

Norwich to Tilbury NSIP Examination - Deadline 6

Colchester City Council's Responses to Action Points from ISH3 and ISH4, the Rule 17 letter, plus comments on D5 submissions.

From the ISH3 Action Points Table

9 Schedule 4 (discharge of requirements):

- as referred to by Suffolk CC, noting its response to the Sea Link DCO (Sea Link examination library reference [REP7-366]), the applicant and all local authorities are to provide a revised draft of Schedule 4 (Discharge of Requirements). This must include provisions enabling the secretary of state to call in any submissions made to a relevant discharging authority which seek to discharge requirements either in whole or in part.
- it would assist the examining authority if a collaborative approach could be undertaken by all local authorities with a view to providing a single preferred set of revised wording to Schedule 4 for deadline 6.

SCC, in coordination with the other Host Local Authorities, promotes the drafting as follows (as a revision to Schedule 4) and CCC supports this approach -

Reference of applications or requests to the DESNZ post-consent unit

1A.—(1) Subject to sub-paragraphs (7) and (8), the DESNZ post-consent unit may give directions requiring an application for any consent, agreement or approval required by a Requirement to be referred to them instead of being dealt with by the authority mentioned in that requirement.

(2) A direction under this article may relate to a particular Requirement, or to any Requirement.

(3) Any application in respect of which a direction under this article has effect must be referred to the DESNZ post-consent unit accordingly.

(4) Subject to sub-paragraph (5), where an application to which this paragraph applies is referred to the DESNZ post-consent unit, Schedule 3 (requirements) applies, with any necessary modifications, as it applies where such an application is to be determined by the relevant planning authority or discharging authority.

(5) Before determining an application to which this paragraph applies the DESNZ post-consent unit must consult –

(a) the relevant planning authority, relevant highway authority or other discharging authority mentioned in the Requirement; and

(b) any person named in that Requirement as a consultee.

(6) Notwithstanding the provisions of this paragraph, the undertaker must provide the relevant planning authority with the written notice mentioned in Requirement 3 (stages of the authorised development) in accordance with the provisions of that Requirement.

(7) The power of the DESNZ post-consent unit under this paragraph cannot first be exercised until they have served notice on the relevant planning authority, the relevant highway authority and other discharging authority confirming –

(a) they have been established by the Secretary of State;

(b) they are capable of determining an application to which this paragraph applies; and

(c) the date from which they are so capable.

(8) In this paragraph, “DESNZ post-consent unit” means a unit established within the Department for Energy Security and Net Zero by or on behalf of the Secretary of State for the purpose of determining any application for consent, agreement or approval required by a Requirement contained in a development consent order.

From the ISH4 APs Table

Agenda item 5: landscape and visual effects 5.1 Mitigation and compensation

1) Provide an update on the progress of the draft section 106 agreement regarding landscape enhancement (a response is sought from both the applicant and all local authorities).

ECC are leading on this matter/section 106 agreement. This is still under discussion and NGET and the host LPAs met on the 7/7/2027. In short, the LPAs favour a bilateral agreement, but NGET were proposing Unilateral Undertakings. At the meeting it was held that that is no longer the case and now NGET are proposing to

deal with the matters by requirement/articles. CCC will comment on this once they have seen the requirement/article submission, wording and justification.

From the Rule 17 Letter ref EN020027:

2. Socio-economic matters deferred from issue specific hearing 4 Employment and Skills Plan:

a) The ExA asks all local authorities for their comments on the outline ESP [REP5 215], including whether they consider the applicant has adequately addressed the matter of supply chains within the document bearing in mind the number of other Nationally Significant Infrastructure Projects consented in the vicinity of the proposed development. If not, do they suggest any measures the applicant could consider, if any, to address any concerns raised.

In response, ECC have drafted a response to the ESP and CCC support that. For clarity, the response is set out below:

The Council welcomes the inclusion of supply chain considerations within the outline ESP and recognises the applicant's intention to maximise opportunities for local and regional businesses through early engagement, the use of established networks, and alignment with National Grid's procurement frameworks.

The measures outlined, such as engagement via Chambers of Commerce, "Meet the Buyer" events, and encouraging contractors to consider local, SME and diverse suppliers—represent a positive foundation. However, the Council does not consider that the outline ESP has fully or adequately addressed the cumulative implications for supply chains arising from the number of Nationally Significant Infrastructure Projects (NSIPs) consented or progressing within the same geographic area.

