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01 August 2003

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For the attention of Derek Fenn

Our reference: SP-10750/JAG/410002/NW-82  
Your reference 5020145/002/DG/CPS/C026

Dear Sirs

**Highways Agency Area 9 MAC  
A5 Trunk Road and Proposed Shrewsbury to Newport Canal Restoration**

Thank you for your letter of 04 July 2003. Your statement that you are looking for options that avoid crossing the A5 strikes me as very wise, as the engineering difficulties alone will be quite formidable. Nevertheless, if circumstances force you down this route, the following procedures will have to be followed. This is not an exhaustive list, and many of these procedures will themselves be quite onerous, with other sub-procedures being triggered for particular circumstances. Within Atkins, your colleagues within the Highways Design Teams (I am including Highways Structures here,) will be familiar with Highways Agency requirements and standards. I would suggest that their advice be sought as part and parcel of any scheme development.

Design standards generally are to the Highways Agency's "Design Manual for Roads and Bridges", generally abbreviated to DMRB. I have identified particular documents from the DMRB relevant to dimensions and approvals, but the whole manual covers design issues ranging from geotechnical matters and structural requirements to site line distances appropriate to the road.

The major concerns from the Highways Agency (HA) point of view are the safety of the travelling public, and the continued integrity of their assets. Clearly, ownership of any structure within the highway boundary, along with the considerable ongoing responsibilities for inspection and maintenance, would need to be resolved at an early stage. Normally, the Highways Agency would adopt additions to the infrastructure, but there are exceptions, such as railway bridges. Again, normally, the procurement method would be for the works within the highway boundary to be constructed as a Highways Agency scheme, with costs and charges drawn from an escrow account.

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Taking your specific bullet points in turn, I would advise as follows:

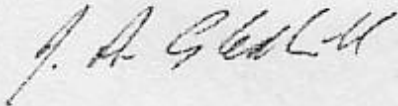
1. Health and Safety Implications: C(DM) Regulations in themselves should take care of many H&S issues, but it is important to bear in mind that the construction site will have 30-40,000 vehicles per day passing through, and therefore a workable, safe traffic management regime is essential. The option(s) for construction may well be dictated by traffic management considerations. Any contra-flows and/or lane closures would only be at specified times, days, and seasons, depending on the restriction proposed. To ensure a safe environment for both travellers and the workforce, the Highways Agency and AmeyMouchel have strict conditions and controls covering organisations and employees working on the network. Only HA approved contractors would be allowed to take possession of the site.
2. Headroom requirements: These are set out in DMRB document TD27/96.
3. Licences and Consents: I am not familiar with legislation covering canals and waterways, and the powers conferred on the operators of these, but if any of the Sections under the Highways Act 1980 are used, it is likely that the following principles would be followed: (i) Financial safeguards for the Highways Agency, covering all construction, land acquisition, and future maintenance, to be agreed prior to start of works –(note that the HA cannot bear the costs relating to any outside party's proposals); (ii) Procurement and supervision to be as if for a Highways Agency scheme; (iii) Design, design checks, and certification to follow DMRB requirements (DMRB Document BD2/02 is relevant for design and checking procedures). Funding provision is also needed to cover the costs of scheme development.
4. Negotiations and planning requirements: Negotiations with the HA will have a number of formal agreements and milestones, but reaching these will be more of an ongoing dialogue and liaison process as the scheme develops. Planning approvals will be through the local planning authority, but the HA are a Statutory Consultee for anything affecting the trunk road. We would expect that issues safeguarding the HA's position would be largely resolved by this stage. In this location, we would anticipate that environmental constraints would be substantial, as a crossing of the A5, whether over or under, will inevitably be visually prominent, and affect a large area beyond the normal canal corridor.
5. Time scales: It is very difficult to give definite provision here. There would be parallel procedures for the legal and financial implications, and for the technical approvals and considerations. Further, if land acquisition is involved, a lengthy timescale is likely, which could lead to Public Inquiry. For the technical approval, BD 2/02 requires an involvement from the earliest stages, which is the Approval in Principle process, through to the Design Check Certification. The unusual nature of the works suggests that the structure may well be Category 3, the most onerous for certification.

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Letter – JAG to Atkins Water – Newport-Shrewsbury Canal

I hope that I have helped you rather than place obstacles in your path. A project such as this will clearly progress at a speed dictated by funding, and by the resolution of several problems at different locations. Keeping the Highways Agency and AmeyMouchel abreast of developments will ensure that we are able to provide the appropriate advice relating to your next actions. If you have any further queries, please do not hesitate to contact me on 01952 291686. Besides myself, other contacts that you may find helpful are Dennis Wheeler, Highways Agency Route Sponsor, (Tel 0121 678 8126) for HA procedures, and Derek Price, AmeyMouchel Area Steward, (Tel 01952 291774) for guidance on occupying the network.

Yours faithfully



J A Gledhill  
Team Leader - Highways

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Copy: SP Master file;  
D Wheeler, HA;  
D Price → A5 File;  
410002/NW-82 File