

## Appendix 2

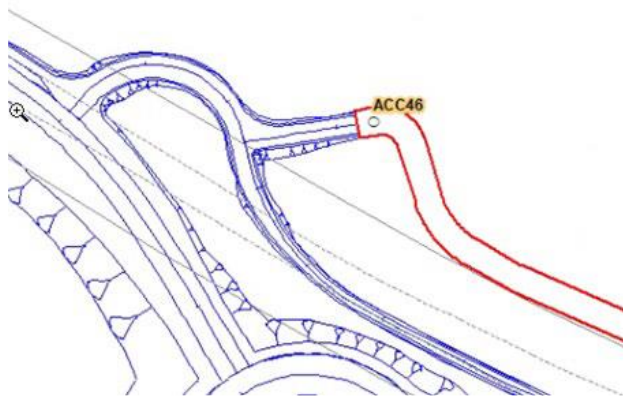
### National Highways responses to the Applicant's Document 18.2 (REP4-028)

1. National Highways (NH) sets out below its responses to the Applicant's Document 18.2 (REP4-028), Table 10, which in turn was a response to the submissions of NH in relation to the Examining Authority's Second Written Questions. NH's submissions at Deadline 3 have not been repeated below but the same ID numbering is used.

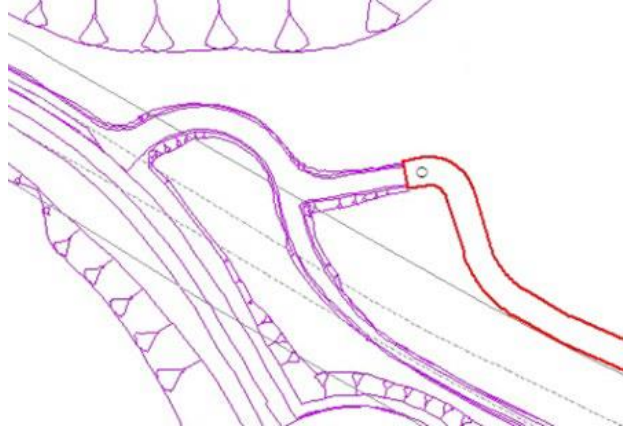
ID	The Applicant's Response	National Highways Responses at Deadline 5
3	<p>The Applicant thanks National Highways for its representation and takes the opportunity to confirm that it has taken into consideration the A47 Tuddenham Scheme in developing its proposals. The Applicant notes that a misalignment has arisen between SEP and DEP access ACC46 and the A47 Tuddenham Scheme at the realigned Taverham Road, as approved by the Secretary of State, and acknowledges that there is an overlap between the ACC46 access track, and an area of landscaping secured in the A47 Tuddenham Scheme DCO. The Applicant will work with National Highways to address these issues. A response to the specific queries raised is set out below (IDs 4 - 27).</p> <p>The Applicant would like to clarify that the distinction between the representation of the Norwich Western Link and the A47 Tuddenham Scheme on the <b>Access to Works Plan (Revision D) [AS-051]</b> and the <b>Streets (to be temporarily stopped up) Plan (Revision C) [AS-052]</b> has been made for presentational reasons. The Norwich Western Link is a new road that can be readily represented on the plans, whereas showing both the current A47 layout and the A47 Tuddenham Scheme on the same plan presents presentational challenges. The CAD files for the A47 Tuddenham Scheme were first made available to the Applicant by National Highways on 29 July 2020 and this scheme has been given due consideration throughout the development process since that time. Accesses ACC46 and ACC47 have been designed in order to provide options for access both from the existing A47 and from the realigned Taverham Road should the A47 Tuddenham Scheme be constructed before the SEP and DEP onshore export cables are laid at this location.</p> <p>With regards to engagement with National Highways, the Applicant would like to clarify that regular meetings have been held with National Highways since initial contact in relation to the Projects was made in 2020. The Applicant considers</p>	<p>National Highways does not recognise the engagement put forward in this response by the Applicant. However, the Applicant is satisfied that the engagement that has taken place since April 2023 has been productive, with the Applicant taking onboard the concerns of National Highways, and in particular the concerns of the A47 Tuddenham Project Team. National Highways looks forward to working with the Applicant going forward to reach a resolution on the outstanding issues.</p>

