

**The Network Rail (Stalybridge to Diggle (Saddleworth) Enhancements)
Order – Statement of Common Ground Network Rail Infrastructure
Limited and the Coal Authority**



TRANSPORT AND WORKS ACT 1992

**Transport and Works (Applications and Objections
procedure) (England and Wales) Rules 2006**

NETWORK RAIL (STALYBRIDGE TO DIGGLE (SADDLEWORTH) ENHANCEMENTS) ORDER

STATEMENT OF COMMON GROUND

***NETWORK RAIL INFRASTRUCTURE LIMITED & THE COAL
AUTHORITY***

Authorised Agreement

Name	Organisation	Position	Date	Signature
Melanie Lindsley	The Coal Authority (trading as the Mining Remediation Authority)	Principal Planning and Development Officer	22/05/26	<i>M Lindsley</i>
Jim Pearson	Network Rail	Consents and Environment Manager	22/05/26	<i>J Pearson</i>

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1. INTRODUCTION

1.1 The Network Rail (Stalybridge to Diggle (Saddleworth) Enhancements) Order

- 1.1.1 Network Rail Infrastructure Limited (“NR”) made an application on 7th November 2025 for an order under the Transport and Works Act 1992 to authorise the construction, maintenance and operation by NR of works on the Transpennine Line between Stalybridge and Diggle (Saddleworth) for the purposes of increasing capacity and improving journey time and performance reliability of rail services on the Transpennine Line both between Stalybridge and Diggle (Saddleworth) and Manchester, Leeds and York. The order applied for is titled “The Network Rail (Stalybridge to Diggle (Saddleworth) Enhancements) Order” (“the Order”).
- 1.1.2 In connection with NR’s application for the Order, a request has also been made by NR to the Secretary of State for Transport under section 90(2A) of the Town and Country Planning Act 1990 that planning permission, so far as it is required, shall be deemed to be granted for the development proposed to be authorised by the Order (**NR11**).

2. COMMUNICATION BETWEEN THE COAL AUTHORITY AND NETWORK RAIL

2.1 Post-Order submission consultation

- 2.1.1 The Coal Authority submitted a representation on 8th December 2025 (given reference REP/01) (“the Representation”). The Coal Authority raised the following matters in the representation:
- Avoid working in the vicinity of coal entries where practicable to do so; and,
 - That a condition related to controlling the possibility of such work be put in place or otherwise confirm this would be controlled in compliance with the Code of Construction Practice (CoCP) or some other mechanism.
- 2.1.2 NR responded to the content of the representation on February 19th, 2026 (Appendix A). In this letter NR confirmed that the Environment Report (ER) (**NR14**) in Volume 3: Appendix 11A, identified previous coal mining areas in connection to the location of the scheme works.

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- 2.1.3 NR confirmed it would be conducting a coal mining risk assessment as required for those works in consideration of potential land subsidence and gas migration. Of particular risk NR confirmed it would conduct piling risk assessments and including any resulting mitigation in the Pollution Prevention and Incident Control Plan (PPICP) (draft condition 6(c)(ii)). This is secured as defined mitigation in the ER in Volume 1 Main Text: section 11.3.3.
- 2.1.4 The Coal Authority replied on March 6th 2026 (Appendix B), saying it was satisfied with the commitments made by NR in their letter of response to the objection.

2.2 Current Design Status

- 2.2.1 Network Rail's designers and contractors in general comply with NR/L2/CIV/191 Module 5: "Managing the risk from mining in design and construction".
- 2.2.2 It should be noted that Permissions and Consents from the Coal Authority are discussed in Section 20 of NR/L2/CIV/191. In compliance with the process required by NR/L2/CIV/191, this has led Network Rail's design team to consult with the Coal Authority over Ground Investigation works at Stalybridge Tunnel and apply for the relevant permits from the Coal Authority to facilitate the ground investigation (Appendix C: Permit 30588).
- 2.2.3 No other risk assessments in compliance with NR/L2/CIV/191 has resulted in the need to acquire a permit from the Coal Authority to date.

3. MATTERS AGREED BETWEEN THE COAL AUTHORITY AND NETWORK RAIL

3.1 All matters agreed

- 3.1.1 The Coal Authority and NR agree on all matters in relation to construction works and the possible effects on legacy coal mining areas. The required process and control mechanisms are outlined in the following sections.

