

# West Burton C Open Hearing (OH) and Issue Specific Hearing (ISH) Summary of oral responses



## 1 OPEN HEARING – 21 JANUARY 2020 18:00

**Examining Authority:** Alex Hutson (the “ExA”)

Appearances:

**EDF Energy (Thermal Generation) Limited (“EDF” or the “Applicant”)**

- Liz Dunn, Borges Salmon LLP **Other appearances**
- Peter Coomber, local resident
- Cllr Naish (Sturton Ward), on behalf of the Bole Village residents

### Summary of Applicant’s responses to oral submissions

ExA Agenda Item No.	ExA’s question/ issues	Summary of oral responses
4.	<b>Applicants responses to oral submissions</b>	
4.1	<b>Liz Dunn, Partner (Borges Salmon LLP) on behalf of the Applicant</b>	<p>The Applicant acknowledged the comments made by Mr Coomber and noted that a number of the points raised were in relation to the existing West Burton A and West Burton B projects. The Applicant confirmed that it has investigated these matters separately through the appropriate channels. The Application confirmed its position as set out in previous written submissions.</p> <p>The Applicant thanked Cllr Naish for his work in coordinating representations on behalf of the Bole residents, and for his comments in recognition of the progress that has been made.</p> <p>The Applicant confirmed that it had provided responses to the Bole Villagers’ written submissions for Deadline 3 to Cllr Naish, and that these responses would be submitted to the ExA at Deadline 4.</p> <p>The Applicant explained that the offers made to the Bole residents are not considered to be necessary mitigation for the development and</p>

		<p>therefore do not form part of the DCO application or documentation. The Applicant confirmed that the Bole layby is not within the Applicant's control and that the measures sought by the Bole residents in relation to that layby are not necessary mitigation for this development.</p>
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		<p>The Applicant noted that the area of land known as Bole Ings is outside of the site boundary for this development.</p>
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		<p>At the ExA's request, the Applicant confirmed that it would consider how any funds to be provided to the Bole residents would be secured and provide further comments in writing.</p>
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## **2 ISSUE SPECIFIC HEARING – 22 JANUARY 2020 10:00**

**Examining Authority:** Alex Hutson (the “ExA”)

Appearances:

**EDF Energy (Thermal Generation) Limited (“EDF” or the “Applicant”)**

- Liz Dunn, Burges Salmon
- Richard Lowe, Aecom
- Rupert Wilson, Aecom
- Brian Sibthorp, WSP

**Bassetlaw District Council**

- John Krawczyk, Development Team Manager

**West Lindsey District Council**

- Ian Elliot, Senior Planner

**Environment Agency**

- Nick Wakefield, Planning Specialist

**Other appearances**

- Peter Coomber, local resident

### Summary of oral responses

Agenda Item No.	ExA's questions/ issues	Summary of oral responses
2	Issues arising from the responses to the ExA's Written questions on Environmental Matters and from Written Representations.	
2.1	<b>Biodiversity mitigation</b> – Applicant to provide an explanation of its Biodiversity Metric 2.0 data submitted at Deadline 3.	<p>The Applicant explained that the Biodiversity Metric 2.0 is a new metric and publication tool developed by Defra. It was published after the biodiversity data in relation to this Application was first produced. The Nottinghamshire Wildlife Trust asked the Applicant to update its biodiversity data using the new Biodiversity Metric 2.0 and the Applicant did so accordingly.</p> <p>Dr Richard Lowe on behalf of the Applicant noted that the updated data also addressed an issue raised by the Nottinghamshire Wildlife Trust in relation to the baseline position for the mitigation land. The Applicant had previously adopted a baseline position based on the current condition of the site. The Nottinghamshire Wildlife Trust's preference was for the Applicant to adopt an optimum baseline for the site to take account of the enhancements that were secured in relation to the development of the West Burton B projects. Dr Lowe confirmed that the baseline data had been modified as suggested. The modified baseline data was used as part of the recalculation using the Biodiversity Metric 2.0.</p>
2.1.1	Provide the Biodiversity Metric 2.0 data tables in a format that is easily readable (i.e whole tables on a single sheet)	The Applicant confirmed that it would provide the data in the requested format for Deadline 4.
2.1.2	Clarify whether the ecological baseline data used for the Biodiversity Metric 2.0 assessment is the same as that used for the biodiversity metric assessment contained within	Dr Lowe on behalf of the Applicant confirmed that the ecological baseline data used for the Biodiversity Metric 2.0 assessment is the same as that used for the biodiversity metric assessment contained within the LBMEP. The change in the baseline data is because of the modifications used to provide for the enhanced

