

Our ref: TOTA-3-7
Your ref: RM/069636
Date: 11 May 2023

Cornwall Council

BY EMAIL

Rebecca Mabelle Rebecca.Mabelle@cornwall.gov.uk

Dear Madam

Highway works at Newham Road – request for information

1. We write further to our previous communication in this matter.
2. Our client, Totally Truro Limited, has now taken counsel's advice and we have been instructed to launch judicial review proceedings, as well as seek interim injunctive relief, early next week unless the Council will undertake not to narrow the road to a width below 7.3m.
3. We note that the Cormac RSA (reference T/RSA722/R3) [paragraph 5.1(i)] stated that "*no detailed drawings have been provided to the Audit Team*". On the basis that works have now commenced at the site, we reasonably assume that detailed drawings exist. Would the Council please provide us with electronic copies of those drawings.
4. The Cormac RSA made a number of recommendations. Please will the Council provide any and all documents that show how the recommendations of the Council's own audit informed the final design of the scheme.
5. We have not been provided with and have not seen any swept path analysis undertaken by or on behalf of the council based on those detailed drawings. Please can you confirm whether any swept path analysis has been undertaken and provide us with electronic copies of those studies.
6. The decision of Mr Phil Mason (19 April 2023) records that "*from the technical evidence [that I have seen] I believe that this will provide an overall benefit in terms of road safety*". Please will the Council list and provide copies of the technical evidence on which that decision was based.
7. Will the Council please provide any other documents (whether correspondence or reports) that shed light on the Council's decision making process bearing in mind that the duty of candour in respect of threatened judicial review proceedings is now firmly engaged.

Yours sincerely,

Duncan Tilney
Partner
For and on behalf of STEPHENS SCOWN LLP