



**The Planning Act 2008**

***Application by National Grid Electricity Transmission for the Sea Link Project***

**East Suffolk Council's response to The Examining Authority's written questions and requests for information (ExQ3)**

Issued: 23<sup>rd</sup> March 2026

Deadline 6: 13<sup>th</sup> April 2026

Application: EN020026

East Suffolk Council: [REDACTED]

## 1. General and Cross-topic Questions (GEN)

| Questions for East Suffolk Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | East Suffolk Council Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <p><b>3GEN2</b></p> <p><b>Applicant and all interested parties</b></p> <p><i>Critical national priority</i></p> <p><i>Paragraph 4.2.15 of NPS EN-1 says that where residual non-habitats regulations assessment or non-Marine Conservation Zone (MCZ) impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for CNP infrastructure. It goes onto say that the exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. The same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to</i></p> | <p>a) Insofar as matters fall within ESC's remit, ESC does not consider that the project would create an unacceptable risk to irreplaceable habitats, nor does ESC consider it would create an unacceptable coastal erosion risk, due to the trenchless landfall installation technique being secured via the DCO. If the cables are not buried to sufficient depth (ie. less than 25m but preferably 30m) and they become at risk of exposure, there could be an impact on coastal processes and natural sediment transportation. Mitigation plans should recommend reburial and not hard defences. Provided that there are no impacts on coastal geomorphology receptors, the project should not change the coastal erosion risk.</p> <p>ESC is, however, concerned about the potential for the project to pose an unacceptable risk to human health, particularly mental health. ESC cannot agree with the Applicant's findings of 'no likely significant adverse effects' on health and wellbeing as a result of the Proposed Project, and when considered cumulatively with other projects in the locality. East Suffolk's residents are experiencing significant disruption from other major infrastructure projects in the District, including those currently under construction, such as Sizewell C and SPR's EA1N and EA2 projects, and those at earlier stages of the consenting process, including LionLink. Sea Link is exacerbating, and will continue to exacerbate, these effects. ESC already has concerns for the mental health and wellbeing of its local community and therefore rejects the Applicant's conclusion that the cumulative effects of Sea Link in combination with other projects in the area will not have significant adverse effects on mental health and wellbeing.</p> |

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| <p><i>navigation, or onshore to flood and coastal erosion risk.</i></p> <p><i>a) Without prejudice to the position of any party, are there any issues in this case that might potentially fall into this category of the exceptions to this presumption of consent? For example, might the issue of flooding and the application of the sequential and exception test potentially fall into this category in the event of there being an “unacceptable risk”?</i></p> <p><i>b) Are there any further submissions any party wishes to make on the potential application of CNP policy in this case (should it be required)?</i></p> | <p>The Applicant states, at Paragraph 11.8.1 of the Health and Wellbeing ES Chapter [APP-058] that <i>‘the Proposed Project has been designed, as far as possible, following the mitigation hierarchy in order to, in the first instance, avoid or reduce health and wellbeing impacts and effects through the process of design development, and by embedding measures into the design of the Proposed Project’.</i></p> <p>ESC does not accept this assertion and considers that the Applicant has not <i>‘as far as possible’</i> avoided or reduced the mental health and wellbeing impacts of the Proposed Project. Most notably, the Applicant has failed to propose reasonable core working hours to provide the local community with respite from construction activity. This is an extremely important mitigation measure that the Applicant has failed to implement for the sake of its own project programme and costs. This is unacceptable to ESC and the local communities it represents.</p> <p>Managing appropriate working hours is a critically important element of safeguarding residents’ mental health and wellbeing. Saturdays, particularly Saturday afternoons, Sundays, and bank holidays are expected to be reprieves from construction working. Residents require respite from these works, especially given the number of projects in the district. Significant adverse effects on mental health and wellbeing can arise during construction periods, particularly where multiple projects are being the subject of consultation, then consented, and then constructed across the same communities.</p> <p>As noted in ESC’s Local Impact Report [REP1-128], Suffolk Mind’s report titled <i>‘Wellbeing in Aldeburgh, Leiston &amp; Saxmundham’</i>,<sup>1</sup> found that “57% of residents [in the Aldeburgh, Leiston and Saxmundham area] feel that local energy projects are a barrier to their mental wellbeing to some extent”. This is an alarming statistic which</p> |
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<sup>1</sup> <https://www.suffolkmind.org.uk/wp-content/uploads/2025/08/Aldeburgh-Leiston-and-Saxmundham-Wellbeing-Report.pdf>

evidences the real impact NSIPs, including Sea Link, are having on the mental health of residents of East Suffolk, and the construction of Sea Link is likely to compound these impacts further.

In conclusion, ESC is concerned that the proposed Sea Link project has the potential to give rise to an unacceptable risk to human health, and ESC does not consider that the applicant has made a genuine attempt to propose adequate measures to avoid and mitigate mental health and wellbeing effects in particular. Given ESC's significant concerns regarding the mental health and wellbeing impacts of the project, ESC is of the view that the presumption for consent for this 'Critical National Priority' infrastructure may not apply.

b) ESC does not intend to duplicate representations already made regarding the lack of need for this Project. Those comments stand on the record and remain unanswered by the applicant although it is noted that "need" *per se* and CNP policy are closely inter-related.

The ExA should be aware, however, that ESC's comments on need were made in the context of paragraph 3.2.6 and 3.2.7 of EN-1 which together point to there being an urgent need for the types of infrastructure covered by the NPS and the "substantial weight [that] should be given to this need". At no time has ESC either argued against or attempted to contradict the underlying thrust of the EN-1.

The difficulty that ESC has faced throughout the pre-application and examination process, however, is that the Applicant has at all times maintained a position of over-confidence bordering on arrogance based on a presumption that any questions raised or arguments put before them by stakeholders and third parties, can be given short shrift because the Project is bound to be consented on the basis that CNP

enables a promoter effectively to ride “rough shod” over third parties and the local community. That is not, in ESC’s view, how CNP policy should be interpreted and applied by an applicant. The Applicant’s failure to respond to many of the representations made by stakeholders and third parties as identified by the ExA at ExQ3 is a case in point. Another example was a meeting arranged last month with representatives of SCC, ESC, Thanet DC and the Applicant to discuss the local authorities’ comments on the draft DCO. The Applicant’s team had not bothered to take the time in advance to read the local authorities’ suggestions before the meeting as a consequence of which nothing was achieved.