	the LBMEP and if not, provide the surveys or information used and explain the change in baseline data;	<p>optimum baseline condition, as requested by the Wildlife Trust. No further surveys were required.</p> <p>The Applicant confirmed that in this respect the updated data represented a more conservative approach.</p>
<b>2.1.3</b>	Update the LBMEP, and any other relevant chapters and related documents of the ES, to reflect the Biodiversity Metric 2.0 data and guidance;	The Applicant confirmed that it would be appropriate to update the LBMEP to reflect the Biodiversity Metric 2.0. The Applicant will submit an updated LBMEP at Deadline 4.
<b>2.1.4</b>	Clarify how/whether the Biodiversity Metric 2.0 data affects the assessment of the Proposed Development in the ES; and	Dr Lowe confirmed that the outcome of the assessment remains the same. The level of loss is slightly higher because of the enhanced baseline position but the new metric places a higher value on the mitigation measures proposed. A biodiversity net gain will still be achieved.
<b>2.1.5</b>	Explain how the habitat within Area 5 would be enhanced.	<p>Dr Lowe explained that the LBMEP sets out a number of enhancement measures that are relevant to the grassland in Area 5. Dr Lowe noted that Area 5 is the area that the Wildlife Trust were concerned about in relation to previous enhancements that should be reflected in the baseline condition. Dr Lowe confirmed that the Applicant was not reliant on enhancements to Area 5 in order to achieve a net gain.</p> <p>The ExA commented that he had not seen any formal representations from the Wildlife Trust. [The Wildlife Trust were not in attendance at the hearing.]</p> <p>The Applicant confirmed that it was in dialogue with the Wildlife Trust in relation to an advanced draft Statement of Common Ground. The Applicant noted that it hopes to be in a position to submit an agreed Statement of Common Ground for Deadline 4.</p>
<b>2.1.6</b>	Biodiversity mitigation- Nottinghamshire County Council to explain any	Nottinghamshire County Council were not in attendance.

	outstanding concerns relating to the biodiversity mitigation proposed;	<p>The ExA noted that there was one matter outstanding in the agreed Statement of Common Ground between the Applicant and Nottinghamshire County Council.</p> <p>The Applicant confirmed that it has approached Nottinghamshire County Council in order to confirm whether they are now comfortable with the information provision. The Applicant will seek to provide confirmation for Deadline 4.</p>
2.2	<b>Soil management-</b> Within the dDCO (Requirement 5), the minimum final ground height is +7.1mAOD. Applicant to explain how this has been accounted for as a worst-case scenario in the ES and specifically explain how this has been assessed in relation to vehicular movements off-site and air quality;	<p>Dr Lowe on behalf of the Applicant explained that there is a range of levels currently on site, between approximately 8-12m AOD. The 7.1m AOD figure within the dDCO was taken from the Flood Risk Assessment as the minimum acceptable level in relation to flood risk. If the Applicant reduced the level across the site to 7.1m AOD then this would necessitate the movement of large volumes of material. Dr Lowe confirmed that the Applicant will not be taking the whole site down to 7.1m AOD and as a result a detailed assessment of this as the worst case scenario has not been undertaken. The Applicant intends to profile the site to maintain a neutral cut and fill balance. The Applicant is not seeking to export waste as spoil in relation to this development which is why this has not been assessed in the ES.</p> <p>Dr Lowe confirmed that, in accordance with Requirement 5, the final site levels would be agreed at the detailed design stage. Any soil arising as a result of implementing the approved levels would be dealt with under the Soil and Management Plan. The Soil and Management Plan will form part of the CEMP, secured by Requirement 16. These approval mechanisms will ensure that the final site levels are consistent with those assessed in the EIA.</p> <p>The Applicant explained that Article 5 of the dDCO was structured to ensure that these matters would be considered in discussion with local authorities. The parameters in Requirement 5 are intended to set out the maximum parameters for the scheme, known as the Rochdale Envelope. Articles 5a and 5b ensure that the detailed design in relation to layout and finished floor level accords with the consented parameters.</p>