<p>any implication that there has been a lack of engagement or that the A47 Tuddenham Scheme is a recent consideration to be inaccurate.</p> <p>The Applicant refers to the <b>Evidence Plan Agreement Log</b> [APP-030], the <b>Statement of Common Ground with National Highways (Revision B)</b> (SoCG) [REP3-080] and <b>The Applicant's Statutory Undertakers Position Statement (Revision B)</b> [REP3-083], which highlight extensive consultation with National Highways representatives over a period of three years. Additional post-application meetings, further to those listed in Revision B of the SoCG, have been held on 26 April 2023 and 28 April 2023. Meetings specifically with the A47 Tuddenham Scheme team have been held during the pre-application stage, including on the 15 April 2021 and 21 March 2022, and post-application on 20 April 2023, as noted in National Highways' representation.</p> <p>In addition, the Applicant would like to highlight and clarify (as set out in <b>The Applicant's Statutory Undertakers Position Statement (Revision B)</b> [REP3-083]) that it contacted National Highways in February 2022 in order to seek clarification on what protections/agreements National Highways required in relation to the draft DCO for SEP and DEP. The Applicant first received proposed draft Protective Provisions from National Highways in August 2022. Unfortunately, these were received too close to the submission of the application to include them in the <b>draft DCO</b> [APP-024] at that time. However, the Applicant and National Highways were actively negotiating those protective provisions for a period of 5 months up to February 2023 including providing as requested further information in relation to the compulsory acquisition powers included in the <b>draft DCO</b> [document reference 3.1] and negotiating a side agreement. At that point, the Applicant expected to be in a position to include agreed protective provisions with National Highways early in the Examination. The Applicant was subsequently surprised to receive a new set of proposed Protective Provisions from National Highways in February 2023 as part of its written representation [REP1-132] submitted at Deadline 1, which have now been replaced by a further set of proposed Protective Provisions in National Highways' further written representation [REP3-139] at Deadline 3.</p> <p>The Applicant has always been open to securing an agreement with National Highways in addition to including protective provisions within the draft DCO. Following receipt of National Highways' written representation at Deadline 1 [REP1-050], the Applicant had a meeting with National Highways, which included legal representatives, on 17th March 2023. During that meeting, the parties discussed and agreed that interactions between the A47 Tuddenham Scheme and SEP and DEP should be dealt with in a co-operation agreement. The Applicant had understood that National Highways' legal representative</p>	
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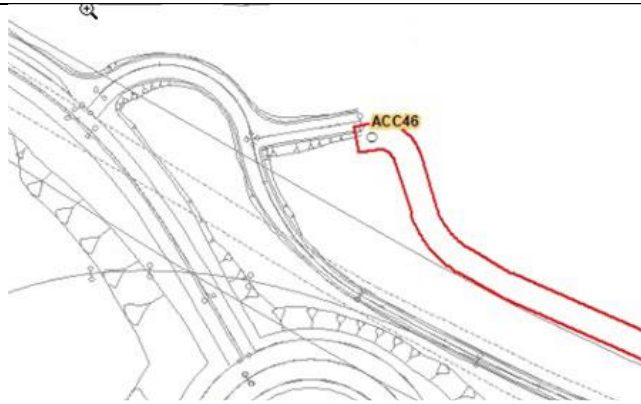
	<p>would provide Equinor with draft Head of Terms for a co-operation agreement following the meeting on 17th March 2023.</p> <p>The Applicant further confirms that the material change request of 11 April 2023 was made in relation to the access arrangements and the siting of the cables within the Food Enterprise Park site, and not in relation to the A47 Tuddenham Scheme.</p> <p>The Applicant reiterates that it remains committed to working with National Highways to resolve any outstanding queries and to ensure delivery of the A47 Tuddenham Scheme, SEP and DEP and other projects within the vicinity of the A47, noting that a judicial review is ongoing in relation to the A47 Tuddenham Scheme. In recognition of the ongoing process to address National Highways concerns and advance a SoCG, this response is limited to new issues raised on 20 April 2023.</p>	
12	<p>The Applicant notes that there is a misalignment between the Order limits and the realigned Taverham Road as mapped in plans secured by the A47 Tuddenham Scheme DCO.</p> <p>Three versions of the A47 Tuddenham Scheme CAD files have been received by the Applicant from National Highways, dated 29 July 2020, 17 December 2020, and 26 February 2021 in the associated metadata (see Figure 1, Figure 2 and Figure 3 below). The Applicant's access at ACC46 from the realigned Taverham Road was designed based on the first version, dated 29 July 2020. The second version dated 17 December 2020 maintains the alignment as designed. However, the third version dated 26 February 2021 includes a small misalignment with the Order Limits at ACC46, due to an adjustment made to the A47 Tuddenham Scheme design, as noted by National Highways at ID18 below.</p> <p><b>Figure 1 – Realigned Taverham Road, dated 29 July 2020</b></p>	<p>Notwithstanding ongoing judicial review proceedings, The A47 North Tuddenham to Easton Development Consent Order 2022 (<b>A47 TUD DCO</b>) remains a made Order for a nationally significant infrastructure project. The A47 Project Team is progressing the discharge of requirements in readiness for commencing development and has already secured discharge of a number of requirements of the A47 TUD DCO, including approval by the Secretary of State for the traffic management plan. Other requirements are in the process of being discharged presently, including the Second Iteration Environmental Management Plan which includes provision for environmental mitigation in this location.</p> <p>National Highways' view is that it is for the Applicant to design its scheme around the latest drawings available, which from the Applicant's response is clear were available in February 2021. National Highways' view is that this is a matter that does need to be addressed by the Applicant at the earliest opportunity given the potential knock-on impacts in this area for the interactions between the A47 TUD DCO and the Hornsea Project Three Offshore Wind Farm Order 2020.</p>



