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Date: 7 July 2026
Sent Via Email:
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Dear Ms Hunt,

Application by National Grid Electricity Transmission (NGET) for a Development Consent Order (DCO) for the proposed Norwich to Tilbury Project (Application Reference: EN020027).

Essex County Council (ECC) Norwich to Tilbury Deadline 6 Submission.

- i. The purpose of this submission is to provide a response to the Action Points arising from ISH3 and ISH4, the Rule 17 letter (30 June 2026) published following ISH4 in respect of questions pertaining to Socioeconomics and the Development Consent Order together with comments on any further information or submissions made at Deadline 5 including the updated outline Code of Construction Practice and the outline Employment and Skills Plan.

1. Comments on any further information or submissions received by Deadline 5

Highways and Transportation

- 1.1. ECC commentary on the further submissions received by Deadline 5 are available in Appendix A.

Ecology

- 1.2. ECC is aware that the Outline Code of Construction Practice (CoCP) and the Landscape and Ecological Management Plan (LEMP) are currently being updated for submission by the Applicant at Deadline 6 of this Examination. It is expected that

these updates will include text as agreed with the Applicant and their consultants at a meeting on 11th June 2026.

1.3. The Outline LEMP should include (somewhere from section 6.1.4):

'Where no bat roost has been identified during surveys, but removal of a potential roosting features is necessary (either PRF-I or PRF-M), compensation measures will be provided to preserve the overall bat roosting resource of the local area in the short-term. A provision of bat boxes and/or veteranisation of retained trees, equating to 10% of the total number of trees with potential roost features to be removed, will be provided across the Project.

The bat boxes to be installed will be made of either woodcrete or woodstone, to ensure durability, and be suitable for use by a range of bat species. Suitable examples include the Schwegler 2F bat box that is suitable for the smaller UK bat species, Schwegler 1FF bat box suitable for both smaller and larger UK species and Schwegler 1FD bat box with internal panels suitable for small crevice dwelling species.

The compensation features (boxes or veteranisation) will aim to be distributed across the Project (Sections A – H), although not necessarily in equal proportions. Compensation feature locations will be selected by the Ecological Clerk of Works (ECoW) based on professional judgement of site suitability and the potential for greatest benefit. The following considerations will inform the final siting of the compensation features across the Project:

- boxes/veteranisation should primarily be located in the vicinity of PRFs that have been removed as part of the Project;*
- the context of retained roost resource in an area should be considered. Where there is already a high availability of PRFs in an area, boxes should be located in alternative suitable locations to improve roosting opportunities in areas of lower roost resource;*
- boxes/veteranisation should be sited in unlit habitats with good connectivity to available bat foraging habitats in the wider landscape;*
- boxes will be installed on suitable retained mature trees within the Order Limits or outside the Order Limits via voluntary agreement with the relevant landowner.*
- the on-site installation/creation of compensation features will be undertaken under the direction of a suitably qualified ECoW;*
- boxes should be fixed to mature, healthy trees, as otherwise they can be damaged in bad weather (e.g. by a falling branch);*
- boxes should be sited between 3-4m high;*

- *boxes should be fixed according to manufacturer guidance. They should be fixed to allow tree growth and avoid damage to the tree supporting them;*
 - *a range of different compensation features (including box types/veteranised features) should be used in different locations/aspects (particularly in terms of the amount of exposure to sun and shade) is likely to be increasingly important in the face of climate change.*
 - *boxes with vertical openings at the base are preferred as they are self-cleaning, and prevent horizontal internal areas being used by birds for nesting;*
 - *veteranisation features should be designed using the Bat Tree Habitat Key (BTHK), which provides a comprehensive database of tree roosts including roosting features, dimensions and tree species. The BTHK can be utilised to take the average dimensions of the features being lost / requiring compensation specific to species being targeted.'*
- 1.4. ECC is also expecting wording being added to the oLEMP at Deadline 6 to confirm that the Ecology Working group can review the ECoW structure and key individuals qualifications.

Green infrastructure

8.9.2 Applicant's Response to Second Written Questions [REP5-211]

- 1.5. ECC notes the Applicant's response in BIO 2.14 (Table 4.1, pp.50–52), which confirms that off-site BNG site selection will prioritise alignment with Local Nature Recovery Strategies (LNRS). While this is welcomed, ECC therefore requests that the Applicant clearly demonstrate how LNRS mapping has informed the identification and selection of BNG sites and commits to securing BNG delivery that is demonstrably aligned with LNRS priorities. Also, ECC considers that the LNRS should inform the project as a whole, guiding mitigation, enhancement and compensation measures, rather than being applied solely to the delivery of off-site Biodiversity Net Gain.
- 1.6. ECC considers that GI forms an integral part of the mitigation, enhancement and compensation strategy for a project of this scale, particularly in the context of cumulative and linear impacts. ECC therefore recommends that GI, Landscape and BNG delivery is embedded within the DCO framework and aligned with LNRS to ensure coherent, strategic and multifunctional environmental outcomes across Essex.
- 1.7. ECC notes that, in response to LUS 2.5 (Table 9.1 Land Use, Soils and Green Infrastructure), the Applicant has not provided any new substantive information and

instead refers to its previous responses in REP4-299; on this basis, ECC has no further comments to add at this stage.

7.4 Outline Landscape and Ecological Management Plan (Tracked) (Final Issue E) [REP5-157]

- 1.8. ECC notes the updates made to the Outline LEMP (Revision E), including the addition of the Arboricultural Impacts Plan and increased detail on vegetation management, reinstatement and species mitigation. These changes are welcomed in improving the clarity of baseline impacts and proposed mitigation at a local level. However, ECC notes that these updates do not address previous comments regarding the strategic role of GI within the OLEMP, which therefore remain outstanding. In particular, the document continues to focus on site-level mitigation and reinstatement, without demonstrating how GI delivery will be coordinated as a connected, multifunctional network across the project or aligned with wider spatial priorities.
- 1.9. ECC also notes that the OLEMP excludes the delivery of off-site BNG, which further limits its ability to secure a coherent, landscape-scale approach to biodiversity enhancement and GI provision.
- 1.10. To strengthen the OLEMP, ECC recommends that the final document:
 - clearly sets out how GI will be delivered as a connected network, including how Environmental Areas and reinstatement proposals contribute to wider ecological connectivity.
 - demonstrates how onsite mitigation and habitat creation will complement off-site BNG delivery and wider environmental objectives; and
 - includes clearer principles or metrics for monitoring GI outcomes, beyond site-specific establishment and aftercare measures.

7.16 Design Approach for Site Specific Infrastructure (DASSI)(Tracked) (Final Issue C) [REP5-166]

- 1.11. ECC welcomes the inclusion of a dedicated Nature Recovery Strategies and Local Green Infrastructure Design Principle (Section 5.7) and the strengthened reference to maximising green infrastructure links within the updated DASSI. While these additions are positive, ECC considers that they remain framed at a high level and are not supported by clear evidence of how the Essex Local Nature Recovery Strategy (LNRS) has informed the siting, layout or spatial connectivity of Environmental Areas or wider mitigation proposals. In particular, the continued emphasis on

Environmental Areas as site-level mitigation and on planting for visual screening suggests that GI is still being treated primarily as a landscape response rather than as a strategic, multifunctional network. ECC therefore maintains its position that further clarity is required to demonstrate how GI and LNRS have been embedded into the design process, including how green infrastructure links have been defined, mapped and secured to deliver connectivity beyond individual sites.

