

The Examining Authority  
A47 North Tuddenham to Easton dualling  
(TR010038)  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Barrie Arthur  
Senior Project Manager  
on behalf of National Highways  
Woodlands  
Manton Lane  
Bedford  
MK41 7LW

Tel: 0300 470 1234

15 November 2021

Dear Sir,

**A47 North Tuddenham to Easton Development Consent Order Application  
Joint submission between the Applicant and Mr Meynell**

I am writing this letter to you in a form agreed with the advisers to Mr Anthony Meynell of the [REDACTED] (IP ref 2002/8353) and as promised to you at the hearings which took place between 2 and 5 November 2021, to report to you upon the progress of discussions which are taking place between the Applicant and Mr Meynell on a Without Prejudice basis.

The parties have agreed to disclose the contents of that meeting to the extent recorded in this letter only.

Mr Meynell has first asked us to confirm that these discussions are taking place while he maintains his primary contention that the Applicant has not appropriately considered alternatives to the precise location of and form of fully grade-separated junction proposed at Wood Lane and that it should adjust the location of the Wood Lane Junction so that it is located fully to the north of the existing A47. The parties' positions on this primary issue are reserved and will be recorded in the SoCG.

It is agreed that the Applicant has considered the alternatives advanced by Mr Meynell on 06/10/2021 in REP3-045 and provided a technical response [AS-022] which is still being considered by Mr Meynell's technical advisors.

Following the compulsory acquisition hearings (CAH1 and CAH2) that took place on Wednesday 3 November 2021, the Applicant met with Mr Meynell on a Without Prejudice basis via an online Microsoft Teams meeting. The project team of the Applicant and Mr Meynell's advisers were also in attendance.

The Applicant and Mr Meynell did not on this occasion discuss the primary issue. The discussion was focussed on what the position might be were the Wood Lane Junction to remain located and approved in the form proposed in the Applicant's application.

We were able to make good progress and find common ground on a number of points that were previously at issue between the parties (as outlined in Rebecca Clutten's submissions to the Examination in CAH2). We have agreed to set those out in this joint interim report to the Examining Authority of the above Application.

The parties have agreed that the points below will be incorporated in Heads of Terms of a conditional agreement between them and (with any other points that may yet be agreed) will be used for the drafting of an appropriate agreement to be entered into during the course of the Examination.

The points agreed to date between the parties, to be effected in the event that the Applicant is granted its DCO as currently applied for, are as follows:

- New Back Drive running west from Berry's Lane and an area of woodland to the north of it (part of Plot 9/1a) is to be removed from the land required for temporary possession as the Applicant has no intention of using this for construction access. See image of proposed change at Figure 1 below (the southern area coloured black). In addition, as part of this more detailed review with the Applicant's Contractor, an additional area of temporary land adjacent to this drive will be removed to ensure protection of the trees alongside the drive and ensure no works within 30m of the crinkle crinkle wall. The redline boundary for the Order Land will not change but the areas removed will be shaded grey to demonstrate that no compulsory acquisition power is required.
- The silage clamp (part of Plot 9/1a) is also to be carved out of the temporary possession as the Applicant has no intention to remove this from use by Mr Meynell. The redline boundary for the Order Land will not change but the area will be shaded grey to demonstrate that no compulsory acquisition power is required.