It is in this negative environment that ESC has attempted to negotiate a properly and reasonably mitigated development should consent be granted. Paragraph 4.2.15 of EN-1 makes it very clear that the Secretary of State has to consider each CNP application “on a case-by case” basis. It is equally clear that paragraph 4.2.15 is not designed to give *carte blanche* to all and any CNP development. There are still tests that have to be met and it is in this context – as well as the fundamental lack of need which has already been referenced – that the Applicant has failed to pay any genuine regard to the health and well-being of the local community as witnessed very clearly at the Open Floor Hearings, working hours for construction, noise and vibration and lighting disturbance.

In addition, ESC is attempting to negotiate a mitigation agreement with the Applicant, separate to the Government’s community funds package for transmission infrastructure, as has been the case with both the Sizewell C proposals and the SPR DCOs. This is being sought to mitigate at least some of the serious long term impacts and effects of the project, but the Applicant is resisting entering into such an agreement.

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|                                                                                                                                                                                                                                                                            | <p>In the light of these outstanding and at present unresolved issues, ESC is firmly of the view that the development proposals currently being promulgated by NGET fail to satisfy the CNP tests and presumptions.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>Design, parameters and other details of the Proposed Development</b></p>                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>3GEN8</b></p> <p><b>Relevant planning authorities</b></p> <p><i>Independent design review</i></p> <p><i>Provide suggested wording to incorporate a post consent independent design review of the converter stations, Kent substation and River Fromus bridge</i></p> | <p>ESC provided its suggested wording for Requirement 3 in its response to ISH2 Action Point 131 [REP4-119]. After liaising with Suffolk County Council, ESC and SCC have made amendments to this proposed wording, including incorporating a post-consent independent design review of the converter stations, Kent substation, and the River Fromus bridge:</p> <p><b>3. Detailed design parameters onshore —</b></p> <p>(1) No stage of development of the above ground elements of the authorised development comprised in Work No. 3B (Suffolk Converter Station) may commence until details of the layout, scale and external appearance of that work have been submitted to and approved by the relevant planning authority in consultation with Suffolk County Council. The submitted details must be in accordance with the Converter Station Design Principles and the Design Engagement Strategy found in Document 7.12.1 Design Principles – Suffolk. Approval of the submitted details may not be withheld where doing so would contravene a Critical Design Constraint. Work No. 3B must be carried out in accordance with the approved details.</p> <p>(2) Suffolk Substation (Friston)</p> <p>(a) Unless otherwise approved by the relevant planning authority, the Suffolk Substation (Work No 1B) will be constructed in accordance with the details within the documents submitted for the discharge of Requirement 12 of part</p> |

3 of schedule 1 to SI 2022/433 (insofar as those details relate to the design, scale and layout of Work No. 1B)

(b) Insofar as the details approved pursuant to Requirement 12 of SI 2022/433 are amended or if the East Anglia TWO or East Anglia ONE North projects do not progress as currently planned, then the relevant planning authority shall have regard to such circumstances when considering whether to approve otherwise pursuant to paragraph (a).

(3) Bridge over the River Fromus

(a) Development of the bridge crossing of the River Fromus (part of Work No. 3A) must not commence until details of the design, layout and scale of the bridge have been submitted to and approved by the relevant planning authority, following consultation with Suffolk County Council, in accordance with the Design Engagement Strategy, and the relevant local planning authority has confirmed, following consultation with the Environment Agency, that the parameters set out in (3)(b) have been met.

(b) The bridge over the River Fromus should be designed in accordance with the following parameters:

(i) the bridge shall not have a soffit height lower than 10.49 m Above Ordnance Datum (approximately 4m above the Q95 flow level);

(ii) abutments for the bridge shall be set back no less than 8m from the top of the bank; and

(iii) the bridge shall not have a deck width greater than 6m.

(c) The details of the design, layout and scale submitted under (a) must be accompanied by a technical statement demonstrating how, recognising the

minimum size parameters in (b)(i) and (ii), the Applicant has sought to reduce the scale of the bridge and achieve good design in accordance with national policy, having regard to the relationship with the landscape mitigation proposals, the articulation of the spanning structure, the design of the abutment walls, external colour, surface finish, materials, separation of pedestrian and vehicular traffic and the design of the parapet railings. The technical statement will include a plan, elevation and section drawings, and 3D renders of the bridge design in key view VP02 and CH02.

(d) No part of the finished external treatment of the bridge crossing of the River Fromus comprised in Work No. 3A(a) (part of the authorised development comprising the access road to the Suffolk Converter Station) must be implemented until details of the external colour and surface finish (in line with the process established in Design Principle ID.3) have been submitted to and approved by the relevant planning authority.

(e) Should the bridge design comprise a soffit height of less 12.49 m Above Ordnance Datum (approximately 6m above the Q95 flow level), then development of the bridge must not commence until a macro invertebrate monitoring and contingency plan has been submitted to and approved by East Suffolk Council, following consultation with the Environment Agency. The invertebrate monitoring and contingency plan must include:

(i) The requirement to carry out Water Framework Directive compliant surveys twice yearly (spring and autumn), upstream and downstream of the Fromus crossing for a period of five years following completion of the construction of the Fromus crossing.

(ii) Principles of the contingency monetary fund set out in (f) and criteria for when provision of the fund would be triggered.

(f) Following receipt and review of the monitoring results under (e)(i), should the criteria in (e)(ii) be exceeded, then a contingency fund would be provided to fund measures to encourage the passage of macro invertebrates around the Fromus crossing and/or enhancement of Water Framework Directive invertebrate habitat upstream of the Fromus crossing. This would be secured via an appropriate legal agreement.

(4) No stage of development of the above ground elements of the authorised development comprised in Work No. 9B (Kent Converter Station) may commence until details of the layout, scale and external appearance of that work have been submitted to and approved by the relevant planning authority in consultation with Kent County Council and Historic England. The submitted details must be in accordance with the design details and the Converter Station Design Principles and the Design Engagement Strategy found in Document 7.12.2 Design Principles – Kent. Approval of the submitted details may not be withheld where doing so would contravene a Critical Design Constraint. Work No. 9B must be carried out in accordance with the approved details.