GI Comments on the Norwich to Tilbury Masterplans – 1 July 2026 [REP5-199]

- 1.12. While the Applicant's reference to the Essex LNRS within the masterplans is welcomed, this is limited in scope. The masterplan is for those areas identified as most impacted by the ExA, rather than across the scheme as a whole. As such, it only partially addresses ECC's previous recommendation that the LNRS should function as a supplementary strategic evidence layer to inform the identification and spatial alignment of mitigation, compensation and enhancement measures across Essex, and not solely in relation to off-site biodiversity net gain (BNG) delivery.
- 1.13. The submitted masterplans do not demonstrate that LNRS mapping has been incorporated into the project baseline as an equal dataset for the evidence layer.
- 1.14. In contrast to the constraint's plans, which present defined and detailed landscape, heritage and ecological information, the opportunities plans are high-level, illustrative and indicative. They are framed as providing "strategic support" only and are not used as a core analytical layer to inform spatial decision-making.
- 1.15. The supporting text makes clear that the opportunities shown are draft and represent potential enhancements rather than measures that guide mitigation or compensation. Although Appendix D (Ardleigh) references Glebe Corner, identified by ECC as a potential compensation site currently under discussion, this appears to be an exception rather than evidence of a systematic approach.
- 1.16. The Applicant instead emphasises delivery of the 10% BNG requirement as the primary ecological mechanism. There is limited indication that the LNRS has been used to shape a broader compensation strategy or to support landscape-scale ecological restoration in line with Essex LNRS priorities.
- 1.17. While the text refers to opportunities for woodland, hedgerow and grassland enhancement, the mapping itself provides limited spatial clarity. Apart from general references (e.g. tree and hedgerow planting, connectivity improvements, and links to green and blue infrastructure), it does not clearly identify where specific habitat

creation or enhancement, (such as grassland), would occur, nor how these align with LNRS habitat targets. Furthermore, other relevant habitat types, such as scrub, freshwater (including standing water and river buffer habitats), are not explicitly identified, although the latter habitat types may be broadly captured under “blue infrastructure”. This lack of specificity limits confidence that measures are strategically targeted to LNRS priorities.

- 1.18. The Applicant explicitly states that the opportunities plans do not indicate agreement, and do not commit to delivery, with any measures subject to NPS policy and further consideration. In addition, no landowner discussions have taken place and many opportunities lie outside the Order Limits, meaning delivery would rely on voluntary agreement and cannot be assured. This significantly reduces the weight that can be given to the identified opportunities, particularly in the areas most affected by the Project.
- 1.19. Although some opportunities on local authority land are acknowledged as having greater delivery potential, the overall position remains that the plans are conceptual and non-committal. The inclusion of LNRS linkages signals general alignment with strategic ambitions but does not address deliverability risk or secure outcomes.
- 1.20. ECC therefore maintains that the LNRS should be embedded as a core spatial evidence layer within both the baseline and the identification and alignment of mitigation and compensation measures, rather than being treated as contextual support. As currently presented, the masterplans remain high-level, uncertain, and limited in their ability to demonstrate a robust, deliverable, and strategically aligned approach to environmental mitigation and compensation.

Archaeology

Outline Archaeological Mitigation Strategy/Outline Written Scheme of Investigation (OAMS/OWSI) [REP5-161]

- 1.21. A revised version of the outline archaeological mitigation strategy and outline written scheme of investigation (OAMS/OWSI) was provided at Deadline 5 (7.5 Outline Archaeological Mitigation Strategy and Outline Written Scheme of Investigation (Tracked)(Final issue B) [REP5-161]. A number of changes have been made in line with ECC recommendations. There remain only a few outstanding issues, detailed comments on which have been provided direct to the archaeological consultants as requested. The remaining issues relate to the geoarchaeological investigations, the trial trench proposals and proposed mitigation.

Geoarchaeology

- 1.22. There is a lack of sufficient detail on the potential methodologies that could be employed as part of the geoarchaeological assessment and mitigation.

- 1.23. Currently the OAMS/OWSI states:

*5.3.24 * The methodology by which the characterisation of deposits with palaeoenvironmental/geoarchaeological potential is achieved will be set out in the relevant DWSI and may include, but not be limited to, mechanical test pitting within archaeological trial trenches and the monitoring of G.I. works*

- 1.24. Requirement 5 of the DCO states that the detailed WSIs (DWSI) need to be in accordance with the OAMS/OWSI. This would necessitate the incorporation of a full range of geoarchaeological investigations that may be required as mitigation in sufficient detail in the OAMS/OWSI. No details on alternative methodologies are provided within the OAMS/OWSI document therefore there is no basis or standards set for the techniques which would be expanded upon in the detailed WSI's.
- 1.25. Until further geoarchaeological assessment is completed and the impacts understood the most appropriate geoarchaeological methodology for characterisation of the deposits with palaeoenvironmental/geoarchaeological potential is not fully realised therefore the most appropriate mitigation technique has not been determined.
- 1.26. The main methodology proposed for geoarchaeological mitigation is borehole investigation, adequate detail for this methodology is provided within the OAMS/OWSI.
- 1.27. In other areas of the scheme where impact may be deeper, such as SUDS, undergrounding of cables or HDD drill pits, a more suitable methodology may be geoarchaeological test pits or geoarchaeological trenches. These methods should allow more suitable recording of geoarchaeological deposits such as buried soils and palaeoland surfaces that would not necessarily be deeply buried and may have a substantial lateral extent. For the area of the river crossing a geoarchaeological trial trench may be more appropriate as mitigation as this would allow investigation of the full site stratigraphy over a wider area and allow concurrent investigation of potential archaeological remains. It is acknowledged that any deposits of high

significance that are located at a significant depth would need to be investigated through borehole survey.

- 1.28. The agreement of the OAMS/OWSI within the determination period is critical to the undertaking of appropriate and timely archaeological and geoarchaeological mitigation post consent. For the OAMS/OWSI to be considered as a comprehensive outline strategy for geoarchaeological investigation it should include a wider range of potential geoarchaeological methodologies that could be required as mitigation for the scheme.
- 1.29. At present the methodology for geoarchaeological assessment and mitigation is vague and the OAMS/OWSI does not incorporate the full range of geoarchaeological investigations that could be required as mitigation. The OAMS/OWSI has not been approved and is not yet considered adequate as a control document.

Archaeological evaluation trenching

- 1.30. The principles and scope of the Phase 2 trial trench evaluation methodology have been agreed previously in discussion with the archaeological consultants. The location of the trenches has been provided directly as digital data and is currently under review. It was previously recommended that the OAMS/OWSI should only identify the general areas for Phase 2 trenching within the Red Line Boundary that would require evaluation due to potential design changes which may impact the location of the proposed trial trenches. Detailed Phase 2 trenching has been submitted for approval, the trenching should include all areas where project impacts have been identified, including (but not limited to) pylon bases, access roads, SUDS, drainage, pulley locations etc. The trial trenches should be located to target these areas of identified impact as well as any potential archaeological features identified through geophysical survey and/or aerial photography. To assess the proposed trial trench locations the most up to date design information needs to be made available to determine areas of impact. Once this information is provided the trial trench locations can be reviewed. The results of the review will be reported back to the archaeological consultant directly.

Mitigation Areas

- 1.31. A number of documents for archaeological mitigation have been submitted at Deadline 5. These include Volume 8: Examination Documents (June 2026):

- 8.21 Detailed Written Scheme of Investigation – Mitigation areas 124, 136 (a & b), 137, 138, 141 & 142 Final Issue A (REP5-220)
- 8.22 Detailed Written Scheme of Investigation – Mitigation areas 126, 128 (a, b & c) & 140. Final Issue A (REP5-221)
- 8.23 Detailed Written Scheme of Investigation – Mitigation areas 109, 110, 111, 112 (a & b) & 139. Final Issue A (REP5-222)
- 8.24 Detailed Written Scheme of Investigation – Mitigation areas 113 (a & b), 114 & 115. Final Issue A (REP5-223)

1.32. The documents submitted are not acceptable in their current form, further information has been requested directly to the Applicant to facilitate full consideration of the mitigation proposals. The sites proposed for mitigation have not yet been discussed or approved by the archaeological advisor and there has been limited time since submission to consider these documents. It is considered inadvisable to secure mitigation at this stage of the application due to time constraints.

