



# Pinsent Masons

BY E-MAIL

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Your Ref: TR010038  
Our Ref: NCCNWL/A47/NT2E/EX/1

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20 July 2021

Dear Eleanor,

## **Planning Act 2008**

### **Application for the A47 North Tuddenham to Easton Development Consent Order**

#### **Response to Rule 6 Letter**

1. Pinsent Masons is instructed by, and this letter is submitted on behalf of, Norfolk County Council ("NCC") in its capacity as the local highway authority promoting the proposed Norwich Western Link ("NWL") scheme which is intended to connect to Highways England's ("HE") A47 North Tuddenham to Easton scheme ("A47 scheme") at the improved Wood Lane junction.
2. This letter is submitted separately from the Rule 6 response submitted by Norfolk County Council ("the Council") in its role as host local authority, Highway Authority, Minerals and Waste Planning Authority, Lead Local Flood Authority and having Public Health responsibilities.
3. NCC has considered the contents of the Letter issued on 6 July by the Examining Authority ("ExA") under Rule 6 of the Infrastructure Planning (Examination Procedure) Rules 2018 ("Rule 6 Letter") and has the following comments:
  - NCC confirms that in its role as promoter of the NWL scheme, it does not wish to attend or speak at the Preliminary Meeting Part 1 (scheduled for 3 August 2021).
  - NCC is discussing with the Council and HE whether there needs to be a separate Statement of Common Ground ("SoCG") to record agreement,

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discussion and disagreements on NWL matters in the context of the ExA's request for there to be a SoCG between the Council and HE, or whether NWL matters can be recorded within the Council's SoCG with HE.

- NCC welcomes the comprehensive list of matters set out in the Initial Assessment of Principal Issues in Annex C of the Rule 6 Letter. Given the contents of its Relevant Representation [RR-069] and indeed the statements of other Interested Parties in their relevant representations referring to the relationship between the NWL and the A47 scheme, NCC considers that NWL matters should be able to be raised under the Principal Issues headings of "*Transportation and Traffic*" (where the majority of matters listed under that heading are relevant to the NWL scheme) and the "*Draft Development Consent Order (dDCO)*" (in particular the item on "*The clarity of definitions and the consistency of use of terms and phrases referred to in the dDCO*").
- NCC is concerned that the draft Examination timetable set out in Annex D of the Rule 6 Letter does not provide for an update to the Applicant's draft DCO until Deadline 5 (23 November 2021), which will be over half way through the 6 month Examination period and after the first set of proposed hearings.

In NCC's view, to encourage the Applicant to resolve its concerns (and those of other Interested Parties) as soon as possible, which will also help to reduce the scope of matters that may need to be discussed at the hearings, a requirement to submit an updated DCO should be added to:

- Deadline 1 of the timetable, to allow HE to take account of the Relevant Representations that have been submitted and for Interested Parties to take account of the updated draft DCO in formulating their responses to the ExA's First Written Questions and developing their Local Impact Reports; and
  - Deadline 3 of the timetable – this will follow the submission of Written Representations, Local Impact Reports and responses to First Written Questions, thus allowing HE, in updating the draft DCO, to take full account of concerns raised by the ExA and Interested Parties.
4. NCC confirms that it intends to engage closely with HE to resolve the matters raised in its Relevant Representation as soon as possible and will keep the ExA informed as matters progress. It is also aware of submissions made by other Interested Parties in respect of the interaction between the A47 scheme and the NWL scheme and will comment on these as necessary during the Examination.
5. If you have any questions on any of the matters raised above, please do not hesitate to contact me on the details above.

Yours sincerely

**Heidi Slater**  
Legal Director  
for Pinsent Masons LLP

**This letter is sent electronically and so is unsigned**