(5) No stage of development of the above ground elements of the authorised development comprised in Work No. 11 (new Kent Substation) may commence until details of the layout, scale and external appearance of that work have been submitted to and approved by the relevant planning authority in consultation with Kent County Council and Historic England. The submitted details must be in accordance with the Substation Design Principles and the Design Engagement Strategy found in Document 7.12.2 Design Principles – Kent. Approval of the submitted details may not be withheld where doing so would contravene a Critical

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|                                                                                                                                                                                                                                                                                                                                                        | <p>Design Constraint. Work No. 11 must be carried out in accordance with the approved details.</p> <p>(6) The details of layout, scale and external appearance of Work Nos. 3B, 3A, 9B, and 11 submitted under sub-paragraphs (1), (3), (4), and (5) above must be accompanied by a technical statement demonstrating how these details have been informed by feedback received during the implementation of the relevant Design Engagement Strategy from relevant stakeholders and from an independent review of the detailed design</p> <p>The Councils expect the Design Principles – Kent and Design Principles – Suffolk documents to contain a section providing details of the independent design review process ('the Design Engagement Strategy'), which the proposed wording above makes reference to. SCC has included detail of this strategy as part of its Deadline 6 submissions.</p> |
| <p><b>3GEN10</b></p> <p><b>Applicant, relevant planning authorities, Dover District Council (DDC), SCC, Kent County Council (KCC)</b></p> <p><i>Requirement 3</i></p> <p><i>Develop an agreed form of wording for the approval of details of the above ground elements of the proposed development. If agreement cannot be reached on specific</i></p> | <p>SCC, on behalf of the Councils, contacted the Applicant on 2 April to query how the Applicant was intending to progress discussions for actions and ExQ3 questions requesting a joint position between the Councils and the Applicant. The Councils received no reply, and SCC and ESC were informed at their regular catch-up meeting with the Applicant on 9 April that the Applicant had been progressing responses to these actions/questions independently from the Councils. No meeting was therefore arranged to develop an agreed form of wording for Requirement 3. In the absence of such a meeting, ESC's suggested Requirement 3 wording, formulated in collaboration with SCC, is provided in response to 3GEN8 above.</p>                                                                                                                                                           |

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| <p><i>points, explain what those points are and why agreement cannot be reached.</i></p>                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>Draft development consent order (dDCO)</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <p><b>3GEN13</b></p> <p><b>East Suffolk Council (ESC)</b></p> <p><i>General</i></p> <p><i>In your DL5 submission [REP5-172] you state ‘ESC is of the view that wording is required in the dDCO to remove National Grid’s right to carry out works, “without the prior approval of the relevant planning authority”, where SPR has already carried out the works.’</i></p> <p><i>Provide suggested drafting or detail of any amendments you consider would address this request.</i></p> | <p>This concern has been resolved by the addition of Requirement 15 to the draft DCO at Deadline 1.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <p><b>3GEN14</b></p> <p><b>ESC</b></p> <p><i>Article 2 (1)</i></p> <p><i>In your DL5 submission [REP5-172] you state ‘The current definition of maintain is unnecessarily broad and if it is to remain, the given activities must be further defined</i></p>                                                                                                                                                                                                                            | <p><b>Article 2 (1) (Interpretation)</b></p> <p>To be amended as follows -</p> <p>“maintain” includes inspect, <b>upkeep</b>, repair, adjust, alter, dismantle, <del>remove</del>, clear, refurbish, <del>paint</del>, surface treat, decommission, <del>improve</del>, reconstruct or replace <b>(but only in relation to any of the ancillary works in Part 2 of Schedule 1 (ancillary works) to the extent assessed in the environmental statement) and “maintenance” must be construed accordingly; any part, but not remove,</b></p> |

*otherwise the Applicant will effectively have been given carte blanche. In addition, ESC requires wording to be inserted in the dDCO so as to require the Applicant to serve written notice on the relevant planning authority prior to the commencement any “material” maintenance works (i.e. those that are likely to cause disturbance etc.)’*

*Provide suggested drafting or detail of any amendments you consider would address this request.*

~~reconstruct or replace the whole of the authorised project including through the use of robots, helicopters, drones, gadgets or similar devices either remote controlled or autonomous, provided such works do not give rise to any materially new or materially different environmental effects to those identified in the Environmental Statement, and any derivative of “maintain” must be construed accordingly;~~

The amended text in the above definition is based on the precedent established by the East Angla TWO Order (2022/433) which it is considered has particular relevance to the Sea Link application bearing in mind also the Applicant’s consistent reference to established precedent in other Orders.

In addition, the words “remove”, “improve” and “paint” have been deleted in that the works involved need first to be approved by the relevant planning authority. It is in order to accommodate this exigency that ESC also proposes an amendment to Article 4 as highlighted below -

**Article 4 (Maintenance of authorised project)**

4.—(1) The undertaker may at any time maintain the authorised project, except to the extent that this Order, or an agreement made under this Order, provides otherwise.

(2) The power to maintain conferred under paragraph (1) does not relieve the undertaker of any requirement to obtain any further licence under Part 4 of the 2009 Act (marine licensing) for offshore works not covered by the deemed marine licence.

**(3) The undertaker must give 28 days’ notice in writing to the relevant planning authority prior to the commencement of any maintenance works which may give rise to effects or impacts not assessed in the Environmental Statement and those works**

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p>must not be undertaken unless the relevant planning authority has confirmed in writing that it has no objection to such works.</p>                                                                                                                                                                  |
| <p><b>3GEN16</b></p> <p><b>ESC</b></p> <p><i>Article 7</i></p> <p><i>Provide suggested drafting for a requirement as requested in [REP5-172] which would give the relevant planning authority 28 days to make representations in relation to any transfer or grant made under Article 7 (Consent to transfer benefit of order).</i></p>                                                                                                                                | <p>ESC suggests that a new paragraph (6) is inserted in Article 7 as follows –</p> <p>(6) The undertaker must give the relevant planning authority not less than 56 days' notice of its intention to transfer or grant to another person any or all of the benefit of the provisions of the Order.</p> |
| <p><b>3GEN17</b></p> <p><b>All local authorities</b></p> <p><b>Article 10</b></p> <p><i>Action point 115 from issue specific hearing 2 (ISH2) [EV6-033] asked all parties (applicant and councils) to meet/liaise to agree suitable wording of article 10 which all parties are content with, with an update on progress and any agreement submitted by DL4. To date no suggested alternative drafting for article 10 has been submitted into the examination.</i></p> | <p>ESC has discussed the wording of Article 10 with SCC in preparation for Deadline 6. ESC understands SCC, as the lead authority on this action point, has submitted the discussed wording at Deadline 6.</p>                                                                                         |