Landscape

1.33. ECC has welcomed the consideration given by the ExA on matters regarding landscape, including further discussion at the Issue Specific Hearing 4. ECC has been reviewing the material provided by the Applicant and engaging meaningfully in order to ensure necessary landscape mitigation and compensation is in place to respond to the considerable impacts arising from the project. An update on landscape and visual matters will be presented as part of the final signed Statement of Common Ground to be submitted at Deadline 7. Furthermore, ECC will look to confirm its case for landscape compensation, in addition to the comments below, as well as detailing any outstanding matters as part of its Closing Statement at Deadline 8.

Draft Development Consent Order (3.1 Draft DCO (Tracked) (Final Issue E) (REP5-061)

1.34. Appendix B of this response provides an update to the Deadline 3 ECC Response Appendix 2 – Table on Revised dDCO [REP-082] for the ExA information. The changes which have been made have been presented as track changes to evidence where matters have progressed. ECC would raise concern with the ExA that there continues to be a significant number of issues which remain unaddressed with the Applicant.

- 1.35. ECC will continue to progress the commentary on the DCO within relevant sections of the SoCG.
- 1.36. ECC would also wish to provide technical commentary on the DCO regarding archaeology and green infrastructure.

Archaeology

- 1.37. The revised DCO wording for Requirement 5 (Archaeology) has included a new part (6) which satisfies the recommendations requested by ECC to ensure the delivery of an adequate programme of post-excavation works and publication. The wording of Requirement 5(6) is considered acceptable.
- 1.38. The re-worded sections (parts 1 to 3) have tried to incorporate the various requests of the relevant planning authorities to provide suitable re-wording for the DCO. However, the result is that the new proposed wording is confusing and does not reflect the proposals put forward by ECC which was to provide a distinction between the undertaking of the archaeological evaluation works and the subsequent mitigation works. This was to facilitate a clear process for the discharge of condition procedures.
- 1.39. The DCO wording has been discussed previously with the relevant county archaeological officers, comments were prepared for the Second Hearing regarding Requirement 5 however they were not delivered during the Hearing. It is recommended that the wording provided by Suffolk County Council for the Hearing be adopted rather than repeat or provide alternatives at this stage of the application. Following their rationale would lead to fewer subsections and ensure greater clarity for discharge of conditions.

Green Infrastructure

- 1.40. ECC welcomes the clarification in Schedule 3, Requirement 1 (Interpretation), which confirms that planting associated with the 3:1 tree planting commitment (to the extent it is delivered within the Order Limits) is captured by the Order.

2. Action Points from Issue Specific Hearing 3 (ISH3)

Agenda item 5.2: requirements and discharge of requirements. 7. Requirement 7 (construction hours)

- 2.1. ECC supports the ExA's concerns raised during ISH3 in respect of the acceptability of the currently proposed construction hours.
- 2.2. ECC maintains its position that the proposed construction hours are overly extensive and do not provide sufficient respite for local residents, communities and any other sensitive receptors, particularly in relation to weekend and extended working. ECC's position is explained in more detail in response to ExQ2 DCO2.S10 [REP5-242] and in paragraphs 5.7.18-5.7.21 of the Council's LIR [REP1-161].
- 2.3. Moreover, ECC considers the benefit to residents and local communities from this respite outweighs any harm to the delivery of the project arising from a 9.5 week delay identified by the Applicant during ISH3 should Sundays and all Bank Holidays be excluded from permitted construction hours.
- 2.4. ECC would also highlight that the wording of Requirement 7 does not preclude a request from the Applicant for additional working hours should circumstances necessitate such a request .

Agenda item 5.2: requirements and discharge of requirements. 9. Schedule 4 (discharge of requirements)

- 2.5. ECC supports the position set out by Suffolk County Council regarding the proposed amendments to Schedule 4 (Discharge of Requirements).
- 2.6. ECC agrees that whilst provision should be made for the future involvement of the proposed DESNZ Requirement Discharge Unit, the current lack of detail regarding its operation, governance and decision-making processes means that it would be premature to transfer discharge functions away from local authorities as the default position.
- 2.7. ECC therefore supports an approach whereby the relevant local authority remains the default discharging authority, with provision for the Secretary of State/DESNZ Unit to recover or call in individual applications for the discharge of requirements

where considered appropriate. This would retain the benefits of local knowledge and accountability whilst providing flexibility for national oversight where required.

- 2.8. ECC does not support a mechanism that would allow the Applicant to determine, on a case-by-case basis, which authority should determine an application for the discharge of requirements. Instead, the Council supports the collaborative position advanced by Suffolk County Council and other local authorities seeking a clear, consistent and proportionate framework for the discharge of requirements.
- 2.9. The approach proposed in the Sea Link DCO examination involved inserted a new paragraph (1A) for inclusion in Schedule 4 (discharge of requirements) to the draft DCO, which is based on the drafting of section 77 of the TCPA –
- 1A. —(1) Subject to sub-paragraphs (7) and (8), the DESNZ 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 unit accordingly.
- (4) Subject to sub-paragraph (5), where an application to which this paragraph applies is referred to the DESNZ 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 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 4 (stages of the authorised development) in accordance with the provisions of that Requirement.

- (7) The power of the DESNZ 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 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.

2.10. ECC would support the inclusion of this wording.

3. **Action Points from Issue Specific Hearing 4 (ISH4)**

Agenda item 5: landscape and visual effects. 5.1 Mitigation and compensation. Action point 1.

- 3.1. ECC together with other Authorities, remains in discussion with the Applicant regarding the completion of a S106 unilateral undertaking to deliver additional landscape planting focused on the specified landscapes identified by the ExA during ISH2.
- 3.2. ECC’s approach has been to draw upon the Local Nature Recovery Strategy (LNRS) and focus on land within its control to facilitate delivery of landscape enhancement rather than relying on the cooperation or agreement with third party owners but is working with the Applicant to ensure the structure of any agreement meets the overall objectives while retaining some flexibility to deliver these sites alongside those covered by the masterplan where they do not precisely overlap.
- 3.3. Notwithstanding the positive discussions to date, ECC was concerned to hear the position taken by the Applicant at ISH4, and their opinion that no agreement will be entered into unless absolutely required by the Secretary of State.
- 3.4. For reasons set out in ECC’s response to ExQ2 LV 2.16 [REP5-242] and in its LIR [REP1-161], ECC does not agree with this approach. ECC accepts the presence of the projects overhead powerlines cannot be fully mitigated, and that there will be a

residual impact; the acceptability of which will fall to be weighed in the overall planning balance against the public benefits of the project. However, the acceptance of significant residual effects based on public benefit does not negate the effect in itself.

- 3.5. As highlighted by ECC's Counsel at ISH4, while it was acknowledged that paragraph 4.2.25 of the 2025 version of EN-1 (which is a material consideration) states that "compensation, by definition, does not reduce an adverse effect resulting from a development", it [NPS-EN1] does go on to confirm that "applicants should set out how residual impacts will be compensated for as far as possible". ECC is of the opinion there is no significant shift from the position under the 2024 version of EN-1.
- 3.6. ECC believes a case exists for a strategic landscape compensation package to offset harm as far as possible in line with the mitigation hierarchy consistent with NPS-EN1 and respectively requests that the case for additional landscape enhancement is made within the ExA's Recommendation Report to the Secretary of State. ECC feels very strongly that this landscape compensation package could deliver significant landscape benefits and leave a positive legacy from the project minimising the residual visual effects of the development as far as reasonably possible.
- 3.7. Ahead of a meeting between the Applicant and ECC officers at 9am on 7 July 2026, ECC was provided at 7:09am on the day of the meeting with a draft DCO provision for securing the landscape compensation package instead of entering in to a unilateral undertaking. ECC has not had the opportunity to review and will respond accordingly.
- 3.8. Furthermore, ECC officers attended a meeting at 12pm on 7 July 2026 with the Applicant, when an announcement was made that they were now proposing to use Requirements within the DCO to secure and deliver the BNG and the tree replacement through the offsite planting delivery scheme. Once these have been made available, ECC will review and respond accordingly.