In particular:

- *Cumulative pressure on local supply chains:
While the document recognises local engagement, it does not sufficiently assess or respond to the potential strain on local businesses, materials, and services resulting from concurrent major infrastructure projects in the region.*
- *Coordination across projects:
There is no clear mechanism for coordination with other NSIPs to manage overlapping demand for goods, services, and labour. This creates a risk of inflationary pressures, reduced availability of suppliers, and missed opportunities for strategic alignment across projects.*
- *Support for local businesses:
The current proposals focus primarily on advertising opportunities rather than actively enabling participation. There is limited detail on how local*

businesses—particularly SMEs—will be supported to navigate procurement processes, meet compliance requirements, and compete effectively.

Suggested Measures

To address these concerns, the Council recommends that the applicant strengthens the ESP through the following measures:

- *Enhanced business support:*
Provide targeted support to local businesses, including:
 - *Guidance on procurement processes and requirements*
 - *Training on bidding for contracts*
 - *Support to meet compliance, standards, and accreditation requirements.*
 - *This should not only relate to this project but also enable businesses to access opportunities arising from other nearby infrastructure projects.*
- *Strategic coordination:*
Commit to working collaboratively with other NSIP promoters and relevant stakeholders to:
 - *Share supply chain intelligence*
 - *Coordinate procurement timing where feasible*
 - *Minimise cumulative adverse impacts on local businesses*
- *Supply chain impact assessment:*
Include clearer analysis of cumulative demand across projects and how this will be managed or mitigated.

b) Requirement 15 – Inclusion within Schedule 3 of the Draft DCO [REP5-060]

The Council supports the inclusion of a requirement within the draft Development Consent Order to secure the Employment, Skills and Procurement Strategy.

The Council's position is as follows:

- *Formal approval requirement:*
The ESP should be subject to approval by the relevant local authorities prior to implementation.

- **Timing:**
Approval should be secured no later than six months prior to the commencement of development, to allow sufficient time for effective planning, coordination, and mobilisation of local supply chains and skills provision.
- **Ongoing governance and monitoring:**
The requirement should ensure that:
 - *The approved strategy includes clear delivery commitments*
 - *Monitoring and reporting mechanisms are secured*
 - *The strategy can be reviewed and updated periodically in agreement with the relevant local authorities*

Other matters

- **Stakeholder-led delivery structure:**
Establish a dedicated supply chain, employment and skills steering group comprising:
 - *Local authorities*
 - *Department for Work and Pensions*
 - *Further education providers*
 - *Greater Essex Careers Hub*
 - *Chambers of Commerce and business organisations*

This group should help shape delivery, ensure alignment with local economic conditions, and maximise benefits.

- **Monitoring and adaptability:**
Introduce a robust reporting and review framework, including:
 - *Quarterly monitoring reports*
 - *Annual review and republication of the strategy*

This will ensure the ESP remains responsive to evolving labour market conditions and economic pressures.

- **Separation from community benefits:**
The Council emphasises that employment, skills, and supply chain measures should be clearly distinguished from community benefits, ensuring that economic development commitments are properly defined, secured, and delivered.

Conclusion

In summary, while the outline ESP provides a positive starting point, further strengthening is required to address cumulative supply chain pressures, improve support for local businesses, and ensure effective coordination with other infrastructure projects. Securing the ESP through a robust DCO requirement, with local authority approval and clear monitoring provisions, will be essential to ensuring the strategy delivers meaningful and measurable local benefits.

b) Views are sought from the applicant, as well as all local authorities, as to whether approval of the submitted document should be secured within the wording of the new requirement (requirement 15) in schedule 3 of the draft DCO [REP5 060] relating to the ESP.

Yes, it should, and CCC suggest the following wording:

15. Employment and Skills Plan

(1) No stage of the authorised development may commence until an employment and skills plan (which must be substantially in accordance with the outline employment and skills plan) has been submitted to and approved by the relevant county planning authority and Thurrock Council.

(2) The authorised development must be carried out in accordance with the approved employment and skills plan submitted further to sub-paragraph (1) unless otherwise agreed with the relevant county planning authority and Thurrock Council.

(3) The employment and skills plan must be submitted to the relevant county planning authority and Thurrock Council for approval no later than six months prior to the commencement of any of stage of the authorised development.

CCC also has the following comments on two important submissions from IP's at D5:

- The Planscape Landscape and Visual Technical Note [REP5-277] and
- The Landscape Partnership Landscape Sensitivity Appraisal [REP5-226]

CCC wish to thank the respective groups who commissioned the reports in this vitally important area in landscape terms. Both reports demonstrate the severity of the impacts on the Colne Valley. It shows that NGETs responses are too broad brush and hence the commissioned reports looking at the area with a more granular view. They demonstrate that the Colne Valley meets the criteria for a valued landscape.

