

By Email

Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Our reference MRN/1081110/O52190411.2/MRN

By email only to metrowest1@planninginspectorate.gov.uk

23 November 2020

Dear Sir/Madam

**MetroWest Phase 1 Development Consent Order
Babcock Integrated Technology Limited, Ashton House, Ashton Vale Road, Bristol ('the Site')**

We write to you on behalf of our client Babcock Integrated Technology Limited ('**Babcock**') in relation to the Metrowest Phase 1 Development Consent Order (the '**DCO**'). Babcock have been in dialogue with North Somerset Council ('**NSC**') to seek agreement to the impacts that the works will have on the Site.

Babcock has been engaged in the DCO process since 2017, when the project involved the compulsory acquisition over part of the Site. The threat of compulsion clearly necessitated Babcock's original participation in the process. As part of the negotiation between the parties and iteration NSC have removed that land from the Order.

On 26 February 2020 Babcock submitted a Relevant Representation, outlining their outstanding concerns to the project. These concerns predominantly related to the potential impacts on Babcock's access and egress from the Site during construction and operation.

Babcock, Ardent and NSC held a meeting on 23 March 2020 to discuss Babcock's written representation and NSC circulated a written response to those concerns in a letter dated 7 April 2020. It was proposed that a letter of assurance or statement of common ground could be used to document the parties' position and show that the representation had been dealt with. That letter suggested for "*[Babcock's] solicitors to contact NSDC's solicitors to discuss how best to document the parties' positions*".

Babcock on that basis instructed Osborne Clarke to progress the matter with NSC's solicitors, Womble Bond Dickinson ("**WBD**") to conclude negotiations which it did both orally and in correspondence dated 13 October 2020.

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Last Friday at 10:32 am (20 November 2020) Osborne Clarke received a response to its letter which stated that:

- (a) a Statement of Common Ground; and/or
- (b) a side letter

was no longer considered necessary.

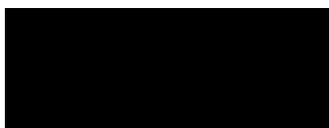
This response less than 2 days before Deadline 2 reverses the proposed solution in NSC's agents letter in April 2020. Babcock have therefore not had the opportunity to consider the detail and implications of the letter in full.

Babcock are an affected person and have an entitlement to be heard at the issue specific hearings. Babcock is therefore an Interested Party and has the rights to fully participate in the examination of the DCO.

In light of the clear lateness of NSC's letter and Babcock's engagement in this process in good faith under the initial threat of compulsion it considers that NSC's response reversing its earlier proposal is disingenuous and unhelpful. It leaves Babcock in the unenviable position of uncertainty as to how if at all its business will be impacted by the scheme.

We therefore ask that Babcock's position is noted and considered by the examiners and Babcock have the opportunity if necessary to make further representations at further deadlines and issue specific hearings which may be held in March.

Yours sincerely



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