4. Rule 17 - Request for further information from the applicant and all local authorities relating to matters deferred from issue specific hearing 3 (draft development consent order) and issue specific hearing 4 (socio-economics) (30 June 2026)

1. Draft development consent order (DCO) matters deferred from issue specific hearing 3 Agenda item 5.2 (Schedule 3 requirements and Schedule 4 discharge of requirements):

Response to part a

- 4.1. ECC would support the inclusion of requirements that require the approval of relevant key management plans especially the Employment and Skills Plan as set out in Paragraphs 4.12-4.14 below. ECC feels such a requirement is directly linked to matters that the relevant authorities are best placed to understand and it therefore follow that they feed into the substance of the plan.

Response to part b:

- 4.2. ECC shares the concerns of ExA in respect of the need to mitigate for the intra-project cumulative effects as well as inter-project cumulative effects, which in certain locations have the potential to be significant for local communities and businesses if not appropriately managed and mitigated. This is summarised in in Paragraphs 4.4.1 – 4.4.16 of the Council's LIR [REP1-161]. Moreover, ECC imagine that the fact that National Grid's own team considered an express intra-project commitment necessary on a materially similar linear project (Sea Link) is evidence that the generic, design-embedded/outline-CoCP approach was regarded as insufficient.
- 4.3. ECC would therefore welcome the inclusion of a similarly worded commitment in the oCoCP similar to that proposed as GG40 in the Sea Link DCO examination although broadened to capture inter-project cumulative effects. Requirement 4 secures the CoCP to be "substantially in accordance with the outline CoCP", but it secures nothing about intra-project cumulative effects unless the oCoCP itself contains a GG40 style commitment. Without an approval gate there is no mechanism requiring assessment of the combined effect of concurrent activities across stages on a common receptor.
- 4.4. ECC is of the opinion National Grid that the inclusion of such a requirement would complement the commitment from the Applicant to the Developer Forum where such matter can be discussed prior to submission and approval.

- 4.5. The following is an extract from the current iteration of the draft outline Construction Traffic Management Plan (oCTMP)[REP5-149].

Coordination with Other Developments/Events

National Grid will ensure liaison takes place by the Main Works Contractor(s) with LHAs and National Highways and other developments, including North Falls and Five Estuaries Offshore Wind Farm and LTC, to ensure a coordinated approach to construction traffic management. Additionally, this liaison with the Main Works Contractor(s) should occur for significant local events within the area of the construction project, such as the Tendring Show. National Grid has committed to join and engage with a Developer's Forum to be set up by Essex County Council, subject to agreeing suitable terms of reference, to continue and formalise project coordination.

National Grid envisages that when the build programmes are available from the Main Works Contractor(s) these will be brought to the Developer's Forum and discussed with the Final Construction Traffic Management Plan developed. National Grid will engage with other Forums set up and managed by other Local Highway Authorities, where appropriate.

- 4.6. ECC is proposing this commitment be secured by way of a S106 Unilateral Undertaking but if this were not to happen, a commitment such as that above in the oCTMP which is a certified document, would be sufficiently robust to secure their involvement. However, there are ongoing discussions regarding the Applicants funding of the Developers Forum as set out in 4.4.29 – 4.4.32 of ECC's LIR [REP1-161].

2. Socio-economic matters deferred from issue specific hearing 4

Employment and Skills Plan

Response to part a:

- 4.7. ECC welcomes the inclusion of supply chain considerations within the outline Employment and Skills Plan (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.

- 4.8. 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, ECC 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.
- 4.9. In particular, ECC would highlight the following:
- 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.
- 4.10. To address these concerns, ECC recommends that the Applicant strengthens the outline 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.

Response to part b

- 4.11. ECC supports the inclusion of a requirement within the draft Development Consent Order to secure the Employment, Skills and Procurement Strategy.
- 4.12. In response to the request from the ExA on the current drafting of the Requirement, ECC would comments 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.
- 4.13. To assist the ExA, ECC proposes the following wording:

5. Employment and Skills Plan

- (1) No stage of the authorised development may ~~not~~ 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.

Additional Comments on the draft Employment and Skills Plan published at Deadline 5 [REP5-215]

- 4.14. ECC would also wish to raise the following commentary on the submitted Employment and Skills Plan.
- 4.15. 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

4.16. 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. This should either form a Requirement, or the ESP should contain a commitment from the Applicant to establish to the Applicants

4.17. 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.

4.18. 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.

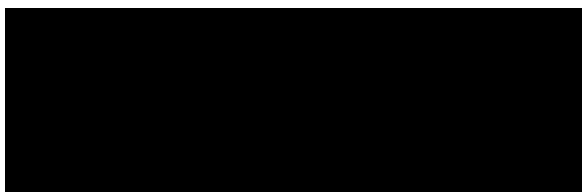
4.19. In summary, ECC is of the opinion that while the outline ESP provides a positive starting point, there are concerns regarding its current drafting and further strengthening is required to address cumulative supply chain pressures, improve support for local businesses, and ensure effective coordination with other infrastructure projects. Securing the ESP through a robust DCO requirement, with local authority approval and clear monitoring provisions, is therefore essential to ensuring the strategy delivers meaningful and measurable local benefits and a proper legacy for the project.

Community Benefit Funding:

- 4.20. ECC recognises the Community Benefit Fund is unrelated to the assessment of the DCO and welcomes the forthcoming opportunity to comment on the Applicants approach to the structure and operation of this fund.
- 4.21. ECC does however believe there should be some linkage between Community Benefits and the DCO possibly through a S111 agreement to commit the funds to the communities affected by the Project. At present there is nothing to prevent the Applicant from withdrawing or reducing the funds available for community benefits given the status of the guidance upon which they are based .
- 4.22. It is also disappointed that there is no spatial allocation of funds given the proportion of the project which traverses through Essex. Depending on the level of engagement by communities, there is a concern that a disproportionate amount could go to communities outside of Essex.
- 4.23. ECC will be making these representations in respect to the Applicant's Community Benefit Fund consultation.

ECC welcomes the opportunity to submit this Deadline 6 response. ECC will continue to engage proactively with the applicant and the Examining Authority as this application progress through Examination.

Yours sincerely,



Head of Planning and Sustainable Development

Enc.

Appendix A – Local Highway Authority comments on additional submissions at deadline 5
Appendix B – Updated table of ECC commentary on the DCO

Appendix A

Deadline 6 Submission – Response to Documents Submitted at Deadline 5

Document 8.4.13 (REP5-201): Applicant's Response to Comments on its ExQ1 Responses

The preference is for the items in Appendix A to be included in the s106 Agreement as there is more surety in this approach than a planning performance agreement.