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| <p><i>Given the advanced stage of this examination and the absence of agreement, it appears likely that this is a matter upon which the ExA will need to adjudicate. To assist the ExA, can SCC work with all relevant local authorities to produce amended drafting for article 10 which addresses its previously discussed concerns, for submission by DL6.</i></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <p><b>3GEN21</b></p> <p><b>ESC</b></p> <p><i>Article 27(5)</i></p> <p><i>Does the removal of ‘shrubs and shrubberies’ from article 27(5) [REP5-006] provide sufficient reassurance that it would not prevent the replanting of hedges, as requested in [REP5-184] and [REP5-172]. If not, provide suggested wording.</i></p>                                          | <p>ESC requested in Annex 1 to its comments on the Applicant’s Deadline 4 submissions, and in its updated PADSS (ref. D5.11.02), that the Applicant amend Article 27(5) so that it only refers to trees, as ‘shrubs’ and ‘shrubberies’ are essentially hedgerows. ESC therefore welcomes the removal of ‘shrubs’ and ‘shrubberies’ from Article 27(5).</p> <p>To ensure that there is no ambiguity, it is suggested that paragraph (5) of Article 27 should be amended so that after the words “... and restore the land to the reasonable satisfaction of the owners of the land” the following words should be inserted “<i>including the replacement of any shrubs or shrubberies if required .....</i>”</p> <p>It is also suggested that the identical amendment should be made to paragraph (6) of Article 27.</p> |
| <p><b>3GEN26</b></p> <p><b>ESC</b></p> <p><i>Requirement 13</i></p>                                                                                                                                                                                                                                                                                                   | <p>The DCO application seeks the Secretary of State’s approval for the “authorised development” as defined by Article 3 of the draft Order. The application does not contemplate or authorise a scenario where the substations could be used for a “wider transmission network” which at the present time is, therefore, purely speculative. To exclude the substations from the written scheme of decommissioning would be to pre-empt what should be a formal future process</p>                                                                                                                                                                                                                                                                                                                                      |

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| <p><i>The applicant's submission [REP3-069] sets out that substations are excluded from paragraph 13(1) because they form part of the wider transmission network and therefore would be required to remain in operation even if the proposed development were to be decommissioned.</i></p> <p><i>Explain your submission [REP5-172] where you consider that the dDCO must include a substation decommissioning requirement.</i></p>                                                                                                     | <p>designed to protect the interests of the local community. For that reason, the substations must, in law, be included in the required written scheme of decommissioning and if at some time in the future the operator wishes to retain the substation, then it will have every opportunity to seek the relevant planning authority's approval for so doing. ESC considers this to be an entirely reasonable requirement.</p> |
| <p><b>3GEN29</b></p> <p><b>ESC</b></p> <p><b>Friston Parish Council (FPC)</b></p> <p><b>Applicant</b></p> <p><i>New Requirement – new substation at Grove Wood, Friston</i></p> <p><i>SCC [REP5-181] suggests the following drafting for a new requirement which they consider would be effective to 'import' the controls of the EA2 DCO into Schedule 3 of the Sea Link DCO and ensure that the Friston/Kiln Lane substation could not be provided without compliance with the terms of the EA2 DCO. SCC considers that such a</i></p> | <p>ESC is content with SCC's proposed additional Requirement.</p>                                                                                                                                                                                                                                                                                                                                                               |

*requirement would eliminate the risk of derogation or regression without consent.*

*'Requirement [x] (new substation at Grove Wood, Friston, Suffolk)*

*(1) Unless otherwise approved by the relevant planning authority, the Suffolk Substation (Work No. 1B) must be constructed in compliance with each Requirement applicable to Work No.41 of the East Anglia TWO Offshore Wind Farm Order 2022 ("SI 2022/433"), as if Work No.1B were constructed under SI 2022/433.*

*(2) In so far as any Requirement of SI 2022/433 ("the 2022/433 Requirement") entails the making of an application by the undertaker for the purposes of Work No. 41 or the approval of an application by the discharging authority for the purposes of that work, and at the date when the undertaker intends to carry out works comprised in Work No. 1B no application has been made and no approval of an applications has been given, the 2022/433 Requirements are deemed to be Requirements of this Schedule for all purposes concerned with their discharge and the undertaker is deemed to be a person*

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| <p><i>entitled to apply for their discharge and the relevant planning authority is deemed to be the discharging authority.</i></p> <p><i>(3) The discharge of a 2022/433 Requirement by the relevant planning authority in accordance with paragraph (2) is conclusive evidence that that Requirement has been discharged for the purposes of this Schedule.'</i></p> <p><i>East Suffolk Council (ESC) and Friston Parish Council (FPC): Do you consider the new requirement, as drafted by SCC, would allay your concerns on this matter. If not please provide alternative drafting with reasons.</i></p> <p><i>Applicant: Do you consider the new requirement, as drafted by SCC, could be added to the dDCO. If not explain why not, including any alternative drafting.</i></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <p><b>3GEN32</b></p> <p><b>SCC</b></p> <p><b>ESC</b></p> <p><b>Applicant</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p>ESC provided suggested wording in Annex 1 to its comments on the Applicant's Deadline 4 submissions [<a href="#">REP5-172</a>], and has, for expediency, reproduced this suggested wording below:</p> <p><i>"Control of development during operational phase</i></p> <p><i>16.-(1) During the operation of and within operational land related to Work Nos. 1B, 2, and 3B in the District of East Suffolk and Work Nos. 9A, 9B,10 and 11 in the</i></p> |