**Figure 2 – Realigned Taverham Road, dated 17 December 2020**



**Figure 3 – Realigned Taverham Road, dated 26 February 2021**



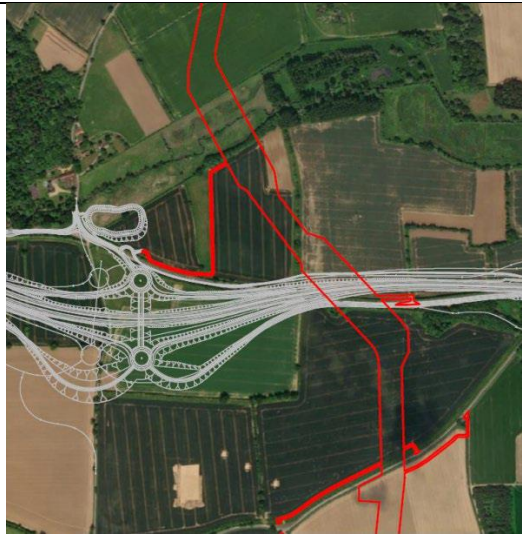
Unfortunately, this misalignment was not identified by the Applicant at the time, nor was it picked up through the ongoing engagement with National Highways in relation to the SoCG and the Protective Provisions.

The A47 Tuddenham Scheme CAD files received from National Highways during the pre-application stage did not include the fence line or landscaping included in the A47 Tuddenham Scheme Environmental Masterplan. Figure 4 below shows this CAD file alongside the onshore cable route, as included in the minutes of the meeting held between the Applicant and National Highways on 21 March 2022.

The Applicant has therefore not had regard to the landscaping scheme in the design of ACC46. The Applicant will work with National Highways to resolve this issue.

In addition, and for completeness, Figure 4 – A47 Tuddenham Scheme and onshore cable route, was presented in a meeting held on 21st March 2022.

**Figure 4 – A47 Tuddenham Scheme and onshore cable route**



Given the current uncertainty surrounding developments within this area, as well as the comments raised by the Examining Authority at the Preliminary Meeting advising that Deadline 3 is the last opportunity to submit changes to the application, the Applicant considers it appropriate to progress any application that may be necessary to realign the access outside of the Examination and following the conclusion of the judicial review of the A47 Tuddenham Scheme. Whilst the misalignment at Taverham Road has been highlighted by National Highways, it is acknowledged that, subject to the outcome of the judicial review, any application could also consider the wider realignment of the access road to avoid the National Highways landscaping scheme. Therefore, the Applicant considers that it would be beneficial to wait until there is further certainty regarding the final arrangements before making any application to amend the access from the A47.