Document 8.4.13 (REP5-201) Applicant's Response to Comments on its ExQ1 Responses

1	3.16 ISH2 Action Point 43	Appendix E contains a table which provides the latest situation in relation to the structural assessments of 35 structures on the AIL routes. In summary, of the total 35 structures, 3 No. can accommodate the AILs with the remaining 32 No. requiring further work to determine whether the structures can accommodate the AILs. [Table appended to Appendix E of REP4-328 providing the latest situation on structural assessments of 35 structures on AIL routes	With information received since Deadline 4, the Applicant agrees with the status for all assets as listed by ECC in the table provided in Appendix E and will continue to engage with ECC on the appropriate matters. For those noted as requiring a height check (listed by ECC as ID 12, 13, 14 and 23 in Appendix E), AILs are proposed to pass under the structures only, with the largest anticipated vehicle being equal to but not greater than 5m.	The height of the largest AILs is noted as 5m. Applicant and ECC to discuss.
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Document 8.4.12 (REP5-194) Applicant's Comments on Post-Hearing Submissions and Interested Party Action Points

2	ISH2 Action Point 44	The Applicant has updated Section 6.6 of 7.3 Outline Construction Traffic Management Plan [Revision C] to include a commitment to engage with other forums set up and managed by other Local Highway Authorities. The Applicant will engage with the LHAs to understand the suitable forums which could be used to communicate (including the Planning and Infrastructure Working Group (Ardleigh and Little Bromley)) relevant information throughout the construction period. The Applicant will provide an update at Deadline 5. The Applicant will include before the end of examination additional detail on the coordination and collaboration within Section 6.6 in later iterations of 7.3 Outline Construction Traffic Management Plan [Revision C], which is secured through Requirement 4 of Schedule 3 of 3.1 Draft Development Consent Order [Revision D].	The Applicant is continuing to engage with the LHAs on this matter, and will provide an update within later iterations of 7.3 Construction Traffic Management Plan, prior to the end of the examination.	ECC understand the Applicant will be providing a suggested approach to the Developer Forum required by ECC and look forward to agreeing high level commitments on how this is delivered and interacts with the other forums requested by various stakeholders.
3	ISH2 Action Point 46	Applicant and Suffolk County Council to discuss the inclusion of non-PARs in the outline construction traffic management plan (CTMP) and the assessment of environmental effects, and provide further written comments to summarise the issue and discussions to date.	The Applicant held discussions with Suffolk County Council in a meeting to discuss Statements of Common Ground (SoCG) held on 1 June 2026, where discussions focused primarily on the other traffic and transport elements of	ECC wish to highlight that discussions were also held between the Applicant and ECC about including detail on the non-primary access routes – in particular identifying the junctions in the CTMP, summarising how they are likely to be used

			the SoCG. The Applicant has responded on the subject of non-PARs in Item 11.4e of 8.4.12 Applicant's Comments on Post-Hearing Submissions and Interested Party Action Points [Revision A]. The Applicant has scheduled an additional meeting with Suffolk County Council for 17 June, where "Under discussion and Not Agreed" items within the SoCG (expected to include the non-PARs) will be discussed. The Applicant has provided an update within 5.9.6 Draft Statement of Common Ground – Suffolk County Council (SCC) [Revision D].	(signposting to other documents where necessary) and stating how the number of vehicles using them will be negligible. This is to ensure the Contractor is fully aware that these routes are for minimal use only and to provide comfort to the Local Highway Authority that the impacts are minimal and so do not require assessment.
4	ISH2 Action Point 22, Table 3.8	ECC welcomes the Applicant's confirmation of its commitment to joining and engaging in the Developer's Forum to help facilitate coordination between developments. Given the potential impact of the project, a Developers Forum is considered a necessary form of mitigation and a commitment to engagement should form part of the DCO. It is ECC's view this should be captured through	The Applicant considers that the appropriate mechanism to recover costs in relation to the ECC Developer Forum is through a Planning Performance Agreement (PPA). This is the same mechanism that has been successfully utilised for cost	ECC's preference is to capture this important commitment in a s106 Agreement as it provides greater surety.

		s106 unilateral undertaking as this would provide greater surety on delivery. The alternative via PPA is an option but is not as definitive as through a s106 Agreement.	recovery for the Council's resources during pre-application and examination of the Project, and will be utilised for the post-consent phase.	
5	ISH2 Action Point 22	To support implementation of the project, ECC considers appropriate funding will need to be available to cover the time that ECC officers will need to spend in providing oversight of the various mitigation and commitments that have been included in the DCO documentation, as well as the points raised in ECC's Local Impact Report. ECC would welcome further discussion with the Applicant on how this can be achieved so that any costs involved in supporting the implementation of the Project are cost neutral to ECC.	The Applicant has begun discussion with host authorities in relation to the potential use of PPAs to support resourcing officer time post-consent. Any arrangements would be progressed separately.	ECC's preference is to capture this important commitment in a s106 Agreement as it provides greater surety.
6	ISH2, Action Point 43	Appendix E contains a table which provides the latest situation in relation to the structural assessments of 35 structures on the AIL routes. In summary, of the total 35 structures, 3 No. can accommodate the AILs with the remaining 32 No. requiring further work to determine whether the structures can accommodate the AILs. [Table appended to Appendix E of REP4-328 providing the latest situation on structural assessments of 35 structures on AIL routes].	With information received since Deadline 4, the Applicant agrees with the status for all assets as listed by ECC in the table provided in Appendix E and will continue to engage with ECC on the appropriate matters. For those noted as requiring a height check (listed by ECC as ID 12, 13, 14 and 23	The height of the largest AILs is noted as 5m. Applicant and ECC to discuss.

			in Appendix E), AILs are proposed to pass under the structures only, with the largest anticipated vehicle being equal to but not greater than 5m.	
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Outline Construction Management Plan (REP5-150)

1	Paragraph 5.4.2, p32	The applicant has updated the paragraph to confirm more detail on the Non-Primary routes.	ECC welcome the additional detail. However, ECC did discuss with the National Grid Team about including a commitment in the paragraph preceding the Table 5.2 which sets out that traffic associated with these types of works would be minimal and setting out the likely vehicle types. This is to ensure that the Contractor is fully aware that the use of these access points are for small amounts of traffic only. Our concern is that if this is not identified then there could be an intensification of these routes that have not been assessed and will be difficult to manage if there are issues identified. ECC also discussed whether the Non-Primary Access locations could be listed for clarity.
2	CTMP		Refer to Appendix 3A in REP 5-242 which sets out the wording that ECC have requested against what has been included in the Deadline 4 submission along with queries on the wording proposed by the Applicant. ECC reiterate the text updates that ECC require to be included in the CTMP. In summary these include:

			• Commitments to site observations for school routes • High level principles of Developer's Forum • Review of structures for PARs on rural highway network • Comparison of traffic numbers • Amended wording in relation to review of CTMP • Commitment to discuss ways of reducing freight by road • Specifying staff working hours and access time restriction to the site • Monitoring of HGV parking (Resting Facilities) • Commitment to including car parking demand and supply as part of access design approvals • Amended wording in relation to access to the ECC Depot • Update to Table 6.1 to include monitoring of vehicle movements and Section 6.4.1 to include levels of traffic in non-compliance list • A list of possible corrective actions including extending the programme of works, warnings, closure of compounds/on site parking, implementing additional shuttle buses
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Outline Construction Worker Travel Plan (REP5-152)

ECC reiterate our requirement for a mini-bus service(s) to be implemented by the Contractor to pick up/drop off between the site and various key locations/transport nodes.

Appendix [B] on the revised draft DCO (REP~~53-00561~~, Revision ~~CE~~)

Introduction

1. This is the third version of the document. Version 1 was submitted at Deadline 2 and Version 2 was submitted at Deadline 3.
2. ECC's main DCO drafting comments are concentrated in section 5 of the LIR (REP1-161), covering the Articles, Requirements, discharge of requirements, protective provisions and certified documents. Additional issues were raised in earlier versions of this document, with the main additional DCO-related points in REP2-036 being the need to secure the drainage strategy in the dDCO and a design requirement for the EACN/substations to align with the Joint Substations Design Guide and colour palette. ECC has checked those points against the updated Revision C tracked dDCO (REP3-005) submitted by the Applicant at Deadline 3. In broad terms, only a limited numberSome of ECC's points have been picked up but many remain in issue; a number have also been taken away for further consideration. The updated table below picks up ECC's suggestions, addresses various of the Applicant's responses and sets out why the dDCO should still be amended to reflect ECC's suggestions.