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| <p><i>New Requirement – control of development during operational phase</i></p> <p><i>SCC [REP5-181], ESC [REP5-172] and FPC [REP5-212] consider that a requirement akin to requirement 44 of the made orders for EA1N and EA2 is necessary for the Sea Link DCO.</i></p> <p><i>SCC, ESC and FPC: Provide drafting for the new requirement.</i></p> <p><i>Applicant: Do you consider a new requirement could be added to the dDCO. If so, engage with SCC and ESC to provide agreed suggested drafting, if not explain why not.</i></p> | <p><i>District of Thanet and Dover, any development in addition to that authorised in this Order that is permitted under Schedule 2 Part 15 Class B (d), (e), or (f) of the General Permitted Development Order 2015 (“electricity undertakings permitted development) or any equivalent successor provision is subject to the following conditions</i></p> <p><i>(2) In respect of operational drainage –</i></p> <p><i>(a) No electricity undertakings permitted development may commence until an amendment to the Drainage Management Plan approved pursuant to requirement 6 (o) in relation to Suffolk and requirement 6 (p) in relation to Kent that includes provision for the replacement of any existing drainage measures to be removed and maintenance of any new drainage measures to be provided as part of the permitted development, has been submitted to and approved by the relevant lead local flood authority, in consultation with the relevant planning authority and the Environment Agency;</i></p> <p><i>(b) The measures in the amendment to the operational drainage management plan in respect of the permitted development must be implemented as approved.</i></p> <p><i>(3) In respect of the provision, implementation and maintenance of landscaping –</i></p> <p><i>a) No electricity undertakings permitted development may commence until an amendment to the written Landscape and Ecological Management Plan and associated work programme approved pursuant to requirement 6 (f) in relation to Suffolk and requirement 6 (g) in relation to Kent that includes provision for the replacement of any existing landscape measures to be removed and maintenance of any landscape measures to be provided as</i></p> |
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|  | <p><i>part of the permitted development, has been submitted to and approved by the relevant planning authority; and</i></p> <p><i>(b) The measures in the amendment to the written landscape management plan and associated work programme plan in respect of the permitted development must be implemented as approved.”</i></p> |
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## 2. Landscape and visual

| Questions for East Suffolk Council                                                                                                                                                                                                                                                                                                                                                                                                  | East Suffolk Council Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p><b>3LVIA3</b></p> <p><b>Relevant planning authorities</b></p> <p><i>Lighting</i></p> <p><i>The dDCO includes a provision in requirement 3 for the submission and approval of details of operational lighting. Does this meet your requirements or do you consider that an outline lighting management plan and/ or maximum parameters for lighting are still required? If so, explain why and provide suggested wording.</i></p> | <p>As ESC noted in its response to Question 2LVIA8. of ExQ2, the relevant planning authorities will clearly require control over details of operational lighting – as incidentally is quite normal in the circumstances.</p> <p>ESC has previously requested that an outline lighting management plan be prepared, with a more detailed Lighting Management Plan submitted to the relevant planning authority for approval through a discharge of Requirement 6 of the draft DCO. Whilst ESC acknowledges that operational lighting details for the converter stations are now to be submitted to the relevant planning authority for the discharge of Requirement 3, the relevant planning authority is only to confirm that the submitted details are in general accordance with the Key Design Principles. ESC is concerned that the suggestion of producing a technical statement as a ‘potential associated activity’ for Design Principle N.4 [REP4-073] is not a strong enough control, particularly given that the wording of Requirement 3 of the dDCO [REP5-005] as currently drafted only requires the submitted details to be in general accordance with the Key Design Principles.</p> |

Furthermore, these changes to Requirement 3 do not provide the relevant planning authority with any control over the operational lighting of the Friston Substation, nor are any measures included in the REAC.

ESC therefore continues to request that the Applicant submits an outline lighting management plan covering the operational lighting for both the converter station and substation sites, with a more detailed Lighting Management Plan submitted to the relevant planning authority for approval through a discharge of Requirement 6 of the draft DCO. With regards to specific wording, ESC suggests that Paragraph (1) of Requirement 6 is amended as follows:

(1)

...

(q) *Flood Management Plan (FMP)*; ~~and~~

(r) Code of Construction Practice (which must be substantially in accordance with the outline Code of Construction Practice);

(s) *Lighting Management Plan – Suffolk (which must be substantially in accordance with the Outline Lighting Management Plan – Suffolk)*; and

(t) *Lighting Management Plan – Kent (which must be substantially in accordance with the Outline Lighting Management Plan – Kent)*.

...

Alternatively, if the ExA does not consider it appropriate for outline lighting management plans to be submitted at this stage of the Examination, the following wording could be included as an additional DCO Requirement, which ESC has prepared based on the wording of Requirement 25 in the EA1N and EA2 DCOs:

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|  | <p><b>Control of artificial light emissions during operational phase</b></p> <p>(3) Work Nos. 1B, 3B, 9B and 11 must not begin operation until an operational artificial light emissions management plan for that Work providing details of artificial light emissions during the operation of that Work, including measures to minimise lighting pollution and the hours of lighting, has been submitted to and approved by the relevant planning authority.</p> <p>(4) The approved operational artificial light emissions management plans for Work Nos. 1B, 3B, 9B and 11 must be implemented upon, and maintained during, the operation of the relevant Works.</p> |
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### 3. Ecology and biodiversity

| Questions for East Suffolk Council                                                                                                                                                                                                                                                                                                                                                                                      | East Suffolk Council Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p><b>3ECOL12</b></p> <p><b>ESC, SCC, TDC, KCC, National Trust</b></p> <p><i>Outline Offshore Construction Environmental Management Plan, outline Construction and Environmental Management Plan (oCEMP) [REP5-068] and REAC – Environmental Clerk of Works</i></p> <p><i>Do the local authorities or the National Trust have any concerns relating to the use of an Environmental Clerk of Works as opposed to</i></p> | <p>ESC considers that it is essential that the different REAC Actions are overseen by suitably qualified and experienced people relevant to the action being undertaken. An Environmental Clerk of Works will not necessarily be suitably qualified and experienced to oversee ecological REAC Actions, as their specialism could lie in a different environmental field such as contamination. It is therefore ESC's position that ecology related measures must be overseen by an Ecological Clerk of Works, and that this must be recognised in the OCEMP and REAC.</p> |

