

**From:** [Michael Wilks](#)  
**To:** [Richard Price](#)  
**Cc:** [Lake Lothing Third Crossing](#); [Jon Barnard](#)  
**Subject:** Submissions by ABP to the ExA regarding a Side Agreement.  
**Date:** 01 March 2019 08:56:47  
**Attachments:** [image001.png](#)  
[Tracker\\_27.2.19.pdf](#)  
[Email from Robbie Owen Pinsent Masons 22.02.2019.pdf](#)  
[Email from Robbie Owen Pinsent Masons 21.02.2019.pdf](#)  
[Letter to Robbie Owen Pinsent Masons - 19.02.2019.pdf](#)

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Morning Richard

We have been copied in to recent submissions to the Inspectorate from Clyde and Co (on behalf of ABP) in respect of private discussions between ABP and the Council regarding a draft Side Agreement, namely those attached, and we are also aware the Clyde and Co wrote to you on 19<sup>th</sup> February 2019 with its comments on that Agreement.

We will express to ABP, who did not consult or forewarn us of their intended actions, that this was disappointing given that the Council's own focus and energies remains firmly on proactive and progressive discussions on the substantive matters at hand.

Notwithstanding that the Council does not agree with ABP's contentions in a number of respects regarding the private correspondence, the Council does not consider that it would assist the examination to sustain this dialogue through the submission of additional documentation/correspondence to the examination, and similarly will advise ABP as much.

Consequently the Council has no further comments on the matter at this time, though will of course assist the Examining Authority in any manner it sees as relevant.

I'd be grateful if you could relay this to the Examining Authority

Kind regards

Michael.

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**From:** Morgan-Welker, Carolyn [<mailto:Carolyn.Morgan-Welker@clydeco.com>]  
**Sent:** 27 February 2019 15:26  
**To:** [lakelothing@pins.gsi.gov.uk](mailto:lakelothing@pins.gsi.gov.uk)  
**Cc:** Greenwood, Brian; OWEN Robbie  
**Subject:** [EXTERNAL] Proposed Lake Lothing Third Crossing (TRO10023) - ABP (20013261) [CC-UK1.FID22462820]

Dear Sir,

We write on behalf of our client, Associated British Ports (Objector Reference 20013261), in relation to the above and further to Mr Brian Greenwood's earlier letter of 19 February 2019.

We are concerned that the summary of correspondence in the official tracker, prepared by Pinsent Masons on behalf of Suffolk County Council, may be somewhat misleading in respect of the contents of the recent correspondence between Mr Greenwood, on behalf of our client, and

Pinsent Masons.

We would therefore ask that copies of the actual correspondence (which is summarised in the tracker) be placed before the Examining Authority for consideration, in order to avoid any misconceptions or misunderstandings which may otherwise arise as to what was in fact contained within that correspondence, in the interests of clarity and transparency.

We therefore attach copies of: (1) Mr Greenwood's letter dated 19 February 2019 to Pinsent Masons on behalf of our client; (2) two emails in response dated 21 and 22 February 2019 from Pinsent Masons; and (3) the relevant extract of the tracker which summarises the above correspondence.

Kind regards,

Carolyn Morgan-Welker

**Carolyn Morgan-Welker**

Associate | Clyde & Co LLP

**Direct Dial:** +44 20 7876 4051 | **Mobile:** [REDACTED]



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