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16 September 2022

Dear Secretary of State

A47/A11 Thickthorn Junction DCO – Response to Secretary of State's Consultation 1 and 2

On 14 September the Applicant submitted a response to the Secretary of State on progress in relation to:

1. Agreeing the form of Protective Provisions with Network Rail; and
2. The final outstanding point between the Applicant and Orsted Hornsea Project Three (UK) Limited (**Orsted**) (the undertaker in respect of **The Hornsea Three Offshore Wind Farm Order 2020 (Hornsea Three DCO)**), which is coordination of traffic management plans in relation to construction traffic access along Cantley Lane/Cantley Lane South.

In that response the Applicant confirmed it would provide a final update on these points to the Secretary of State by 16 September.

Network Rail

The Applicant can confirm that the form of Protective Provisions for the benefit of Network Rail are now agreed with Network Rail.

The Applicant attaches the agreed form of Protective Provisions for inclusion in the DCO, as a replacement for the Protective Provisions currently included within the draft DCO.

Orsted

It is anticipated that discussions on this final outstanding point with Orsted will continue up to and beyond the decision date.

Requirement 18 (Construction traffic management plan) of the Hornsea Three DCO requires approval of the construction traffic management plan by the relevant local planning authority in consultation with the local highway authority.

Requirement 10 (Traffic management plan) of the draft A47/A11 Thickthorn Junction DCO requires a traffic management plan to be approved by the Secretary of State following consultation with the local highway authority.

The local highway authority is therefore involved in relation to both schemes, and will be aware of any plan submitted for approval and any approved plan. They will therefore be in a position to ensure consistency between the two plans through their responses to consultation on the Orsted plan and Thickthorn plan. The Applicant's position is that this should provide sufficient comfort to the Secretary of State that there will be consistency between the plans such that both schemes will be able to proceed without conflict. We would respectfully request, therefore, that the Order be made in the form as submitted.

However, should the Secretary of State have any remaining concerns around this point, a solution could be to amend requirement 10 of the A47/A11 Thickthorn Junction DCO to provide for consultation with Orsted as follows:

1. Include a definition of Orsted in Part 1, article 2(1) as follows:

"Ørsted" means Ørsted Hornsea Project Three (UK) Limited (company number 08584210), whose registered office is at 5 Howick Place, London, SW1P 1WG;

2. Amend requirement 10 of the draft A47/A11 Thickthorn DCO as follows (additional wording highlighted in green):

"Traffic management

10.—(1) No part of the authorised development comprising the construction, alteration or improvement of Work No. 24 is to commence until a traffic management plan substantially in accordance with the outline traffic management plan, for that part has been submitted to and approved in writing by the Secretary of State, following consultation by the undertaker with the relevant highway authority on matters related to its function and Ørsted in relation to any impact on construction traffic in respect of The Hornsea Three Offshore Wind Farm Order 2020."

Although the Applicant does not consider that these amendments are necessary, it would not object to these amendments being included in the order.

Yours sincerely
Chris Griffin

Programme Director
on behalf of Highways England

Enclosures
Protective Provisions for the benefit of Network Rail