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| <p><i>an Ecological Clerk of Works to oversee works, noting that ecology and biodiversity measures originally referred to use of an Ecological Clerk of Works and the term ECoW is used interchangeably within the document? It is noted that REAC [REP5-115] provision B48 still refers to an ecological clerk.</i></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <p><b>3ECOL13</b></p> <p><b>Applicant</b></p> <p><b>ESC, SCC, TDC, KCC</b></p> <p><i>oCEMP [REP5-068] provision B02 – vegetation removal</i></p> <p><i>Confirm whether the provision should read ‘Wherever possible’ rather than ‘The assumption will be’ and if not, suggest alternative wording.</i></p>               | <p>ESC agrees that the provision should read ‘<i>Wherever possible</i>’ rather than ‘<i>The assumption will be</i>’. This is clearer wording and sets out that the position is that vegetation removal is to be undertaken outside of the bird nesting season as the default position.</p>                                                                                                                                                                                                                                                                                                                                                                               |
| <p><b>3ECOL15</b></p> <p><b>Applicant</b></p> <p><b>ESC, SCC, TDC, KCC</b></p> <p><i>oCEMP [REP5-068] provision B05 – two stage habitat manipulation</i></p>                                                                                                                                                             | <p>ESC is content that the provision referring to ‘common reptiles’ is acceptable. The term ‘common reptiles’ is understood to refer to the four reptile species native to Suffolk (grass snake, adder, common lizard and slow worm) which receive partial legal protection under the Wildlife and Countryside Act (1981) (as amended) and which the project will encounter. The other two reptile species native to England (smooth snake and sand lizard) are both European protected species (under the Conservation of Habitats and Species Regulations (2017) (as amended)) but are not found in Suffolk, and therefore the use of ‘common reptiles’ provides a</p> |

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| <p><i>Should this provision refer to ‘reptiles’ rather than ‘common reptiles’ and if not, why not?</i></p>                                                                                                                                                                                                                                                                                                                                        | <p>differentiation where one or both of these species might be encountered alongside one or more of the partially protected species. Whilst this is not the case in Suffolk, the use of countryside terminology is considered to be appropriate.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <p><b>3ECOL16</b></p> <p><b>Applicant</b></p> <p><b>ESC, SCC, TDC, KCC</b></p> <p><i>oCEMP [REP5-068] provision B07, B36, B53 – hedgerow gap filling</i></p> <p><i>Should ‘where practicable’ be removed or an alternative form of wording adopted to ensure that the conclusions of the environmental impact assessment in respect of bats and dormice can be relied on and if not, why not? Where relevant provide alternative wording.</i></p> | <p>ESC agrees that ‘<i>where practicable</i>’ should be removed from these provisions. ESC notes that provision B36 appears to be achieved through the wording of provision B53, and so suggests that provision B36 can, in fact, be deleted in its entirety. ESC also notes that provision B53 does not include this ‘<i>where practicable</i>’ caveat for the reduction of larger gaps in hedgerows/woodland belts to a maximum of 10m during the night, and instead only retains this caveat for the reduction to ‘less than 10m’; ESC is therefore satisfied that the wording of provision B53 does not require any amendment. The Applicant has identified that the mitigation measures set out in these provisions are required to avoid a significant adverse construction impact on foraging and commuting bats. The inclusion of the ‘<i>where practicable</i>’ caveat would introduce unacceptable uncertainty into the likelihood of the necessary measures being implemented and would further emphasise the concern that ESC has over the deliverability of the proposed mitigation for all hedgerow crossing required by the project, as set out in paragraph 7.2.5.5 of the ESC Local Impact Report [REP1-128] and section 3.4 of the ESC Written Response to ISH2 [REP4-117].</p> |
| <p><b>3ECOL19</b></p> <p><b>NE</b></p> <p><b>ESC</b></p> <p><b>SCC</b></p> <p><i>Outline Landscape and Ecological Management Plan</i></p>                                                                                                                                                                                                                                                                                                         | <p>Whilst ESC defers to Natural England on this matter, we suggest that there is value in the OLEMP recognising the importance of the Leiston-Aldeburgh SSSI area for water vole. However, we do not consider that there needs to be a specific watching brief for water voles during HDD activities in case of a frac out event. Instead, we would suggest that there is a general watching brief for frac out (which we understand that the Applicant is already committed to), and in the event that there is a frac out, that a suitably qualified and experienced Ecological Clerk of Works is available to provide detailed advice. This would likely be a better use of resources</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| <p><i>Should the Suffolk oLEMP [REP4-065], or another control document, be updated to identify sensitive areas for water vole or the need for a watching brief within Leiston-Aldeburgh SSSI to minimise risks of impacts in the event of frac out and if not, why not?</i></p> | <p>than having an Ecological Clerk of Works present onsite throughout the HDD works solely providing a watching brief for water voles.</p> |
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## 8. Traffic and transport

| Questions for East Suffolk Council                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | East Suffolk Council Response                        |
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| <p><b>3TT9</b></p> <p><b>SCC</b></p> <p><b>ESC</b></p> <p><b>Saxmundham Town Council</b></p> <p><i>HGV cap for B1121 and B1119 junction</i></p> <p><i>Within the submitted CTMP [REP5-064] the applicant states that there would be daily cap of ten HGV movements imposed at the B1121 Main Road/ B1119 Church Street signalised junction within Saxmundham, to minimise potential impacts of construction traffic at this location (associated with works at S-BM12). Respond to this commitment</i></p> | <p>ESC defers to SCC as Local Highway Authority.</p> |

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| <p><i>and state whether this would overcome concerns with regards to traffic at this junction?</i></p> |  |
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**9. Air quality**

| <p>Questions for East Suffolk Council</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>East Suffolk Council Response</p> |
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| <p><b>3AQ2</b></p> <p><b>SEAS</b></p> <p><b>ESC</b></p> <p><i>Model adjustment factors</i></p> <p><i>SEAS: In <a href="#">[RR-5210]</a> and <a href="#">[REP2-121]</a> SEAS made comments on the use of an adjustment factor of 3.79. In response, the applicant has explained why it considers this adjustment factor is appropriate. Does SEAS remain concerned regarding the adjustment factor and if so, can it explain what additional sensitivity testing or verification it considers to be necessary and why?</i></p> <p><i>ESC: May wish to comment.</i></p> | <p>ESC has no comment.</p>           |
| <p><b>3AQ3</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <p>ESC has no comment.</p>           |