The options which the Applicant will explore to secure consent to alter the access in the event that the A47 Tuddenham Scheme is constructed will be consulted on with relevant stakeholders including the local planning authorities. For example, powers and consent for these works could be secured by way of an application to amend the SEP and DEP DCO (in the event it is made) post-consent or pursuant to planning permission under the Town and Country Planning Act 1990. In the event of the latter, the Applicant would progress land

	rights separately through discussions with the landowner at the time. Given the minor nature of the misalignment and the benefits generated through correcting the access alignment, the Applicant does not consider there to be any impediment to securing consent to realign the access.	
19	<p>The Applicant considers the issues raised relate to the requirement to coordinate construction activities.</p> <p>Section 4.11.2 of the <b>Outline Construction Traffic Management Plan (Revision C)</b> [REP3-063] acknowledges the potential for cumulative impacts between the respective project's construction phases. These would be managed through development of the CTMP. The Applicant will seek to further mitigate risks to the programme associated with the construction of the A47 Tuddenham Scheme through the emerging cooperation agreement with National Highways.</p>	<p>National Highways agrees that the interactions in this area of land will be addressed in the co-operation agreement that is to be entered into by the parties.</p> <p>National Highways has suggested that updates are made to the OCTMP and understands that the Applicant is proposing to submit an updated OCTMP at Deadline 5. National Highways' suggestions for the for updates to the OCTMP are included in its responses to the Ex3WQs.</p> <p>National Highways wishes to reiterate that its own traffic management plan that is required as part of the A47 TUD DCO has been approved by the Secretary of State as part of the discharge of requirements for that scheme. National Highways will provide assistance to the Applicant in relation to traffic management around the strategic road network but notes that this will need to be within the constraints of the approved traffic management plan for the A47 TUD DCO. National Highways is willing to share this plan with the Applicant to aid discussions.</p>
20	<p>The Applicant notes National Highways comments.</p> <p>The Applicant would clarify that the material change request includes amendments to the access strategy to remove the requirement to provide a new access (ACC48) from the north of Church Lane and instead utilise the existing Food Enterprise Park access. A new access would be provided to the south of Church Lane access ACC49. The latest access arrangements are detailed in the <b>Access to Works Plan (Revision D)</b> [REP2-005].</p> <p>Notwithstanding, as part of the detailed design and construction of all accesses and crossings, all utilities will be identified, and an appropriate scheme of protection provided. This is secured by Requirement 16 of the <b>draft DCO (Revision G)</b> [document reference 3.1]. Furthermore, the Applicant also notes that Part 2 of Schedule 14 of the <b>draft DCO (Revision G)</b> [document reference</p>	<p>National Highways is reviewing the Applicants response and will provide a response by Deadline 7.</p>

	3.1] includes Protective Provisions for the operators of electronic communications code networks.	
25	<p>The Applicant would clarify that Annex 19 of the <b>Transport Assessment</b> [APP-269] identifies that link 149 provides a means of access to accesses ACC39, 40 and 41. This approach would allow HGV traffic to travel north on Honingham Lane before travelling west on Weston Road towards the accesses.</p> <p>The Applicant acknowledges however that depending upon the timing of the respective projects, National Highways may introduce a closure of Honingham Lane (south of Ringland) that would prevent access for SEP and DEP traffic via link 149. The Applicant however clarifies that it has also assessed an alternative of HGV traffic approaching accesses ACC30, 40 and 41 from the west via link 148 (thus avoiding the potential closure of Honingham Lane). Figure 1 of the <b>Outline Construction Traffic Management Plan (OCTMP) (Revision C)</b> [REP3-062] highlights that both link 148 and 149 as potential routes for HGVs and Annex A of the <b>OCTMP</b> outlines limits on vehicle movements along these links to ensure that the traffic numbers assessed within the ES are managed and not exceeded. The Applicant therefore asserts that in the event that link 149 is closed an alternative route via link 148 from the west would be available and the associated impacts of the use of this route have been assessed.</p> <p>The Applicant would further note that paragraph 35 of the latest revision of the <b>OCTMP (Revision C)</b> [REP3-062] also includes wording as agreed with Norfolk County Council (responsible for local road network) to agree alternative routes should links assessed within the ES become unavailable (e.g., due to road closures).</p>	<p>National Highways wishes to reiterate that its own traffic management plan that is required as part of the A47 TUD DCO has been approved by the Secretary of State as part of the discharge of requirements for that scheme. National Highways will provide assistance to the Applicant in relation to traffic management around the strategic road network but notes that this will need to be within the constraints of the approved traffic management plan for the A47 TUD DCO. National Highways is willing to share this plan with the Applicant to aid discussions.</p>