		The Applicant agreed to confirm in writing what volume of soil could be accommodated on site and where.
2.3	<b>Construction traffic routing and management-</b> Applicant to set out how construction traffic would be routed and managed to avoid HGV travel through villages and HGV parking/waiting on the public highway and how this would be secured;	<p>The Applicant explained that these matters are addressed in the Framework Construction Traffic Management Plan (FCTMP) secured by Requirement 8. A Construction Routing Traffic Plan (CRTP) will be secured in accordance with the FCTMP and Requirement 8. Section 2 in the FCTMP deals with this matter and the proposed measures for the designated route.</p> <p>Dr Lowe confirmed that the designated route for HGVs and construction vehicles is set out in the FCTMP. This route was identified following discussion with the local authorities. The CRTP will confirm the route and specify that all deliveries will follow that route. The CRTP, which would need to be approved by the local authorities, will also include measures to control hours of operation, signage, and other matters. The Applicant will include within its contracts conditions to ensure compliance with the CRTP. This may include compliance with anti-social behaviour policies and restrictions on using the layby at Bole, for example. Other projects have previously adopted a 'yellow card, red card' policy for drivers, whereby drivers may be precluded from working on the project if they breach the conditions of their contract. The Applicant will also ensure that there is a dedicated person for members of the public to contact with any traffic-related concerns.</p> <p>In relation to parking on-site, the Applicant confirmed that there will be parking on-site for workers and HGV deliveries. The Applicant does not envisage offering 24 hour parking for HGVs because that would create difficulties in relation to health &amp; safety, security and providing appropriate amenities. The Applicant will seek to ensure that there is no HGV parking on the roadway outside of delivery hours by including appropriate conditions in its contracts. The Applicant will, however, monitor this issue and put further measures in place, if appropriate.</p> <p>The ExA queried how these measures were to be secured.</p>

		<p>The Applicant confirmed that it would update the FCTMP to explain in more detail what measures would be put in place.</p> <p>Mr Coomber noted that he would like further information in relation to how traffic relating to this project will be dealt with in conjunction with traffic relating to other nearby projects, including a solar farm.</p> <p>Dr Lowe on behalf of the Applicant explained that a cumulative assessment was undertaken as part of the EIA. The Applicant agreed with the local authorities which other schemes should be included as part of that assessment. All public information available as to anticipated HGV usage in relation to those schemes was incorporated into the baseline data set for that assessment.</p> <p>The Applicant noted that it would expect other schemes coming forward to also have a Construction Traffic Management Plan and that it was the local authorities' role to manage cumulative construction traffic using those plans. The Applicant also explained that the assessment in relation to this scheme was undertaken on a worst-case basis because it assumed that all cumulative development would come forward at the same time, which is unlikely to be the case. There is no way to know which of the cumulative schemes assessed will actually come forward and when. Any future schemes coming forward would be assessed at the appropriate time, when further details are known.</p> <p>Bassetlaw District Council confirmed that it had not received a planning application for the solar farm referred to by Mr Coomber.</p> <p>West Lindsey District Council and Bassetlaw District Council confirmed that they were comfortable with this approach.</p>
2.4	<b>Construction traffic routing and management-</b> Applicant to set out potential for waterborne material transportation and	<p>The Applicant confirmed that, if the river were to be utilised, it would only be used for abnormal indivisible loads (AILs). It is not possible to identify at this stage whether AILs are required. This will be confirmed at the detailed design stage.</p>