REP 3-005 Draft dDCO Revision C

3. In Revision C of the dDCO, submitted at Deadline 3, the Applicant has picked up some further points of ECC's drafting comments, principally relating to:
 - a. conversion of various periods to "business day" equivalents in response to ExA Question DCO 1.A3 (although in most instances without extending the underlying period as ECC sought);
 - b. replacement of the phrase "former use" with "former condition" in Schedule 3 Requirement 10;
 - c. the addition of "following consultation with the relevant county planning authority and, if relevant, Historic England" in Schedule 3 Requirement 5 (Archaeology);
 - d. the addition of consultation with the relevant highway authority for the construction traffic management plan in Schedule 3 Requirement 4 and the

application of all approved plans to all stages of the authorised development; and

- e. the addition of a new sub-paragraph (2) to Schedule 3 Requirement 11 securing the external colour of certain Work No. 18(b) buildings.
4. The substantive content of the majority of ECC's outstanding points has not been addressed and the table below has been updated to reflect that position.
5. In REP 3-074 the Applicant responded to the ExA's questions on the drafting. ECC has provided its responses to the Applicant as part of the Statement of Common Ground negotiations, in the hope that an agreed position can be reached. On the time periods in Articles 11(3), 14(5), 17(2), 20(9), 49 and 50, ECC notes that agreement is unlikely. As flagged to the Applicant, its response in REP 3-074 raises similar issues on those articles, often with reference to the £7 million per day delay figure. This is a programme-wide figure for late energisation; it is not a credible justification for setting decision periods that, if missed, trigger deemed consent. The risk to the programme arising from a 35-day or 42-day decision period is materially less than the risk to environmental outcomes arising from deemed consent on inadequate review.

REP5-061 Draft dDCO Final Issue E

6. The Applicant has taken up a limited number of further points since Revision C, principally:
- a. the addition of Requirement 15 (Employment and Skills Plan) and its certification, although issues remain with the wording;
 - b. a new Schedule 4 'requirement consultee' notification and consultation mechanism; and
 - c. a substantial restructuring of Requirement 5 (Archaeology).

The substantive majority of ECC's outstanding points – including the absence of a CEMP, the 'submission not approval' of stage schemes (Requirement 3), the retained decision / deemed-consent periods, the pre-commencement operations definition, the limits of deviation, and decommissioning – remain unaddressed.

Three further matters now arise from the ExA's Rule 17 letter of 30 June 2026 and are added as new rows at the foot of this table.

ECC recommendation	Source	Status in current draft	Where picked up / where it should be added
Use “day” / “business day” / “working day” consistently, with periods of 7 days or less expressed as business days Use “business days” in Schedule 3	REP1-161	Picked up	Revision C update: the Applicant has now converted a substantial number of provisions to “business days”, including: Articles 11(3) (28 to 25 business days), 14(5), 16(8), 17(2), 20(9), 22(8), 27(4), 28(4), 35(2), 49(10) and 50(5) (Ref 12 in the Schedule of Changes); Article 21(5) (14 to 10 business days); Article 23 (56 to 40 business days); Article 49(4) (7 to 5 business days); Article 56(3)(b) (21 to 15 business days); Schedule 3 Requirements 3(1) (7 to 5 business days) and 3(4) (28 to 25 business days); and Schedule 4 paragraph 2 (5 days to 5 business days; 21 days to 15 business days).
Article 2: Narrow the definition of pre-commencement operations so extensive compound/laydown/bell-mouth works cannot proceed without proper control, or add a materially new/materially different effects safeguard	REP1-161	Not picked up	Article 2 still includes substantial compound/set-up works within pre-commencement operations. At the very least, the establishment of construction compounds should be removed. The suggested tailpiece should be added: <i>“excluding those operations which the relevant planning authority considers give rise to a materially new or different environmental effect beyond that considered in the Environmental Statement as notified to the Undertaker by the relevant planning authority.”</i> <u>Revision E update: Not picked up in Revision E. The Article 2 definition of ‘pre-commencement operations’ still expressly includes ‘set up works associated with the establishment of construction compounds and temporary laydown areas’, and no</u>

			<u>materially new / materially different environmental effects safeguard has been added. ECC's point remains outstanding.</u>
Article 2: Include listed building surveys within pre-commencement operations	REP1-161	Picked up	Article 2 definition of “pre-commencement operations”
Create a central repository / up-to-date public environmental information source	REP1-161	Not picked up	A new provision should be included
Articles 2 and 4: Qualify “maintain” so maintenance works cannot give rise to materially new/materially different environmental effects without control	REP1-161	Not picked up	ECC’s suggested additional wording in REP1-161 §5.2.11 to give control to the relevant local planning authority has not been added, nor has Article 4 been amended to incorporate any mechanism for addressing materially new or different environmental effects from those assessed in the ES. The Applicant’s statutory duty to maintain a safe and efficient transmission network is obviously no answer to this as it would be a reason not to include any safeguards in the DCO. Revision C update: Article 4 (Maintenance of authorised development) has been amended in Revision C (Ref 5 of the Schedule of Changes), but only to give UKOP authority to maintain the new Work No. 17A (UKOP protective works), rather than to qualify the meaning of “maintain” as ECC has sought. Article 2 has not been amended in Revision

			C in any way relevant to ECC's point. ECC's substantive concern therefore remains.
Article 2: Define omitted outline management plans (for example CEMP, noise and vibration, dust) Also Schedule 3 Requirement 4 re lack of CEMP Article 48 Defence to proceedings in respect of statutory nuisance	REP1-161 Note CEMP also raised by Chelmsford	Not picked up	The Applicant relies on the reference in Schedule 3 Requirement 4 to the Code of Construction Practice, to which various documents are appended that it states include all the information typically found in a CEMP (REP2-030 pg 151). ECC reiterates it is not clear that the proposed Code of Construction Practice (<u>even with daughter documents</u>) will provide the same sorts of protections as a CEMP. In order to avoid a chase through documents to identify the environmental controls on construction, which are key to the acceptability of the project, a CEMP should be required and secured in Requirement 4 (the B2T DCO requires such a plan.). The other plans could easily be referred to explicitly. The need for a separate Noise and Vibration Management Plan is also justified by the extent of the Article 48 defence. Revision C update: Schedule 3 Requirement 4 has been amended in Revision C (Ref 33 of the Schedule of Changes) to add consultation with the relevant highway authority on the construction traffic management plan, and to make the requirement to comply with approved plans apply to all stages of the authorised development. However, no CEMP,

