

From: [REDACTED]
To: [TRANSPORTINFRASTRUCTURE](#)
Cc: [A47 NorthTuddenham to Easton](#); [REDACTED]
Subject: RE: A47 North Tuddenham to Easton Project
Date: 05 July 2022 16:19:13
Attachments: [image004.jpg](#)
[image007.jpg](#)
[image008.png](#)
[image009.jpg](#)
[image011.jpg](#)
[image001.jpg](#)
[image002.jpg](#)

Dear Rachel

Firstly, thank you for agreeing the extension in time. This has enabled us to consider the potential options at the Decision and Post DCO decision stages to ensure Anglian Water and our customers are in a 'no better no worse' position than if the scheme and others being taken forward by National Highways had not taken place.

Anglian Water considers that the modern regulatory and financial context means there is no financial benefit to water companies in the deferment of the renewal of apparatus diverted by way of the DCO. Anglian Water accepts that the wording of the deferment provisions in article 37(6), Schedule 9 Part 1 paragraph 10(5) and Schedule 9 Part 4 paragraph 42(5) (being substantively the same) is flexible. The existing statutory position and the protective provisions therefore only permits deductions where such financial benefit is demonstrated.

Anglian Water has therefore decided to discontinue its objection to the Tuddenham A47 North to Easton Project deferment provisions *per se* and will instead seek to put the undertaker to proof of financial benefit (should it seek to make deductions) at the project cost reconciliation stage.

In conclusion, Anglian Water has been able, through intervention with National Highways to secure clarifications to the DCO Order and support improvements in National Highways practices and collaboration. These are summarised in our previous email below. Consequently, with the above approach to deferment Anglian Water is now able to confirm the objections set out in the Statement of Common Ground have been resolved.

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