

North Falls Deadline 1 Submission

T Fairley & Sons Ltd, Robert Fairley Ltd, T & R Fairley Farming Partnership (20050590)

As requested by the Examining Authority at the Open Floor Hearing, we highlight below a number of areas which are of particular concern in relation to soil management that are unsatisfactory to land owners. These concerns have been raised on numerous occasions with the Applicants agents and throughout the Five Estuaries examination period, however it is not felt that the Applicants have sufficiently engaged to date on these issues.

Preconstruction Soil Analysis

Detailed soil analysis needs to be undertaken prior to any intrusive surveys, enabling works and construction at regular intervals to measure topsoil and subsoil depths, compaction, organic matter, N, P, K, Mg etc.

Timing of Works

Winter working must not be permitted. A Spring to Autumn working window should be implemented with specific measurable indicators to restrict working periods in unsuitable weather conditions. At present the CoCP submitted in the DCO and the construction practice addendum provided with the voluntary agreements makes vague reference to best practice but does not restrict the Applicant, in a measurable way, from working in weather conditions that would result in works not being carried out in the best interest of the land and soils.

We are requesting that the Applicant is required to adhere to specific controls based on measurable indicators such as levels of rainfall in order to determine if working conditions are suitable and that Land Owners should have the ability to request a Soil Expert and/or other independent third party expert to be called upon to determine if it is appropriate for works to be carried out in the event of disagreement.

Period of Construction

We understand the Applicant intends to open the whole trench, install all the ducting and pull the cable before any reinstatement works take place which will result in the land along the route being left open and soils stored for a considerable period, causing prolonged damage to soils unnecessarily. We consider the route should be divided into stages if it is not achievable to complete the ducting installation within a spring-autumn work window for the whole route, as is being implemented on the Norfolk Vanguard West scheme.

Co-ordination between NF and VE

To prevent the land from being unnecessarily impacted twice, we are requesting that whichever developer proceeds first (if not together), they must lay the ducting for the second developer or allow the second developer to install ducting at the same time, such that the scenario whereby the land is reopened up / or a separate trench is required further away from the first is avoided.

Weed Management on Top Soil and Sub Soil Stores

In the event the Applicant does not appropriately manage the control of weeds on stored soils, the Applicant should not be allowed to unreasonably withhold consent for land owners to carry out any necessary operations (subject to complying with CDM regulations) to manage weeds on stored soils, with reasonable costs of doing so to be recoverable from the Applicant.

We also want to make the Examining Authority aware that, due to an incentivised deadline, since the Open Floor Hearing, ourselves and other land owners along the route have reluctantly signed HoTs with the Applicant for the cable corridor easement however the option agreements are yet to be completed and a satisfactory construction practice addendum has also not yet been agreed.