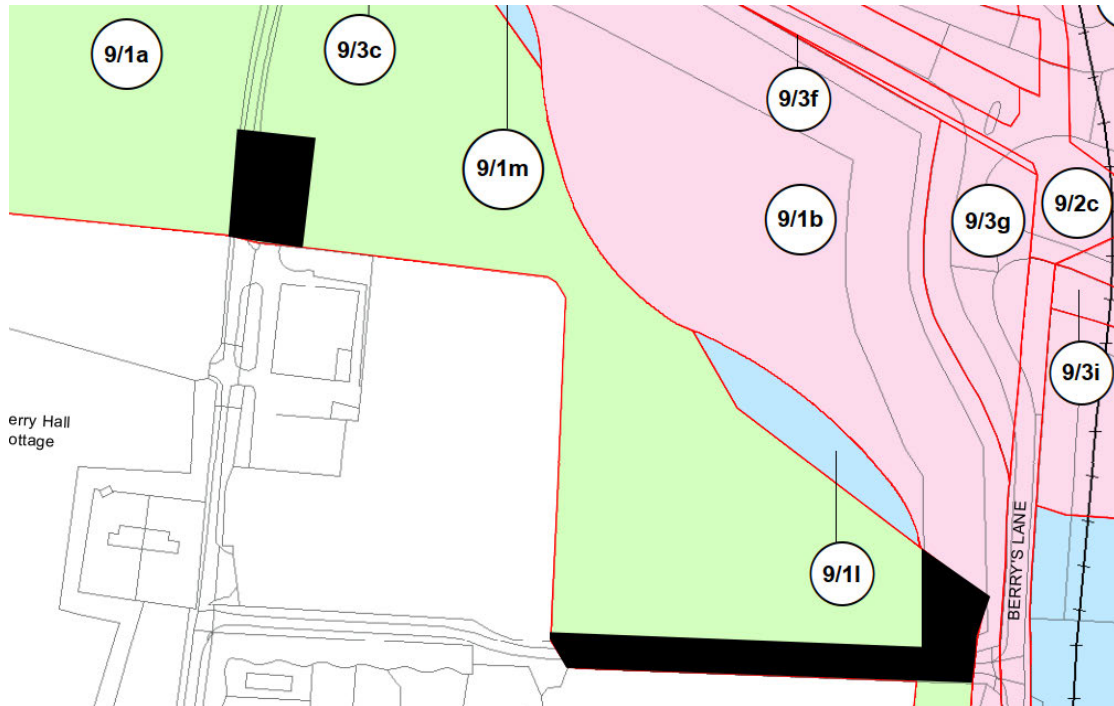


Figure 1 – areas shown black to be removed from Plot 9/1a (temporary possession)

- The Applicant agreed to install a protection area over and around the reservoir on Mr Meynell's land (part of Plot 9/1b - 15m south of A47 and 15m east of Old Back Drive) and associated flow and return pipe to and from it and to carry out pre- and post- construction surveys to ensure that it and all pipework within the DCO area is adequately protected. Mr Meynell has agreed to send the pipework and drainage plan to the Applicant next week.
- The Applicant has agreed to install a set of gates to cross the enhanced bridleway, between Dereham Road and Berrys Lane, to temporarily close off the public right of way whilst cattle are driven across. This is included in the Environmental Masterplan, Rev.2 (**REP3-016**) and secured in the DCO. The Applicant will work with Mr Meynell during the detailed design stage to agree the size and type of gates. The Applicant has also agreed to provide a secure means of taking cattle safely across Plot 9/1j (temporary) and 9/1g (permanent) when needed during the works period.
- In relation to the forestry business and the woodland affected by the DCO Scheme on Mr Meynell's land east of Berrys Lane (Plot 9/1g) (temporary possession and permanent rights), the Applicant confirmed that in the event that National Grid Gas enter onto the land before the Applicant (in order to carry out their utility diversion works) then the Applicant will be able to reduce the size of the temporary possession accordingly. However, this is subject to National Grid Gas carrying out their works in advance, which has not yet been confirmed.

- Land drainage from south dumbbell to River Tud – the Applicant is investigating whether the existing drainage ditch through Mr Meynell’s land running from the junction of Dereham Road towards the River Tud on the east side of Berrys Lane can be utilised instead of constructing a new channel on his land west of Berrys Lane. Mr Meynell agreed to start clearing the ditch and the Applicant will then work with him to agree a scope of works. If the eastern ditch proves to be a feasible alternative the parties will discuss consequential changes to the areas over which acquisition and / or rights are currently proposed to enable new drainage to be constructed.
- Alternatives to the use of the Old Back Drive (south from existing A47 and currently proposed to be stopped up) :- the Applicant confirmed it is awaiting topographic survey results after which the Applicant will run swept path analysis to identify what is achievable and share with Mr Meynell to enable discussions to be progressed in particular regarding HGV and other vehicle access required for the Estate.
- Christmas tree business – the Applicant confirmed that any losses that are incurred as a result of the DCO Scheme will be compensatable and Mr Meynell can submit a claim but will also need to mitigate his loss. The Applicant agreed it would assist Mr Meynell in advertising his business if Mr Meynell is able to develop other means of advertising this (and not continuing to use signs adjacent to the A47).

The parties do still have a number of other points in discussion and at issue and these will be addressed in the Statement of Common Ground which will be submitted at Deadline 5 (23 November 2021).

The parties have agreed to continue to engage with each other in order to resolve as many outstanding points and issues as possible before the close of the Examination.


An update on the position between the parties will be provided through further interim reports to the Examining Authority and updates in the Statement of Common Ground which will be submitted to the Examining Authority on a regular basis.

Yours sincerely,



Barrie Arthur  
Senior Project Manager  
Issued on behalf of National Highways

Countersigned by way of approval



George Josselyn  
For and on behalf of Anthony Meynell

Date:

Cc Anthony Meynell, George Josselyn