	implications of this on the local highway network;	<p>The Applicant noted that Waterborne material transportation was successfully used in relation to the West Burton B project, whereby AILs were offloaded at the Cottam site and then transported 6 miles by road. The Applicant confirmed that Cottam site remains in the ownership of EDF and that there are no identified plans to transfer the Cottam site or close the jetty there. Whether the Cottam jetty is available would be a consideration at the relevant time.</p> <p>Waterborne transportation has been retained as an option for this scheme, therefore, in accordance with policy. The Applicant would work with the local authorities and the police in order to make sure that AIL transportation is undertaken with minimal impact.</p> <p>The ExA asked for clarification about comments made in the cover letter to the Applicant's Deadline 2 submission, and whether there was the potential for traffic other than AILs to be transported by water.</p> <p>The Applicant agreed to review those comments and confirm the position.</p>
2.5	<b>Drainage-</b> Applicant to clarify whether drainage scenarios would be linked to existing infrastructure of West Burton A or West Burton B and any implications of this in the event that West Burton A was to be decommissioned;	<p>Dr Lowe on behalf of the Applicant confirmed that there are three potential options for the discharge of surface water. All three options connect into the same existing drainage line and rely on a combination of West Burton A and West Burton B infrastructure. There is no preferred option at this stage and the Applicant will keep all three options under review. The chosen option will be identified at the detailed design stage. All of the relevant infrastructure is owned and controlled by the Applicant and would remain so even in the event that West Burton A is decommissioned. The decommissioning of West Burton A would not necessitate the removal of its drainage infrastructure.</p>
2.6	<b>Environmental permits</b> - Applicant and Environment Agency to explain the need for the permits, to provide an update on their progress and to	<p>Dr Lowe explained that the Applicant has applied for two environmental permits. The first is required for the operation of the proposed development and takes the form of a substantial variation to the existing permit for West Burton B (WBB). The second application is for the partial surrender of the land that is</p>



<p>set out any implications which may arise if these are not consented during the course of the examination; and</p>	<p>subject to the existing permit for West Burton A (WBA). Both applications were received on 15 May 2019. The part surrender application was duly made on 18 September 2019 and the substantial variation application was duly made on 8 October 2019. The Environment Agency intends to issue the two permits at the same time.</p> <p>Dr Lowe explained that the second application is required in order to transfer some of the land from the WBA permit boundary to the WBB permit boundary. By way of background, it is necessary for each power station to have its own permit linked to its site boundary and it is not appropriate to have overlapping permit boundaries. There are currently two active permits on site, one for WBB and one for WBA. The WBC site falls within the boundary for the WBA permit. The WBC project requires a permit but the Applicant decided to incorporate this within the existing WBB permit because the operation of the WBC plant may be fulfilled by the existing WBB operating team. As the land required for the WBC project needs to be included within the existing WBB permit, the relevant land must be surrendered from the WBA permit boundary. This is why two applications are required.</p> <p>The Environment Agency agreed with the Applicant's explanation. The Environment Agency confirmed that an application is 'duly made' when the Environment Agency confirms that sufficient information has been submitted in order for assessment to commence. The Environment Agency confirmed that there is a statutory four month period for the determination of applications. The actual determination period can vary and, in this case, the applications are unlikely to be determined until late spring or summer. The Environment Agency did not give any reason why the assessment of these applications is expected to take so long.</p> <p>The ExA asked what the implications would be for the determination of the DCO if the environmental permit applications are not determined until after the Examination closes.</p>
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		<p>Dr Lowe explained that the Applicant had hoped that the permit applications would be determined in accordance with the timeline of the Examination. Dr Lowe noted that the delay does not indicate any cause for concern and that the timescale is consistent with other recent projects. It is important to recognise that the application have been duly made because it demonstrates that the Applicant have provided all of the required information. The environmental permit is only required for the operation of the scheme so it does not affect the Applicant's ability to move forward with the DCO application, although it would be preferable to have received it during the Examination. The Applicant confirmed that it would keep the ExA informed in relation to the permit applications.</p> <p>The Environment Agency confirmed that it has not discovered anything to cause concern in relation to the applications and that the delay was a result of the detailed process that must be undertaken. A full assessment can only take place after the detailed design stage.</p> <p>Dr Lowe noted that other DCOs had been granted subject to the determination of an environmental permit application. The Applicant confirmed that it would provide examples of this to the ExA.</p> <p>Mr Coomber raised a concern in relation to the availability of information in relation to noise at this stage.</p> <p>The Environment Agency confirmed that noise assessments cannot be undertaken until the final design has been confirmed.</p> <p>Dr Lowe explained that this is standard practice and the Applicant links its noise assessment for the permit to its EIA, which is based on the worst case assessment. The expectation is, and the approach taken on other schemes, is that there would be an improvement condition attached to the permit that requires the Applicant to demonstrate that best practice is used and that the actual impact is no greater than as assessed.</p>
<b>2.7</b>	Miscellaneous matters relating to environmental documents.	The Applicant confirmed that it would review and address the following inconsistencies identified by the ExA:

		<ul style="list-style-type: none"> <li>- Inconsistencies in relation to defined terms in the FCTMP</li> <li>- Inconsistencies with reference to the distance between the site and the Humber Estuary SAC within Document APP027</li> </ul>
<b>3</b>	<b>Opportunity for IPs to comment on environmental matters</b>	No comments from IPs.
<b>4</b>	<p><b>Structure of the dDCO</b></p> <p>The Applicant to briefly:</p>	
<b>4.1</b>	Summarise the structure of the dDCO;	<p>The Applicant provided a brief description of each section of the dDCO, including:</p> <ul style="list-style-type: none"> <li>- The extent of the Works, provisions and powers sought</li> <li>- Each of the Requirements and Schedules</li> <li>- The Preamble, Explanatory Memorandum and Explanatory Note</li> <li>- Any other relevant matters</li> </ul>
<b>4.2</b>	Describe the extent of the Works, provisions and powers sought;	Discussed in relation to 4.1 above.
<b>4.3</b>	Introduce each of the Requirements and Schedules and their purpose; and	Discussed in relation to 4.1 above.
<b>4.1.4</b>	Provide a brief summary of changes made in the revised dDCOs submitted at Deadlines 2 and 3 and the reasons for this.	Discussed in relation to 4.1 above.
<b>5</b>	<b>Main discussion points around dDCO</b>	

5.1	Typos and minor miscellaneous matters;	<p>The Applicant confirmed that it would address the following typos and other minor matters identified by the ExA:</p> <ul style="list-style-type: none"> <li>- The references to footnotes will be emboldened</li> <li>- The square brackets in paragraphs 2, 3 and 4 on the second page of the dDCO will be removed</li> <li>- The use of brackets around the words 'appointed by the Secretary of State' will be reviewed</li> <li>- The list of plans in Article 17 will be reviewed and updated</li> <li>- The additional 'and' in Requirement 18 will be removed</li> <li>- The word 'days' shall be inserted after the figure 21 in Requirement 28</li> <li>- The references to words and figures in Requirement 28 and the rest of the text will be made consistent</li> </ul>
5.2	The need for Land Plans and Order Limit Plans;	<p>The Applicant confirmed that Land Plans are required under statute. The Applicant agreed to review the need for Order Limit Plans and confirm its position at Deadline 4.</p>
5.3	Article 9- Applicant to justify powers to stop up streets and public rights of way;	<p>The Applicant explained this Article 9 has been included in the event that streets and public rights of way are required to be stopped up temporarily during construction, for example where an AIL is moving through a narrow road. This is justified on the basis that it avoids the need for the Applicant to obtain a traffic regulation order, which would delay the delivery of the nationally significant project. The power to stop up public rights of way has been included for health and safety reasons, for example in the event that there were any crane movements over public rights of way. The Applicant noted that no stopping up could take place without notification to and discussion with the local authority, who may attach conditions to the use of the power. The Applicant confirmed that a general power is needed because it is not possible to identify the highways and public rights of way</p>

