

Your Ref: TR010044
Our Ref: CJT/NG/1959/4

17 December 2021

FAO Ms Menaka Sahai
The Planning Inspectorate
National Infrastructure
Temple Quay House
2 The Square
Bristol
BS1 6PN

By Email Only to: A428.blackcat@planninginspectorate.gov.uk

Dear Sirs

A428 Blackcat to Caxton Gibbet Project – Additional Representation

We represent the interests of John Lammie in his capacity as Tenant under an Agricultural Holdings Act 1986 tenancy and partner of the farming partnership, J & J W Lammie. Mr Lammie occupies various parcels of land affected by the Scheme, some of which lie within the Order Limits for permanent and temporary land acquisition.

Following a recent meeting with National Highways and their representatives on 8th December 2021, it has become apparent there are significant unresolved issues that we need to bring to the attention of the Examining Authority and we are now writing to do so.

By way of background information, my client has engaged with National Highways from the outset of their project including (but not limited to):

- Representations to supplementary consultation held in July 2020
- Relevant Representation (RR-056)
- Written Representation (REP1-081)

In summary, our concerns are:

Accommodation Works

From the outset of the Scheme and in all of the representations set out above, we have reiterated the need for Accommodation Works and have requested detailed designs of the proposed accommodation works, so we are able to ascertain the full impact on our client's 'requisite interest', because we do not wish to be put in a position whereby when it comes to the 'detailed design' we are told by National Highways or their Contractor(s) that design issues raised should have been dealt with earlier on in the process and it is too late to adjust design details. Despite our representations, National Highways' position (as set out in RR-056b) is that Accommodation Works will be finalised at 'detailed design'. Our concerns with this approach were realised during the aforementioned meeting with National Highways and their representatives, during which we were told that it may be too late in the DCO process to make provision for an access (in relation to another client's interest), despite raising the need for an access in July 2020 i.e. before the application had been submitted to the Planning Inspectorate. We feel that the issue of Accommodation Works requires closer scrutiny by the Examining Authority.

To allay our concerns and resolve the issue, we require a legally binding commitment from National Highways in respect of Accommodation Works.

Provision of Access

Within National Highway's response to RR-56a, they state that "*the locations of these four accesses has been discussed and agreed with Mr Lammie*". We relied upon this statement. However, during the aforementioned meeting, a representative from Skanska, the 'Principal Contractor' commented that it was not possible to give this assurance until 'detailed design' is completed, i.e., after the examination period. To allay our concerns and resolve the issue, we require a legally binding commitment from National Highways that four accesses to my client's land will be provided and to my client's satisfaction.

Summary

In summary, we feel that despite my client's engagement from the outset, National Highways have done very little to resolve his concerns. My client has relied upon assurances given by National Highways during meetings designed to resolve issues, but these assurances have not been fulfilled. We feel that it is important for you to be aware of the issues outlined in this letter, as we fear that if you are not aware of the issues, then you will assume that none exist and that the issues raised in our representations have been resolved.

We look forward to discussing the matter with you at the next appropriate opportunity.

Yours faithfully



Chris Templar

Email 

*This office will be closed from 1pm on Friday 24th December 2021
and will reopen at 9am on Tuesday 4th January 2022.
Wishing you a very Merry Christmas and a Prosperous New Year.*