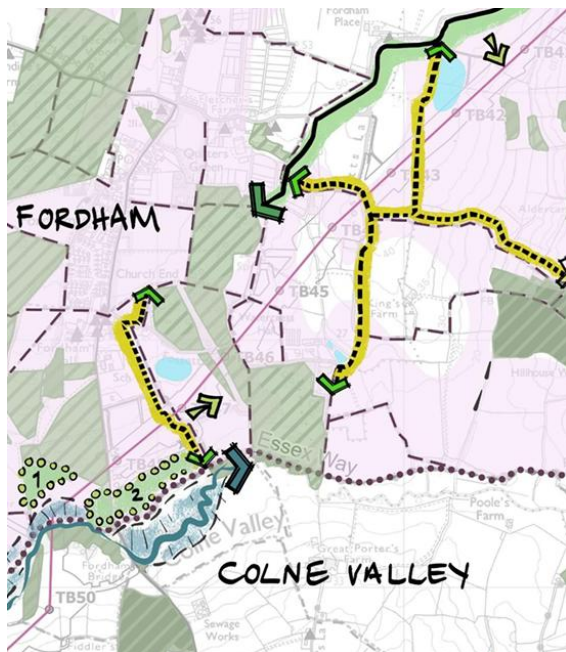
CCC wants to once again repeat that NGET have not responded to the findings of its own reports nor the new reports and should have provided undergrounding here. It is common ground that the Colne Valley is special, but NGET have not responded to this value in a meaningful way with actual scheme changes.

As an example, pylons are located just outside the National Landscape. The applicant considers that as soon as you leave the NL residual harm is acceptable. EN5 clearly states it is not. The Colne Valley is contiguous with the NL and is of a special quality as set out by the reports noted above. The two landscapes sit side by side and are used contiguously and are experienced contiguously. The access routes into the NL are via the Colne Valley, passing beneath the proposed infrastructure. The Colne Valley has many of the same characteristics of the NL and has clear links to it.

CCC would like to comment on the proposed Draft Colne Valley Constraints and Opportunities Plans:

Regarding Appendix E of NGETs response to AP27, CCC have had no discussions about this masterplan nor are we clear if the 'proposed/potential' works are in land NGET own or control or will do in the future. This was noted by an IP at ISH4. It was clear for at least some of the sections of the route where masterplans have been provided, landowners are not in agreement with the suggested planting and therefore CCC question the deliverability of these proposals.

Specifically in the Colne Valley (snip below), it is noted that planting a hedge alongside the road does not mitigate the impact of the pylons, it simply reduces the visibility of the valley itself.



CCC submit that this is not characteristic of the Colne Valley. The open views however are characteristic of the valley and are part of the reason the area is so special in landscape terms. The suggested enhancements will not adequately mitigate the degree of harm that the pylon alignment will cause which is a matter of landscape scale harm due to the nature of the proposed OHL and towers.

Regarding the 5 year tree monitoring period, CCC have previously set out how this is clearly insufficient and require a 10 year period to ensure the planting takes and to ensure that trees that die in the later years are replaced. The ExA raised the failure of the planting on the A14 in the Cambridge area, noting the similarities in location and climate. This is a very useful example of why long term monitoring is considered essential.

CCC would also like to comment on the applicant's additional Viewpoints.

NGET consider that following the submission of the additional viewpoints and visualisations there is no change to the level of significance.

CCC think they helpfully show there is a meaningful impact on the final sighting of the pylons and the final height of the pylons.

Looking at each of the VP's in turn:

Figure: 7.12.F99_VP4.01c(ii) Boxted airfield – minor change so agreed not significant.

Figure: 7.12.F106_VP4.08c(ii) Fordham is negligible change so agreed.

Figure: 7.12.F106_VP4.08e(ii) Fordham is materially worse.

Figure: 7.12.F106_VP4.08g(ii) Fordham – agreed limited change due to nature of VP.

Figure: 7.12.F109_VP4.11c(ii) PRoW Aldham 15 is materially worse.

Figure: 7.12.F109_VP4.11e(ii) south of PRoW Aldham 15 is very clearly materially worse.

Figure: 7.12.F109_VP4.11g(ii) Aldham is materially worse.

Figure: 7.12.F118_VP4.21c(ii) Marks Tey is materially worse.

Figure: 7.12.F121_VP4.24c(ii) Essex Way at Fordham is materially worse.

Figure: 7.12.F134_VP4.37c(ii) Hines Close is very materially worse. It shows a very useful example of how the impact on neighbours at the extreme end of the LoD which demonstrates why the LoD must be restricted to its absolute workable limit.