		<p>that would need to be stopped up until the detailed design stage. The Applicant will identify any routes for which stopping up is required in the CTMP in due course.</p> <p>The Applicant agreed to confirm which routes, if any, were stopped up in relation to the WBB project. The Applicant agreed to provide details of similar projects where general stopping up powers were granted without identifying specific routes.</p>
<b>5.4</b>	Article 15- Applicant to justify powers to undertake tree work on publicly maintainable highway;	<p>The Applicant confirmed that this was required because it may be necessary to chop back overhanging trees on the highway to allow loads to pass, particularly in relation to the movement of AILs. The Applicant will have seven years in which to implement the project so it is not possible to identify all of the relevant trees at this stage. Any persons affected by the use of this power will be entitled to compensation. The Applicant considers that this approach is justified in the context of a nationally significant project.</p> <p>The Applicant agreed to consider whether a notification process could be introduced.</p>
<b>5.5</b>	Article 15- Applicant to justify why any Tree Preservation Orders have not been identified;	<p>Dr Lowe on behalf of the Applicant explained that this provision is required in relation to the AIL route. The Applicant may need to remove trees that are obstructing delivery to the site.</p> <p>The Applicant has not identified any relevant TPOs at this stage. The Applicant considers that the power in the dDCO should not be limited to specific TPOs because a TPO could be subsequently made before or during the construction process and the route for transportation of AILs (if required) has not yet been confirmed.</p> <p>The Applicant agreed to consider the introduction of a notification procedure.</p>
<b>5.6</b>	Requirement 1(3)- Applicant to justify scope of changes to an approval or agreement;	This matter was not discussed.

5.7	Requirement 25- Applicant to justify the reasonableness for a local liaison committee meeting not to be held if a majority of members are in agreement;	<p>The Applicant confirmed that it had sought to build in some flexibility so that the local liaison committee can schedule meetings as they see fit. The Applicant noted that there will be some periods during construction that are busier than others and that the committee might like to meet more frequently in those periods.</p> <p>The ExA raised a concern that the current wording may allow for a majority of members to prevent meetings from taking place.</p> <p>The Applicant confirmed that its intention was to ensure that the meetings were of valuable benefit and that it would re-visit the wording to address the ExA's concerns.</p> <p>Bassetlaw District Council noted that the majority of members on the committee were likely to be from local authorities, who would not seek to restrict the number of meetings.</p>
5.8	Requirement 28- Applicant to explain how consultation to discharge requirements would work in practice and whether there is sufficient clarity in respect of who would undertake the consultation and how any responses would be made available to the relevant planning authority;	<p>The Applicant confirmed that it had suggested 21 days for consultation as a reasonable period and that it had not received any comments on this from interested parties.</p> <p>West Lindsey District Council noted that it would normally request a period of 24 days to account for bank holidays.</p> <p>Bassetlaw District Council confirmed that it was not concerned by a 21 day period for consultation but queried whether this requirement should refer to working days.</p> <p>The Applicant confirmed that consultation would be an ongoing process and that any applications would be discussed in advance. The deemed approval procedure has been included because there is a risk that the formal consultation could take a long time. The expectation is that any issues would be addressed prior to formal consultation under Requirement 28.</p> <p>The Applicant confirmed that it would re-consider the drafting in order to make this clear.</p>
5.9	Requirement 28- Consideration of whether a consultation period	Discussed at 5.9 above.