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| <p><b>Applicant</b></p> <p><b>ESC</b></p> <p><b>TDC</b></p> <p><i>Modelling parameters</i></p> <p><i>Explain why there is a difference in approach to surface roughness parameters and NOx to NO2 conversion in the updated appendix B technical note [REP5-136] compared with the original modelling report [APP-186]?</i></p> <p><i>The ExA notes that surface roughness parameters have changed from 0.5 to 0.3 m and the updated technical note uses a NOx to NO2 conversion rate of 70%, whereas the original assessment applied the Defra calculator.</i></p> <p><i>ESC and TDC may wish to comment.</i></p> |                                                                                                                                                       |
| <p><b>3AQ4</b></p> <p><b>ESC</b></p> <p><b>TDC</b></p> <p><b>Royal Society for the Protection of Birds (RSPB)</b></p> <p><b>NE</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>At this stage, ESC has no suggested amendments to the Outline Air Quality Management Plan, nor any suggestions for other air quality controls.</p> |

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| <p><i>Outline Air Quality Management Plan (oAQMP) and other air quality control measures (REAC and oCEMP)</i></p> <p><i>Comment on whether any further amendments to the oAQMP [REP5-074], [REP5-076] or other air quality controls are required and propose alternative drafting where relevant.</i></p> |  |
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## 10. Noise and vibration

| Questions for East Suffolk Council                                                                                                                                                                                                                                                                                                                                                             | East Suffolk Council Response                                                                                                                                                                                                                                                                                                                                    |
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| <p><b>3NV2</b></p> <p><b>ESC</b></p> <p><b>TDC</b></p> <p><i>Night time working controls for arrivals and departures from site</i></p> <p><i>The applicant's response to 2NV2 [REP5-135] suggests that day time controls in the REAC [REP5-115] or the outline Construction Noise and Vibration Management Plan (oCNVMP) [AS-131] [AS-133] are sufficient to control arrival/departure</i></p> | <p>Night time working would require prior approval through the application of a S61 Notice under the Control of Pollution Act 1974 (unless the works were undertaken in the case of an emergency). Under a Section 61 Notice, the details of arrivals and departures from site would be provided within the application for approval by the Local Authority.</p> |

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| <p><i>noise for 24 hour working. Notwithstanding the councils' position on working hours, are the councils satisfied that the proposed control measures would otherwise be sufficient to control night time noise? If not, suggest drafting for any other controls that might be required.</i></p>                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <p><b>3NV4</b></p> <p><b>Applicant</b></p> <p><b>ESC</b></p> <p><b>TDC</b></p> <p><i>oCEMP [<a href="#">REP5-068</a>] measures NV04 and NV05</i></p> <p><i>Can the applicant include reference to the British standard methodology (or its successor) that would be followed in these measures and if not, why not?</i></p> <p><i>ESC and TDC may wish to comment.</i></p> | <p>For both NV04 and NV05, BS5228 part 1 and 2 methodologies should be used. Best Practicable Means (BPM) under Section 72 of the Control of Pollution Act 1974 and British Standard will also need to be incorporated.</p>                                                                                                                                                                                                                                                                     |
| <p><b>3NV5</b></p> <p><b>ESC</b></p> <p><b>TDC</b></p> <p><b>RSPB</b></p>                                                                                                                                                                                                                                                                                                  | <p>Construction noise limits must accord with BS5228 'ABC' methodology thresholds and vibration with the BS5228-2 relevant level. BPM should be committed to in order to reduce noise and vibration levels to the lowest reasonable level regardless of the construction limits. S.61 should be used for all works to demonstrate compliance with this and to allow regular review, input from ESC, and a means of ongoing regulation of the project using the industry standard procedure.</p> |

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| <p><b>NE</b></p> <p><i>Outline Construction Noise and Vibration Management Plan and other noise control measures (REAC and oCEMP)</i></p> <p><i>Comment on whether any further amendments to the oCNVMP or other noise controls are required and propose alternative drafting where relevant.</i></p> |  |
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## 11. Socio-economics, recreation and tourism

| Questions for East Suffolk Council                                                                                                                                                                                                                | East Suffolk Council Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
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| <p><b>3SERT2</b></p> <p><b>Applicant</b></p> <p><b>KCC</b></p> <p><b>SCC</b></p> <p><b>East Suffolk Council</b></p> <p><b>Thanet District Council</b></p> <p><b>Dover District Council</b></p> <p><i>Tourism monitoring and contributions</i></p> | <p>ESC has provided a response to question ExQ3 within the socio-economics section of the ISH3 Post Hearing Action Points document.</p> <p>Due to time constraints, ESC and SCC have not yet managed to agree Requirement wording for Deadline 6.</p> <p>However, ESC and SCC met with the Applicant on 1st April to discuss the Applicant's REAC Commitment SE05 [<a href="#">REP5-115</a>].</p> <p>At the meeting, all parties agreed that there is value in a collaborative approach to monitoring the potential tourism impacts of the proposed project and discussed how this could work in practice. The Applicant agreed to review its REAC Commitment SE05 and submit the revised document by Deadline 6. ESC will review and comment on the revised commitment at Deadline 7.</p> |

SCC [REP5-185] has stated that the applicant should commit to monitor effects on accommodation capacity and tourism in coordination with cumulative developments. SCC also suggests a proportionate contribution to foster tourism, similar to the fund created by Sizewell C, if further embedded mitigation is not feasible.

*Applicant: The ExA requires that the applicant commit within the DCO to monitoring of tourism impacts (including the availability of accommodation) through the construction and into the operational phases. Could this include a tourism fund, if the monitoring demonstrates significant tourism impacts? If this is not included, provide reasons why not.*

*All County and District Councils: The ExA require that the Councils work together to provide wording for a requirement for the applicant to monitor the effects of the proposed development on tourism and accommodation, with adaptive management/mitigation if required.*

In addition, the mechanism by which the Applicant might work with both the Councils and tourism stakeholders was explored, and the Applicant agreed to consider the proposals and commitment described within ISH3 Post Hearing Action Points document.

