant	Introductory meeting with discussions on topics including: <ul style="list-style-type: none"> • Support for the scheme from NNAS. • Impacts of the development on this location. • Drawing illustrating the developing Stage 3 design. • Sale of land to adjacent to the A46 and north of the Shell Garage to Lindum Group. • Potential compound areas on the site.
12/08/2022	Teams Meeting – NNAS & the Applicant	Scheme draft preliminary design overview provided by the Applicant, following by discussions on: <ul style="list-style-type: none"> • Positive support for the scheme from this stakeholder • Multiple access points • Temporary compound • Lindum development plans • None motorised user route along Godfrey Drive • Current plans for the site • Environmental bunds • Traffic impacts during construction phase
27/09/2022	Teams call – multi-party meeting with NSDC, Tetra Tech, William Saunders, NNAS and the Applicant	Apologies sent by Lindum representative. Scheme overview provided by the Applicant, following by discussions on: <ul style="list-style-type: none"> • Drainage • Landscape bunds between NNAS and Winthorpe village • Footpath diversion • Statutory Consultation process outlined • Lindum development plans • Capacity for service road • Alternative access enquiry • Newark Lorry Park plans • Newark Bowls club plans
29/09/2022	Teams Meeting – NNAS & the Applicant	Discussion on topics, including: <ul style="list-style-type: none"> • Temporary land take requirements • Potential impacts to the planned Lorry Park and Lindum developments • Temporary footpath diversion • Additional access enquiry
14/11/2022	Teams Meeting – NNAS & the Applicant	Discussion on topics, including: <ul style="list-style-type: none"> • Survey requirement

Date	Form of Correspondence	Key Topics Discussed and Key Outcomes
		<ul style="list-style-type: none"> • Temporary land take requirements • Potential impacts to the planned Lorry Park and Lindum developments • Temporary footpath diversion
12/12/2022	Teams call – multi-party meeting with NSDC, Tetra Tech, Lindum, NNAS and the Applicant	<p>Apologies sent by some NSDC and NNAS representatives.</p> <p>Discussions held on topics including:</p> <ul style="list-style-type: none"> • Land requirement discussions • Requests for road concepts and visualisation
09/01/2023	Teams Meeting - multi-party meeting with NSDC, Tetra Tech, William Saunders, NNAS and the Applicant	<p>Discussions held on topics including:</p> <ul style="list-style-type: none"> • Update following completion of the Statutory Consultation • Outline of next steps and potential submission date for the DCO • Design freeze date • Update on Newark Bowls Club
08/03/2023	Teams Meeting - NNAS and the Applicant	<p>Discussions held on topics including:</p> <ul style="list-style-type: none"> • Scheme update following feedback from the Statutory Consultation. • Outline of changes in the area surrounding NNAS land. • Entrance and exit conversations on the following points: <ul style="list-style-type: none"> - The bowling/golf centre request to have a left in and left out access from Friendly Farmer link, with Showground happy for more land to be taken to accommodate a splitter island that will prevent right turns out of the site. - The existing access from Drove Lane will be stocked up and not replaced. - The existing access from Winthorpe roundabout will remain with no other changes. - The footpath in Lindum land to be diverted.
30/03/2023	Teams Meeting - NNAS and the Applicant	<p>Discussions held on topics including:</p> <ul style="list-style-type: none"> • NNAS expected the targeted consultation to reflect these ongoing discussions. The Applicant confirmed these discussions are happening simultaneously. • Access and egress points are currently being assessed/tested. • Security requirements for site during works. • Update on early engagement with Lindum. • Winthorpe roundabout proposals.
12/06/2024	Teams Meeting - multi-party meeting with NNAS, Lindum and the Applicant	NNAS invited to attend meeting by Lindum to review Lindum's Statements of Common Ground 'SoCG'.
08/10/2024	In Person – NNAS & the Applicant	Review / Update of NNAS Statements of Common Ground 'SoCG'
31/10/2024	Online Teams Meeting – NNAS / The Applicant	Review / Update of NNAS Statements of Common Ground 'SoCG'
24/03/2025	Email	Confirmation of agreement of wording for section 2.3.33 in the Outline Traffic Management Plan for the left in, left out access on the Friendly Framer Link Road and the definition of the term “emergency”.

2.1.1 It is agreed that this is an accurate record of key meetings and other forms of consultation and engagement undertaken between 1) National Highways and 2) NNAS in relation to issues addressed in this SoCG.

