

**APPLICATION BY HIGHWAYS ENGLAND FOR AN ORDER GRANTING DEVELOPMENT  
CONSENT FOR THE A47 NORTH TUDDENHAM TO EASTON Weston Longville Parish Council  
Reference:20028094**

**Written Summary of oral submission made at the Issue Specific Hearing 3 held on 6<sup>th</sup>  
January 2022**

**Statement of Common Ground NCC/HE (National Highways)**

**Relevant Representation Response RR-077.2 (REP1-0130)**

**NW5 Delay to NWL Delivery and Weston Longville**

**Norfolk County Council**

The text in the SCG as it currently reads implies that the agreement as to what might happen in terms of mitigation if the NWL is delayed is between NCC and HE. **WLPC wishes the wording to be amended to read ‘NCC has been working with HE to identify appropriate arrangements for local communities (in particular Weston Longville) should the delivery of the NWL be delayed or not go ahead. NCC would welcome the opportunity to settle the approach to agreement with HE and Weston Longville Parish Council and to commit to a mutually acceptable solution.’**

**This change would recognise the possibility that the NWL may fail to be delivered and that WLPC is a key stakeholder in this decision making process.**

**Highways England / National Highways**

What WLPC is looking for in the DCO is wording which acknowledges the seriousness of the consequences for the parish if the NWL is delayed or does not go ahead and the A47 is dualled. It is not easy at this point in time to predict what might cause a delay of a few months or derail the NWL project completely. However, the current political and economic situation is sufficiently volatile to make this a real risk and to undermine HE's assumption that the NWL is 'certain.' HE writes of a 'proportionate response' in relation to mitigation measures but what might be 'proportionate' as a response to a few months delay is quite different from the measures that would be required to mitigate the consequences of years of delay if NCC has to go back to the drawing board. HE's responsibility remains the same whether the NWL is delayed or doesn't happen at all because the impact on Weston will be the direct result of the side road choices that HE has made. Its worth remembering that getting this right now matters because the residents of Weston Longville will be left with the problem long after HE, SWECO and Galliford Try have moved on to their next project. The current approach of acting and then monitoring in other words, *'If this doesn't work, we'll try something else,'* often in practice means the can is kicked down the road for years, especially since the can might end up being kicked between NCC and HE. The current wording is too vague and allows for this possibility.

**1. For this reason, WLPC requests that the SCG include an outcome capable of being measured and containing a commitment from HE to fund the necessary mitigation**

measures to ensure that at no time traffic through the parish (village centre) will increase by more than 10% over 2022 baseline level figures if the NWL is delayed or not delivered.

This is inline with the agreement reached at the meeting between HE/NCC/WLPC in September 2021. The minutes of that meeting include a timetable for action if the initial mitigation measures prove inadequate. Minimally the SCG should also include a deadline by which the further measures should be completed. However, it would be better to get it right the first time.

*'It was agreed that a threshold of not more than a 10% increase in traffic should be set (compared with the 2022 baseline levels – taking into account general background growth). If this is exceeded, then NCC will continue to engage with the Parish to agree and implement further appropriate measures if necessary sufficient to bring traffic levels below the threshold. This would include consideration of side road impacts.'*

**2. WLPC requests that the HE position be amended to read *'implemented only in the scenario of a delay or non-delivery of the NWL'*. This change is to ensure that both possible scenarios are covered.**

#### **POSTSCRIPT**

This is a postscript to the above text which formed the basis of my oral submission to the ISH 3 on 6th January 2021. It is offered as a further explanation as to why WLPC wished to amend the wording of the SCG between NCC and HE.

Following the meeting between NCC, HE and WLPC on 29<sup>th</sup> September 2021 the Chair of WLPC produced a note of the meeting which formed the basis of the formal minute drafted by NCC and circulated to WLPC and HE. We were told that this would form the basis of the SCG and our expectation was that we would have the opportunity to comment on the SCG text before it was submitted. This did not happen. WLPC was informed by email on 12<sup>th</sup> November by NCC that wording had been agreed with *'National Highways that will be used in the Statement of Common Ground between NCC and NH. This is due to be included in the deadline submission by NH today. It refers to what has been agreed between us'*. WLPC did not pick this up, and so did not respond to deadlines 5 and 6. Only following the liaison meeting with NCC on 1 December did we read the SCG text. Its regrettable that we did not respond earlier but WLPC does not have a team of lawyers and experts to comb through submissions. It is not obvious that HE 's response would have been different had we done so. The ISH on 6<sup>th</sup> January was therefore our first opportunity to seek more detailed and hence more robust safeguards.

Reading the SCG it was apparent that although it accurately reflected the Minute of 29<sup>th</sup> September as to what would trigger the mitigation process it contained nothing to indicate how the success of any mitigation might be measured. This seemed a significant omission because NCC had repeatedly advised WLPC of the vital importance of the DCO text since it would be legally binding. As far as I understand it the text contained in the Minute of 29<sup>th</sup> September has no legal status.

It therefore seemed reasonable given the uncertainties around the NWL to ask HE and NCC to look again at whether the SCG text provided sufficient safeguard should the NWL be delayed or not delivered. As I made clear on 6<sup>th</sup> January the council was not claiming that

the text suggested at the ISH 3 was definitive but rather that the principle that the DCO should contain measurable outcomes should be the starting point for further discussion.

For the purposes of this DCO Weston Longville Parish Council is recognised by the Planning Inspectorate as an Interested Party, and a parish council is regarded as a government appointed body set up to give advice and be consulted for comment upon development plans and planning applications affecting matters of public interest. Therefore, it is troubling to find further discussion being closed down by HE on matters of critical importance to our parish, especially when it is clear from the ISH 3 that negotiations are still ongoing with other interested parties. A copy of the Minutes of the Meeting held on 29<sup>th</sup> September can be provided if that would be helpful.

So far, our experience of working with Highways England has been markedly different from our experience of the DCO for the Norwich Northern Distributor Road. On that occasion once the seriousness of the impact on the parish in terms of the predicted increase in volumes of traffic following the opening of the NDR was fully appreciated NCC was ready to look at building a requirement into the DCO which would provide safeguards including a timetable and measurable criteria on which further action might be taken. This detailed plan was formally agreed with WLPC and included as a requirement in the subsequent DCO. As I understand it seems at the moment that the A47 examination process will end on 12 February 2022 with nothing like the same detailed requirement in place. A small parish needs strong safeguards, and our understanding is that the wording in the SCG falls short of what we had been led to expect.

**Ruth Goodall**

**Weston Longville Parish Council**

**10 January 2022**