			Noise and Vibration Management Plan or Dust Plan has been added to Article 2 or Requirement 4. ECC's substantive point therefore remains.
Article 2: Define "provisional advance authorisation"	REP1-161	Picked up	Article 2
Article 3(1): make clear authorised development is to be carried out within the Order limits	REP1-161	Not picked up	The Applicant stated in REP2-023 of 289 that Article 3(7) makes clear that the authorised development must be constructed and installed in the lines and situations shown on the 2.3 Works Plans [APP-017 – APP-024], subject to article 5 (limits of deviation) and to the Requirements, so the Applicant does not consider any further clarification is required. The amendment prevents this kind of chase, and follows the drafting of previous DCOs (B2T; Yorkshire Green Energy). The amendment should be made.
Article 3(6): add a mechanism for assessing and controlling materially new/materially different environmental effects	REP1-161	Not yet picked up	The Applicant has noted ECC's point on article 3(6) and will review and consider whether this can be included in a revised dDCO to be submitted at Deadline 3 (REP2-030 pg 152)
Article 4 / general DCO drafting should contain an in-principle obligation to decommission obsolete works	REP1-161	Not picked up	There is a decommissioning requirement in Schedule 3, but not the broader in-principle Article-level obligation ECC sought. That still belongs in Article 4 and/or a strengthened Requirement 13. The Applicant's response (REP2-030 pg 153), that as a transmission licence holder, it has statutory duties to maintain its apparatus in order to ensure a safe, effective and efficient electricity transmission

			system, is no answer to the DCO to specify an obligation to decommission obsolete works.
Define “lines or situations” in Article 5	REP1-161	Not picked up	This still needs definition in Article 5 / Article 2.
Article 5: Tighten limits of deviation, especially pylon height, underground cable depth and sensitive area controls; require prior approval where exceeded	REP1-161	Not picked up	This still needs amendment in Article 5. The Applicant has not engaged with ECC’s reasoning and just asserted that the justification is sufficient (REP2-030 pg 153), while repeating (at pg 144) the same justification given in the Explanatory Memorandum, which ECC explained in the LIR was not sufficient. The Applicant has not engaged at all with the detailed information and list of designated heritage assets at LIR §5.3.9 (REP1-161)
Clarify Article 11(2) process for works outside the Order limits	REP1-161	Explanation given in REP2-030	The Applicant’s explanation, in REP2-030 pg 156 is: “Where that scenario occurs, the Applicant’s expectation is that planning permission (and indeed any further ancillary consents) will be required where works to be undertaken within any part of the highway outside of the Order limits comprise development within the meaning of Section 55 of the Town and Country Planning Act 1990. However, it would not be appropriate for the draft Development Consent Order to attempt to address all such eventualities (especially those which are already controlled as a matter of general planning law) and, particularly, to prescribe steps to be taken in respect of operations outside of the Order limits.”

Article 11(3): extend deemed consent / decision period from 28 to 35 days Article 14(5): extend period from 28 to 35 days Article 17(2): extend period from 28 to 35 days	REP1-161 & REP2-036	Not picked up	There is a clear difference of view between ECC and the Applicant on various time periods being extended, based on ECC's experience with other DCOs. The ExA will need to take a view on which approach is better.
Article 20(9): increase period to 42 days for discharge of water consents Article 49: extend TRO deemed consent periods to 42 days Article 50: extend felling/lopping deemed consent period to 42 days	REP1-161 & REP2-036	Not picked up	There is a clear difference of view between ECC and the Applicant on various time periods being extended, based on ECC's experience with other DCOs. The ExA will need to take a view on which approach is better.
Articles 12 and 16: TTRO/temporary closure periods too short; should reflect permit/PAA timing, specify closure duration, and revise bridleway diversion drafting	REP1-161 & REP2-036	Not picked up	Still needs amendment in Articles 12 and 16 so that TTRO timing/process is expressly aligned with the permit/PAA regime. The Applicant has "acknowledged" ECC's position, but still asserts there is no reason for a longer time period than 28 days (REP2.030 pg 156). ECC's response is given in its Deadline 3 Responses. Revision C update: Article 12(8) has been amended (Ref 12 of the Schedule of Changes) in response to DCO 1.A21 to clarify the position where the undertaker uses more than one appeal mechanism,

			but the underlying TTRO/PAA timing concern raised by ECC has not been addressed. Article 16(8) has been converted to business days only. ECC's substantive points remain.
Article 18: make clear undertaker maintains non-adopted highway works until removal/restoration, and address shared infrastructure / collaboration arrangements	REP1-161	Not picked up	ECC's Deadline 3 Response gives its response to the Applicant's reasons for not making the amendments.
Articles 50 and 51: powers over vegetation are too wide; define "near" and "affected vegetation" or specify parameters	REP1-161	Not picked up	Articles 50 and 51 and any linked plans/definitions need to be amended.
Article 51: require advance notice and allow reasonable conditions	REP1-161	Not picked up	This should be added to Article 51.
Article 56(3)(b): 21-day period should begin five business days after notice, not two	REP1-161	Not picked up	Article 56(3)(b) should be amended. The Applicant does not engage with ECC's point on adequate time being needed for all parties engaged in the process (REP2-030 pg 161) Revision C update: Article 56(3)(b) has been amended (Ref 24 of the Schedule of Changes) to convert the 21 days into 15 business days in response to DCO 1.A3, but the "two business days after notice" trigger point that ECC asked to be extended to five business days has NOT been amended. ECC's point therefore remains.

Schedule 3: Add a Register of Requirements	REP1-161	Not picked up	This would need a new Schedule 3 requirement.
Schedule 3 definition of "reinstatement planting" should distinguish replacement planting from mitigation/compensation planting	REP1-161	Not picked up	Requirement 1 definition still rolls these concepts together. The Applicant states (RAP2-030 pg 162) that the terms are explained in the Outline Landscape and Ecological Management Plan, but it is not clear that is so. AS-046 defines "compensation" and "landscape compensation" and "landscape mitigation". To avoid chasing through the document, it would be sensible to include definitions in Schedule 3.
Schedule 3 Requirement 3: stage submissions should be for approval, not merely notification	REP1-161	Not picked up	The Applicant resists this on the basis of potential delay, specialist technical considerations and tight programming constraints (REP2-030 pg 163). The relevant LPA will have the technical ability to engage (hence the requirement to notify); the Applicant does not answer ECC's point on the need for approval given the potential for cumulative impacts arising from the project. <u>Revision E update:</u> Not picked up in Revision E. Requirement 3(2) still requires the written scheme setting out all stages only to be submitted to the relevant planning authority, not approved. This is reinforced by the ExA's R17 letter (Q1(a) – management plans to be approved; and Q1(b) – securing mitigation of intra-project cumulative effects): without an approval gate there is no

			<u>mechanism requiring assessment of the combined effect of concurrent activities across stages on a common receptor. ECC's point is strengthened, not resolved.</u>
Schedule 3 Requirement 3(a): clarify how far in advance any revisions to the written scheme should be submitted to the relevant planning authority	REP1-161	Not picked up	The only reason given by the Applicant is drafting in other DCOs. ECC considers it would be a helpful clarification in this dDCO.
Schedule 3 Requirement 4: broaden consultation, require written agreements, and record amendments	REP1-161	Partially picked up	It is helpful that the Applicant confirmed Requirement 1(2) applies to ensure written agreement is required. The other suggested amendments should be made, as references in other documents or other parts of the dDCO do not address the points raised. Revision C update: Requirement 4 has been amended (Ref 33 of the Schedule of Changes) so that (i) consultation with the "relevant highway authority" is required for the construction traffic management plan; (ii) "in consultation with" has been replaced by "following consultation with" (a clarification that the relevant planning authority makes the decision following consultation rather than the consultee); and (iii) the requirement to carry out works in accordance with the approved plans now applies to all stages of the authorised development (rather than just construction works), thereby better securing commitments and mitigation measures. These changes go some way toward broadening consultation and tightening

			procedure but do not create a CEMP, do not capture all of ECC's requested amendments and do not specifically secure ECC's point on recording amendments. Revision E update: Requirement 4 remains as at Revision C in this respect. No Construction Environmental Management Plan, Noise and Vibration Management Plan or Dust Management Plan has been added to Article 2 or Requirement 4 in Revision E, and the outline Code of Construction Practice remains the only vehicle. ECC's substantive point – and the related intra-project cumulative effects point now raised by the ExA at R17 Q1(b) – therefore remains outstanding.
Schedule 3 Requirement 5: archaeology drafting should better secure trenching/post-excavation programme and timings	REP1-161	Under discussion Picked up	The Applicant has produced AS-090, with a separate section of the dDCO produced for discussion purposes only, which proposes new drafting that effectively adopts ECC's proposed new wording, but objects to the amendment to requirement 5(5). Revision E update: Substantially picked up. Requirement 5 has been restructured in Revision E to secure a written scheme of investigation for evaluation works, preservation in situ management plans, a site-specific post-excavation assessment, an archaeological updated project design and archive deposition – broadly adopting the AS-090 drafting. Commentary raised within ECC Deadline 6 Letter.
Schedule 3 Requirement 6: design/layout drafting should give	REP1-161	Not picked up	The need for the proposed changes is not countered by ensuring flexible design or by the ES having