3 Issues

3.1 Issues agreed, not agreed or under discussion

3.1.1 **Table 3.1.1** below details the issues which have been agreed, not agreed or are under discussion between 1) NH and 2) NNAS

Table 3.1.1 - Issues

Issue No.	Issue	Document Reference	Newark & Notts Agricultural Society Position	National Highways' Position	Status	Date status confirmed
1.	Traffic and access/ egress	Consultation Report [APP-044]	<p>In the meeting in April 2022 NNAS queried whether it would be possible to have an access / egress off the new Friendly Farmer link road into the showground.</p> <p>The provision of an access off the new link road was further discussed when the new designs were presented in meeting in August 2022.</p> <p>NNAS raised their wish for the Left in access from the Friendly Farmer Link to be made a 'Left In Left Out'</p> <p>Update 14/10/2024 - The Society would like to update the Applicant on their LiLo proposal concerning the Friendly Farmer Link Road. It is important to note that the proposed access would be gated and used for Showground traffic and emergency use and any exit provided would only be used for emergencies.</p> <p>Furthermore, the Society is willing to allocate additional land to the Link Road to facilitate the following measures:</p> <ul style="list-style-type: none"> - Implementation of physical barriers to prevent right turns in and out. - Provision of a queuing/joining lane of appropriate length to ensure regulated merging of exiting traffic. - Installation of clear internal and statutory on-highway signage, including both permanent and temporary event signage. <p>We would be grateful if you would raise these issues with the relevant sections of NH as we wish to fully explore the possibility before signing up to the SoCG?</p> <p>NH have agreed to make additions to the Outline Traffic Management Plan as follows</p> <p>Table 2.1:</p> <p>And Section 2.3.33</p> <p>Access to Newark showground¶</p> <p>2.3.33 The Applicant provide a Left in Left out access from the Friendly Farmer Link with the access to be gated to NNAS satisfaction and the exit limited to emergency use only. This is identified as Point P-5W on the Streets, Right of Way and Access Plans [REP4-002]. The exit is for emergency use only with emergency in this context meaning a sudden and unexpected event that poses an immediate threat to the safety, health or welfare of people, property or the environment ¶</p> <p>Whilst this is helpful the society maintains its objection on two grounds as follows-</p> <ol style="list-style-type: none"> 1. The final sentence of proposed 2.3.33 is onerous and unnecessarily controlling of the Society's use of its Site the wording requires NH to agree to it and NH may not agree. The continued use of the Site should not be compromised. In this way. 2. The Society maintain that NH should enter into an agreement by deed to comply with relevant provisions in the Outline Traffic Management so that the Society can require compliance. NH argue that if they don't comply then they could be prosecuted by the Local Planning Authority however the Society cannot rely on the Local Planning Authority to be willing and able to take action particularly as 	<p>During initial meetings in April/August 2022 the Applicant clarified that due to traffic volumes identified in modelling on the link road it would only be possible to provide additional / new southbound entry point off the link road and an associated slip road.</p> <p>The Applicant has assessed additional options for turning movements onto the Friendly Farmer Link Road from Newark Showground as stated within section N8.A of Annex N of the Consultation Report [APP-044]. The assessment showed that Winthorpe Roundabout could accommodate the traffic along Drove Lane and additional turning movements were not required to deal with traffic. It also presented an increased risk of queues on the link road, which could have led to rear end shunt incidents.</p> <p>The Applicant has identified section 2.4 of the Outline Traffic Management Plan (OTMP) [APP-196] the significant local events in the area, including events at the Newark Showground. Proposed mitigation measures, including the avoidance of closures during these significant events, are detailed in table 2-9 of the OTMP.</p> <p>The Applicant can confirm they will provide a Left in Left out access from the Friendly Farmer Link with:</p> <ul style="list-style-type: none"> • The access to be gated to NNAS satisfaction • The exit limited to emergency use only as defined in section 2.3.33 of the Outline Traffic Management Plan submitted at Deadline 7. The definition of the term emergency has been agreed between the Applicant and NNAS via email on the 24th March 2025. <p>Table 2.1 of the Outline Traffic Management Plan has been revised to include a statement regarding the access from Drove Lane, referred to as the Blue Gate by NNAS to ensure access is maintained during construction.</p> <p>The Applicant is of the view that a separate legal agreement is unnecessary to address the points raised by NNAS and has clarified with NNAS that the requested controls are either already set out in DCO documents or as noted by NNAS, Applicant is willing to amend the DCO documents to ensure such controls are in place.</p> <p>The Applicant must comply with the relevant control documents secured by the DCO or risk criminal sanctions as well as a fine. It is, therefore, the Applicant's view that to duplicate these controls is unnecessary and an inefficient use of public money.</p> <p>Further, the Applicant does not agree with the summary set out by NNAS in relation to the local planning authority (LPA) exercising its enforcement powers. The LPA have a duty as the enforcing authority to take enforcement action when it is necessary, in the public interest, for them to do so. This means that whether or not the LPA are directly impacted is irrelevant to the question of enforcement and should any non-compliance with the OTMP be raised by NNAS with the LPA or it otherwise occurs then the LPA must take enforcement action if they deem it necessary in the public interest.</p> <p>Plot 5/17d as identified on Sheets 5 and 6 of the Land Plans [REP6-002], has been identified as being required for temporary possession for the construction of the Scheme. Works No 114 and 106, as detailed on Sheets 5 and 6 of the Works Plans [REP3-002] show the land being used as a temporary construction compound and laydown area. This is also detailed on Sheet 1 of Figure 2.4 of the Environmental</p>	Under Discussion	08/10/2024