3.2 Assessment

- 3.2.1 A coal mining risk assessment will be conducted for works as defined in the ER in Volume 3: Appendix 11A Geoenvironment Technical Appendix; areas identified as "site is located in a coal mining area". (secured by compliance

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with ER Volume 1: Main Text: section 11.3.3, specifically condition 6(c)(ii) PPICP), and required by Network Rail process NR/L2/CIV/191.

3.3 Permit to Enter or Disturb Coal Authority Interests

- 3.3.1 NR will acquire from the Coal Authority a “Permit to Enter or Disturb Coal Authority Interests” (“permit”) where the coal mining risk assessment identifies the need in relation to excavation, borehole insertion requirements or specified piling. The current Permit (No. 30588) relating to Stalybridge Tunnel has been granted for the purposes of facilitating ground investigation works. Any further or subsequent works shall be subject to the prior acquisition of additional permits from the Coal Authority.
- 3.3.2 NR will comply with any specified gas monitoring requirements as may be stipulated in the permit issued for specified works (e.g. permit 30588) and with any further or subsequent permits obtained.

3.4 Piling Activity

- 3.4.1 Piling requirement is recognised as a key construction activity that has the potential to mobilise contamination when conducted in a coal mining area.
- 3.4.2 NR commits to conducting piling risk assessments for its piling work if contamination is suspected in accordance with the Environment Agency guidance “Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution prevention”.
- 3.4.3 This requirement is secured in the ER (NR14) in Volume 1 Main Text: section 11.3.3 in addition to any resulting mitigation.

4. SUMMARY

- 4.1.1 All matters are agreed between the Coal Authority and NR with agreed control measures in consideration of legacy mining areas described in section 3 of this Statement of Common Ground.

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APPENDICES A: NETWORK RAIL'S REPRESENTATION RESPONSE LETTER

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Network Rail
Ground floor
4 Travis Street
Manchester
M1 2NY

planningconsultation@coal.gov.uk

<mailto:penny.carter@networkrail.co.uk>

19th February 2026

Dear Melanie,

**Re: Network Rail: Stalybridge to Diggle (Saddleworth) scheme
REP 01 – The Coal Authority**

Network Rail is in receipt of The Coal Authority's letter of objection dated 8 December 2025 to the Network Rail (Stalybridge to Diggle (Saddleworth) Enhancements) Order application ("the Order").

We note that the Coal Authority is of the opinion that building over the top of, or in close proximity to, mine entries should be avoided wherever possible, even after they have been capped, in line with your adopted policy. It is noted that the Coal Authority requests that the potential risk posed to surface stability and public safety be addressed in a relevant condition or covered within the Code of Construction Practice (CoCP). Network Rail can confirm it is aware of the presence of the coal mining legacy in the area of the Order Scheme and there is the potential for the Order Scheme to interact with shallow coal mine workings or coal seams. Hazards relating to coal mining may include ground instability or mine gas migration. Details of where work packages of the Order Scheme and surrounding areas are within Coal Mining Development High-Risk Areas, (which is defined by the Mining Remediation Authority) are presented in NR14 Environmental Report, Volume 3, Technical Appendix 11A.

A coal mining risk assessment will be undertaken to inform the detailed design of those areas of the Order Scheme that are located in a Coal Mining Development High Risk Area in order to identify the remedial measures required. This is standard practice in former coal mining areas. If piled foundations are required and contamination is identified, a foundation works risk assessment will be conducted during the detailed design stage and documented as part of the CoCP Part B Pollution Prevention and Incident Control Plan.

We hope the above addresses the matters raised in your letter dated 8 December 2025 and that you are able to withdraw the representation. If you are able to withdraw the representation, please email the

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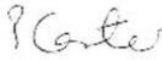
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Transport Infrastructure Planning Unit at transportinfrastructure@dft.gov.uk advising them of your position.

Yours sincerely,



Penny Carter
Network Rail

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APPENDICES B: THE COAL AUTHORITY RESPONSE TO NETWORK RAIL'S REPRESENTATION RESPONSE LETTER



200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

For the attention of: Transport Infrastructure Planning Unit

[By email: transportinfrastructure@dft.gov.uk]

Copy to: Penny Carter – Network Rail

By Email: penny.carter@networkrail.co.uk

6th March 2026

Dear Sir/Madam

Re: Transpennine Route Upgrade programme of works, Network Rail is proposing a number of changes between Stalybridge and Diggle (Saddleworth)

We are in receipt of additional information from Network Rail in respect of the above, received via email 19th February 2026.

