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Our Ref M-00831838  
Your Ref TR010054  
Date 4 December 2020

Delivered: By E-mail:  
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Dear Sirs

## APPLICATION BY HIGHWAYS ENGLAND FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE M54/M6 LINK ROAD PROJECT

1. We act for Nurton Developments (Hilton) Limited ("Nurton"), which is an interested party in the above matter. We refer to our previous email correspondence regarding Nurton attending and making oral representations at the hearings listed for Tuesday 8 December to Thursday 10 December (inclusive).
2. Nurton's main concerns are: (i) the impact of the project on the future development of the site being promoted by them; and (ii) the lack of engagement from the Applicant to date, in particular regarding the provision by the Applicant of a written assurance that there is no objection to the principle of a future bridge over the link road. The importance and proposed form of such an assurance from the Applicant is explained in Nurton's relevant representations and set out in our comments on the draft Statement of Common Ground.
3. In previous meetings with the Applicant it was suggested by them that an assurance could be given. However, to date, it has not been received. Nurton also provided comments in relation to that assurance on the draft Statement of Common Ground (SoCG) to the Applicant on 28 October but has yet to hear back from them in response to those comments.
4. In the circumstances, we question whether these concerns are best dealt with in the hearings listed for next week or might reasonably be addressed in a future open floor or issue specific hearing. This would allow further time for dialogue between Nurton and the Applicant in order to narrow or eliminate any outstanding issues between the parties. We note that the examination timetable has reserved the 16 to 18 March (inclusive) next year for further hearing dates. **We would welcome the Applicant's comments on this and copy them into this letter accordingly.**

5. Alternatively, and in any event, Nurton would still like to reserve the right to attend and speak at the hearings next week on its main concerns. The details of those persons who wish to attend the hearings next week on Nurton's behalf, and the matters which they will be addressing, are as follows:

Date	Hearing	Persons attending and/or speaking on behalf of Nurton	Matters being addressed
Tuesday 8 December 2020	Issue Specific Hearing on Biodiversity and Cultural Heritage (ISH1)  9.30am start	Anna Cartledge (attending and speaking) – <a href="mailto:Anna.Cartledge@shoosmiths.co.uk">Anna.Cartledge@shoosmiths.co.uk</a>  Tim Oliver (attending and speaking) – <a href="mailto:tim.oliver@rpsgroup.com">tim.oliver@rpsgroup.com</a>  Rupert Young (attending only) – <a href="mailto:RJY@nurton.ltd">RJY@nurton.ltd</a>	Anna Cartledge – to address the issue of the Applicant's general lack of engagement to date (if Examiner considers this hearing an appropriate forum to raise such concerns).  Tim Oliver – to address any outstanding concerns regarding ecological mitigation.
	Issue Specific Hearing on Traffic and Transport (ISH2)  1.40pm start	Simon Tucker (attending and speaking) – <a href="mailto:SJT@dtatransportation.co.uk">SJT@dtatransportation.co.uk</a>  Rupert Young (attending only) – <a href="mailto:RJY@nurton.ltd">RJY@nurton.ltd</a>	Simon Tucker – to address future transport impacts on the site being promoted by Nurton and the importance of an assurance relating to the principle of a future accommodation bridge.
Wednesday 9 December 2020	Issue Specific Hearing on the draft Development Consent Order (ISH3)  9.30am start	Anna Cartledge (attending and speaking) – <a href="mailto:Anna.Cartledge@shoosmiths.co.uk">Anna.Cartledge@shoosmiths.co.uk</a>  Rupert Young (attending only) – <a href="mailto:RJY@nurton.ltd">RJY@nurton.ltd</a>	Anna Cartledge – to address the issue of the Applicant's general lack of engagement to date (if Examiner considers ISH1 not an appropriate forum to raise such concerns).
Thursday 10 December 2020	Compulsory Acquisition Hearing (CAH1)  9.30am start	Peter Leaver (attending and speaking) – <a href="mailto:Peter.Leaver@eu.jll.com">Peter.Leaver@eu.jll.com</a>  Rupert Young (attending only) – <a href="mailto:RJY@nurton.ltd">RJY@nurton.ltd</a>	Peter Leaver – to address any issues of planning policy relating to the site being promoted by Nurton.

6. You will note that some of the matters Nurton wishes to address do not fall clearly into any particular hearing (in particular the issue of the Applicant's general lack of engagement to date). Therefore, we have asked to be listed as a speaker on two hearings in relation to those concerns in case the Examiner considers one or the other is not the appropriate forum.

Please acknowledge receipt of this letter. Please contact Anna Cartledge or Will Thomas of this office should you have any queries or require any further information.

Yours faithfully

A large black rectangular redaction box covering the signature of the sender.

**SHOOSMITHS LLP**

cc Highways England