			<p>it may not be directly affected by any breach. This matter is of significant concern to the Society.</p> <p>Further NH have not provided clarity on how the Blue Gate access and the driving range access will be maintained and secured. Whilst NH has included some provisions in the OTMP they are not specific and again NH will not enter into an agreement by deed with the Society to include these provisions and therefore ensure the Society can enforce them.</p> <p>In addition the Society requires notification of works to ensure the smooth running of its operations and whilst NH have included some measures in the OTMP they have declined to enter into an agreement with the Society meaning the Society has no ability to enforce any notification provisions.</p> <p>The Society also has concerns about the temporary land take of part of plot 5 /17(d). NH have said it requires this for a compound but have not provided any details as to how existing contracts for these areas can be mitigated.</p>	<p>Statement - Locations of Temporary Works Areas Required During Construction [AS-027] and Sheets 5 and 6 of the General Arrangement Plans [AS-007].</p> <p>Chapter 12 of the Environmental Statement, Population and Human Health [REP5-014] provides an assessment of the impact on the Newark Showground in tables 12-11 (Land take effects during construction), table 12-12 (Access effects during construction), table 12-15 (changes in access to green space, recreation and physical activity) and table 12-18 (Permanent changes in the provision of green space, recreation and physical activity). Paragraph 12.12.4 of Chapter 12 states that regular engagement should be undertaken with the Newark Showground and other recreational activities to ensure that construction activity is planned around key events.</p> <p>This is secured in the Outline Traffic Management Plan [REP6-018] and in the Outline Construction Communication Management Plan in Appendix B.4 of the First Iteration Environmental Management Plan [REP6-012].</p>		
2.	Footway / Cycleway Alignment	Works No 102 within the Works Plans [AS-005]	<p>The proposed permanent re-routing of Winthorpe Footpath No 3 across the NNAS land, which, as presently proposed, raises serious operational and security issues for the NNAS. It is understood that NH is exploring an alternative re-alignment which, if acceptable to NNAS, could be the subject of a Statement of Common Ground to be submitted to the Examination Inspector.</p> <p>Update 14/10/2024 - The arrangements leading to the temporary and permanent diversion of Winthorpe Footpath No. 3, are agreed, subject to confirmation that this aligns with the SoCG to be concluded with Lindum Group.</p> <p>The Showground would like Lindum's and NNAS SoCG to be read in conjunction with each other. The Society understands that NH are entering into an agreement by deed on this matter with Lindum the final version of which is not yet agreed. The Society reserves its position on this matter until it sees a final version that aligns with its position.</p>	<p>The Applicant is currently in discussion with the Lindum Group regarding the alignment of the combined footway/cycleway detailed in Works No 102 within the Works Plans [AS-005]. The Applicant will continue to consult and discuss the impact of the Lindum Group proposed development works in this area as the detailed plans for the proposal are progressed. The Applicant and Lindum have commenced discussions regarding potential agreements between both parties in the event of Lindum's planning application being granted and their construction works commencing prior to works commencing on the Scheme.</p> <p>The Applicant and Lindum Developments are in discussions to agree a side agreement as was stated at the DCO hearings in December 2024, the agreement is progressing to conclusion, this is a legal agreement between Lindum Developments and The Applicant as recorded in Lindum Developments SoCG.</p>	Under Discussion	08/10/2024
3.	Security	Outline Traffic Management Plan [APP-196]	<p>NNAS requires the Applicant to provide suitable boundary fencing along the temporary alignment of the Footway / Cycleway which is being proposed through our land. The fencing needs to be secure as such it prevents unauthorised access from the temporary footpath alignment into our land. Whilst NH have agreed to cover this in the Outline Traffic Management Plan and have provided wording in Table 2-11 of the OTMP submitted at Deadline 6 [REP6-018], the Society has the same concern as set out in point 2 of 1 above – that without a direct agreement by deed with NH the Society has no way of enforcing this provision.</p>	<p>The Applicant agrees and this will be secured in the next iteration of the Outline Traffic Management Plan [APP-196].</p>	Agreed	08/10/2024