We previously commented on this project in a response to the Transport Infrastructure Planning Unit in a letter dated 8th December 2025, noting the coal mining legacy features present and potential risks they pose.

Network Rail have confirmed that they are aware of the presence of coal mining legacy in the area of the scheme and risks arising, including ground instability and mine gas migration. They also note that a Coal Mining Risk Assessment will be undertaken to inform the detailed design of those areas of the Order Scheme located in the defined Development High Risk Area in order to identify any remedial measures required. Network Rail state that this is standard [practice in former coal mining areas. They also comment that if piled foundations are required a foundation risks assessment will be conducted at the detailed stage and documents in the CoCP.



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We are pleased to receive this correspondence from Network Rail in respect of their understanding of the coal mining legacy and the potential risk posed and their confirmation that these will be further assessed and addressed as necessary to ensure the safety and stability of the development. I can confirm that the Planning team at the Coal Authority are satisfied with the approach proposed by Network Rail.

If you would like to discuss this matter further, please contact me on the above number.

Yours faithfully

Melanie Lindsley

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI
Principal Planning & Development Manager

Disclaimer

The above consultation response is provided by the Coal Authority as a statutory consultee and is based upon the latest available data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority and/or information that has been published for consultation purposes. The views and conclusions contained in this response may be subject to review and amendment by the Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided.



Making a **better future** for people
and the environment **in mining areas**

The Network Rail (Stalybridge to Diggle (Saddleworth) Enhancements) Order*Statement of Common Ground - Network Rail Infrastructure Limited & The Coal Authority***APPENDICES C: MINING REMEDIATION AUTHORITY: PERMIT 30588**

Permit to Enter or Disturb Mining Remediation Authority Interests

Permit 30588**Name and Address of Permit Holder:**

Network Rail
1st Floor
Baskerville House
Centenary Square
Birmingham
B1 2ND

Site Location:

Stalybridge Tunnel
Stalybridge

This certificate hereby grants the above named Permit Holder a Permit to carry out:-

Ground investigation by five boreholes to 40m

within the Authority's interests at the identified site location above as shown on the Grant Permit Boundary (overleaf) for the period of **12 months** from the granted date shown below. *The granting of this Permit does not constitute advice given by the Authority in relation to the proposed operations. It is the Permit Holder's responsibility to obtain appropriate health, safety, environmental, technical and legal advice.*

Conditions:

- *Manned entry (i.e.) into mine entries/workings) is strictly prohibited.*
- *Water flush*
- *Gas Monitoring CO, CH₄, CO₂, O₂, H₂S at borehole/rig and personal monitors to be worn*
- *Operators undertaking the work must be in possession of this certificate and the Permit boundary plan at the time of works*
- *Appropriate borehole sealing without delay and to withstand site level changes*

Signed: Helen Day Granted Date: 30 September 2025

For and on behalf of the Mining Remediation Authority

Nominated Representative: Helen Day, Permitting Manager;

Mining Remediation Authority, Permitting Office, 200 Lichfield Lane, Mansfield, Notts, NG18 4RG

Tel: 01623 637450; E-Mail: permissions@coal.gov.uk

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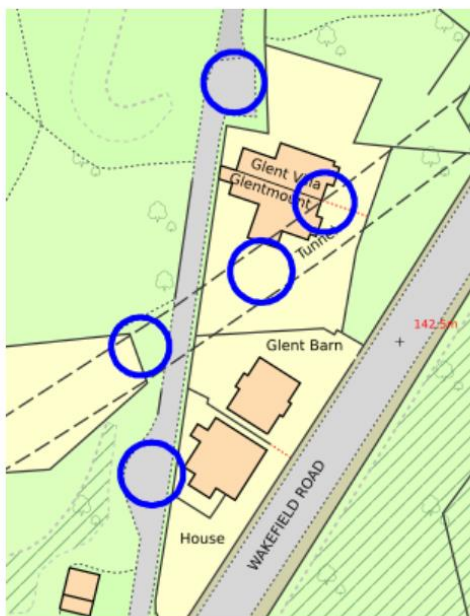
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Granted Permit Boundary

Permit Ref: 30588

Permit Boundary:



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The Mining Remediation Authority is the trading name of the Coal Authority ('TCA') established pursuant to Section 1 of the Coal Industry Act 1994, of 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire, NG18 4RG. The Coal Authority remains the legal name of the Authority.