	of 21 days is reasonable and appropriate;	
<b>5.10</b>	Requirement 28- Applicant to clarify why this is a Requirement rather than included in Schedule 3: Procedure for Discharge of Requirements;	<p>The Applicant confirmed that Requirement 28 was included as a requirement in order to draw attention to it. The Applicant noted that it would be happy for this provision to be moved to Schedule 3, if required by the ExA.</p> <p>In response to a query from the Environment Agency, the Applicant confirmed that the period in which a consultee must respond can be extended by agreement in advance.</p>
<b>5.11</b>	Schedule 3 2(2)- Applicant to justify period of 7 days for notification of further information required;	<p>Bassetlaw District Council noted that it understood the importance of the project and confirmed that a seven-day period is acceptable. The Council noted that a ten-day period would be more reasonable.</p> <p>The Applicant confirmed that a short period was preferred but that it would consider a ten-day period as an alternative. The Applicant explained that, in the event that the local authority does not request any further information during the relevant period, the determination period would start to run and the fee refund provision would be applicable. The Applicant included this framework to ensure that the development is not unduly delayed.</p> <p>The Applicant agreed to reconsider the wording in the dDCO and clarify the provisions, if necessary.</p>
<b>5.12</b>	Schedule 3 3(2)- Applicant to justify a fee refund; and	<p>The Applicant explained that it introduced this provision, which has been included in other DCOs, to seek to avoid a situation where applications are rejected for no apparent purpose, or fail to be determined within a decision period.</p> <p>Bassetlaw District Council confirmed that it was comfortable with the drafting and noted that it would not expect applications to be submitted without prior consultation. An extension for determination can be agreed, if required.</p>
<b>5.13</b>	Protective Provisions- Applicant and Canal and Rivers Trust to	The Canal and Rivers Trust (CRT) were not in attendance.

	justify views on necessity of protective provisions.	<p>The Applicant confirmed its position as set out in previous written submissions. Dr Lowe explained that the Applicant was at one stage considering infrastructure on the River Trent but has now changed the design of the scheme. The Applicant has not identified any risks to the CRT's infrastructure or function and therefore does not consider that it is necessary to include protective provisions for the CRT.</p> <p>The Applicant confirmed that it has not received any further comments from the CRT since Deadline 2, despite attempts to engage. The Applicant confirmed that it has not provided its preferred wording for the protective provisions to the CRT because it does not consider that the inclusion of such provisions is appropriate.</p> <p>Applicant confirmed that it would seek to clarify the position with the CRT.</p>
6	Opportunity for IPs to comment on the proposed dDCO	<p>Mr Coomber raised concerns about how the baseline position relied upon in Applicant's noise assessments was identified. Mr Coomber confirmed that this was an important issue for local residents.</p> <p>Dr Lowe on behalf of the Applicant explained that the Applicant undertook baseline monitoring during quiet periods when the stations were not in operation. The monitoring parameters were agreed in advance with Bassetlaw District Council. The assessment concluded that the change in noise levels associated with this development should be less than 5db. This outcome will be secured through the detailed design process.</p> <p>The ExA confirmed that Mr Coomber's written representations and oral comments would be considered.</p>
7	Update on Statements of Common Ground	<p>The ExA noted that an agreed Statement of Common Ground between the Applicant and Bassetlaw District Council had been submitted.</p>



		<p>The Applicant confirmed that discussions with Nottinghamshire Wildlife Trust and Nottinghamshire Council were ongoing and that an update would be provided at Deadline 4.</p> <p>The ExA queried whether the Applicant had considered a Statement of Common Ground with the Canal and River Trust (CRT). The Applicant explained it has been trying to engage with the CRT and will continue to do so. The Applicant does not consider that a Statement of Common Ground would assist the ExA, as the outstanding issues are clear.</p>
8	Other Matters	<p>The Applicant agreed to include West Lindsey District Council as a consultee within Requirement 5.</p>