The Councils ask that the Applicant commits to the following principles:

1. To work with local tourism stakeholders through the Applicant's active involvement and representation at established tourism working groups. The Councils would establish a dedicated sub-group to facilitate local stakeholder engagement and enable a structured approach to appropriate tourism related monitoring requirements, mitigation and adaptive management activities associated with the proposed project.
2. To jointly develop and agree terms of reference for the sub-group, ensuring that the purpose and scope of the sub-group is clear, and to meet regularly, at a mutually agreed frequency, throughout the calendar year.
3. To meet either in person or remotely, depending on the practicalities of doing so, to ensure the effective participation of all stakeholders at the sub-group meetings.
4. To jointly agree and establish appropriate mechanisms for collecting, analysing, and acting on data that is appropriate and supportive of the tourism sector.
5. To recognise that it is only through the establishment of effective feedback loops that all stakeholders, including the Applicant, can identify any potential opportunities and issues affecting the tourism sector and to plan accordingly.

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <p>The focus would be on tourism accommodation monitoring, but monitoring objectives may also be expanded to other thematic areas such as non-home-based (NHB) worker spend data, provided it is mutually beneficial and agreed by all parties. This approach would be maintained during the construction period and considered for continuation into the operational period if appropriate and agreed by all parties.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p><b>3SERT3</b></p> <p><b>Applicant</b></p> <p><b>KCC</b></p> <p><b>ESC</b></p> <p><b>SCC</b></p> <p><i>Permissive Paths</i></p> <p><i>Within the REAC [REP5-115] the applicant has stated under LV13 that it would consider opportunities to provide permissive access across the Saxmundham Converter Station site and establishing an attractive amenity value for users of the permanent PRow diversions.</i></p> <p><i>Applicant: Provide a plan of the potential permissive paths. Furthermore, explain why a permissive path rather than a public right of way is proposed.</i></p> | <p>Whilst ESC defers to SCC as the Local Highway Authority, ESC provides the following comment. Permissive paths are often used to provide links between public rights of way or other highways when the landowner has no intention to dedicate it as a public right of way/highway. A formal agreement for the provision of a permissive path between a landowner and a local authority can be made – often referred to as a ‘licensed’ path – the agreement/licence might provide for the path to remain available to the public for a stated period but cannot be entirely relied upon as permanent public access. Permissive paths are not generally subjected to rights of way law and are not expected to be provided to the same condition or standard as a public right of way (unless agreed otherwise as part of a ‘licensed’ path agreement). An exception is the power of a highway authority to require overhanging vegetation to be cut back. This applies to ‘any road or footpath to which the public has access’ (Highways Act 1980 s154). The user will also be owed a duty of care via Occupiers’ Liability Acts 1957 &amp; 1984.</p> <p>In contrast, public rights of way provide permanent public access unless a public path order is made and confirmed to divert or extinguish the way. PRow are subjected to rights of way law, and the highway authority have a duty to serve and protect the network. Owners of the land over which a PRow crosses also have a duty to ensure the path remains available and safe to use at all times – this also includes a duty to inform the Highway Authority of any proposed works on or adjacent to a PRow.</p> |

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| <p><i>SCC and ESC: Comment on the use of permissive paths as opposed to public rights of way, in terms of value for users and functionality for example.</i></p> |  |
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### 13. Onshore Cumulative effects (intra-project)

| Questions for East Suffolk Council                                                                                                                                                                                                                                                                                                                                                                                                                                              | East Suffolk Council Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
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| <p><b>3CEIntra2</b></p> <p><b>Applicant,</b></p> <p><b>All Councils</b></p> <p><i>REAC commitment (GG40) to review / mitigate significant intra-project cumulative effects</i></p> <p><i>Do you agree with the proposed wording for REAC commitment GG40 offered by SCC in answering ExA question 2CEIntra2 in <a href="#">[REP5-204]</a>?</i></p> <p><i>In responding clearly explain your reasoning for your position and provide/justify any changes to the wording.</i></p> | <p>In response to ExQ1 Question 1CEIntra2, ESC requested that the Applicant commit, via a REAC measure, to reviewing what specific mitigation measures are practicable and could mitigate the identified intra-project cumulative effects for which “no mitigation has been confirmed at this stage”. ESC advised in response to ExQ2 Question 2CEIntra2 that it was satisfied that the additional REAC commitment GG40 addressed its previous request. ESC understands that SCC’s proposed amendments to REAC commitment GG40 provided in its response to ExQ2 Question 2CEIntra2 <a href="#">[REP5-204]</a> would require the Applicant to consider offsetting measures if no additional mitigation measures are found to be appropriate. ESC supports this proposal. ESC also welcomes SCC’s suggestion in sub-paragraph (d) for any mitigation/offsetting measures to be agreed with the local authority with a timetable for their implementation. ESC therefore supports SCC’s proposed wording for REAC commitment GG40.</p> |

## 15. Marine physical environment

| Questions for East Suffolk Council                                                                                                                                                                                                                                                                                                    | East Suffolk Council Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
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| <p><b>3PE4</b></p> <p><b>ESC, TDC, EA, MMO</b></p> <p><i>Outline Offshore CEMP [REP5-066] provision MPE06</i></p> <p><i>Confirm whether the beach profile and erosion rates monitoring provision in MPE06 should be subject to the caveat 'where rock bags are planned to be placed' and if not, suggest alternative wording.</i></p> | <p>ESC strongly objects to the inclusion of the caveat '<i>where rocks are planned to be placed</i>' in provision MPE06, and considers that the monitoring provision should extend over the whole nearshore and foreshore.</p> <p>ESC suggests the following wording for provision MPE06:</p> <p><i>“Over the operational lifetime of the Proposed project, monitoring of the beach profile and erosion rates across the nearshore and foreshore is <b>to be</b> carried out at the Suffolk and Kent landfall site. <del>where rock bags are planned to be placed at the Horizontal Directional Drilling (HDD) exit pits.</del> Systematic topographic surveys must be carried out on the 'dry' portion of the landfall route, and bathymetric surveys over the 'wet' portion, as part of a post-construction monitoring programme. Subsequent change analysis must be conducted and reported on, with the changes compared to a) the baseline survey and b) the previous survey. The depth of cable burial relative to the surveyed surface levels should be stated. Surveys where rock bags are planned to be placed at the Horizontal Directional Drilling (HDD) exit pits are required to check that scour volumes are as predicted by sediment modelling.”</i></p> |

13<sup>th</sup> April 2026