the host authority stronger control over departures from “general accordance”			considered the limits of deviation (REP2-030 pg 164).
Schedule 3 Requirement 7: no working on Sundays/bank holidays; change “HGV deliveries” to “HGV movements”; add communication/engagement controls	REP1-161	Not picked up	Requirement 7 still permits Sunday/bank holiday working in some cases and does not adopt ECC’s broader wording changes.
Schedule 3 Requirement 7 Construction: no working on Sundays/bank holidays; change “HGV deliveries” to “HGV movements”; add communication/engagement controls	REP1-161 Note seven other LIRs rais concerns with this requirement	Not picked up	The Applicant addresses this requirement in REP2-030 from paragraph 3.18.17ff. On the hours, the Applicant’s response is that they give a maximum, which will not be used. That is not a good reason to allow them always to be used. The communication/engagement controls in the Outline Code of Construction Practice could be cross-referred to in the requirement. The control of HGV movements by the Outline Code of Construction Practice does not obviously answer the recommendation to amend “HGV deliveries” to “HGV movements”.
Schedule 3 Requirement 7, remove “percussive” from piling works outside of specified hours	REP1-161	Not yet picked up	The Applicant has indicated it is considering this request and will provide a response at a future deadline (paragraph 3.18.29).

Schedule 3 Requirement 7(4): variety of detailed drafting suggestions	REP1-161	Not picked up	No clear reasons given for refusing to make the amendments.
Schedule 3 Requirement 9: five year management for replacement planting outside of Environmental Areas	REP1-161	Not picked up	A longer period is justified, despite the Applicant's commitment to the five year period being adaptive (though no drafting to capture this is proposed). These issues are addressed in detail in ECC's Deadline 3 Response.
Schedule 3 Requirement 10: clarity around the phrase "former use" and reinstatement of land within 10m of underground cables	REP1-161	Partially picked up in Revision C ("former use" point only)	The Applicant will consider ECC's proposed drafting in the revision of the draft Development Consent Order to be submitted at Deadline 3. Revision C update: Requirement 10 has been amended (Ref 36 of the Schedule of Changes) to replace the phrase "former use" with "former condition", picking up ECC's drafting concern about the meaning of that phrase. ECC's separate point on reinstatement of land within 10 metres of underground cables (Requirement 10(2)) has not however been amended in Revision C. <u>Revision E update: Position unchanged in Revision E. Requirement 10 retains 'former condition', but Requirement 10(2) still disapples the reinstatement obligation for land above or within 10 metres of underground cables installed as part of the authorised development. ECC's reinstatement point therefore remains outstanding.</u>
Schedule 3 Requirement 13 - strengthen	REP1-161	Not picked up	No clarity given.

decommissioning/restoration detail			Revision C update: Requirement 13 has been amended (Ref 38 of the Schedule of Changes) only to replace “in consultation with” the relevant highway authority with “following consultation with”. The Applicant has not strengthened the substantive decommissioning/restoration detail. ECC’s point therefore remains.
Schedule 3: a design requirement should be added so the EACN/substation design aligns with the Joint Substations Design Guide and the same approach/colour palette as North Falls and Five Estuaries	REP2-036 §3.36	Not picked up	Requirements 11 and 12 could include an express commitment to the Joint Substations Design Guide or co-ordination with the neighbouring projects. Revision C update: a new sub-paragraph (2) has been added to Requirement 11 (Ref 37 of the Schedule of Changes) requiring the external colour of the gas insulated switchgear building and gas insulated hall annexe forming part of Work No. 18(b) to be maintained in accordance with details approved by the relevant planning authority (in response to ExA Question DCO 1.S3). This is a useful but limited step. ECC’s point on alignment with the Joint Substations Design Guide and co-ordination with North Falls and Five Estuaries has not been picked up.
Schedule 3: Add further requirements for Developer’s Forum / similar implementation governance	REP1-161 Also raised by South Norfolk DC; Tendring DC	Not yet picked up	The Applicant has committed to joining and engaging with the Developer’s Forum but has not yet proposed a new requirement.

	& Colchester CC		
Schedule 3: Add Employment, Education, Skills Strategy or an Employment and Skills Fund <u>(now Requirement 15)</u>	REP1-161 & REP2-036	Not yet Partially picked up	The Applicant has committed to preparing and submitting an Employment and Skills Plan and will consider the drafting of this requirement and add the wording into the Draft DCO in due course. <u>Revision E update: Now partially picked up. Revision E adds Requirement 15 (Employment and Skills Plan) and lists the Outline Employment and Skills Plan (document 8.13) as a certified document. However, Requirement 15 requires the ESP only to be submitted (to the relevant county planning authority and Thurrock Council), not approved, and applies a 'general accordance' test with no measurable secured commitments. This is not sufficient. The relevant county planning authority and Thurrock Council should approve the ESP. The outline ESP should contain secured, measurable commitments (apprenticeships, % local labour, SME/supply-chain engagement) responsive to R17 Q2(a).</u>
Schedule 3: Add Supply Chain Strategy requirement	REP1-161	Not picked up	The Applicant has referred to its delivery partner, the Great Grid Partnership (REP2-030 paragraph 3.18.56), but has not engaged on the need for a Supply chain strategy or a new requirement.
Schedule 3: Add health and wellbeing, and mental health, mitigation plans/strategies /	REP1-161	Not picked up	The Applicant effectively contends that no health and wellbeing significant effects are identified in the ES so no requirement(s) are needed. ECC contends for the reasons in the LIR that the current

inclusive communication related requirements	Also raised by Tendring DC		management plans are deficient and that mitigation plans are required.
Schedule 3: the Drainage Strategy (REP1-072) has been submitted. It should be secured in the dDCO, and the outline document may need further work before it is suitable	REP2-036	Not yet picked up	May fit in Schedule 3 or in Schedule 16 Part 3
Schedule 4 Discharge of requirements: extend determination period from 28 to 56 days Paragraph 1(1)(b): period should run from day after receipt by the authority Paragraph 2(2): at least seven business days Paragraph 2(3): ten business days and revised backstop	REP1-161	Not picked up	There is a clear difference of view between ECC and the Applicant on various time periods being extended, based on ECC's experience with other DCOs. The ExA will need to take a view on which approach is better.
Schedule 4 notification of consultees	REP1-161	Not yet p Picked up	The Applicant will consider the point and will provide an update at Deadline 3. <u>Revision E update: Now picked up. Revision E introduces a defined 'requirement consultee' and, in Schedule 4, requires the undertaker to copy any discharge application to the relevant requirement consultee and requires the relevant authority to</u>

			<u>issue the consultation to that consultee within 5 business days. This substantially addresses ECC's notification point.</u>
Schedule 4 paragraph 3(b) Fees: extend determination/refund periods to 42 days, clarify 20% retention and index-linking of fees	REP1-161	Not picked up	There is a clear difference of view between ECC and the Applicant on various time periods being extended, based on ECC's experience with other DCOs. The ExA will need to take a view on which approach is better. Revision C update: Schedule 4 paragraph 3 has been amended to remove references to "discharging" authority following deletion of that defined term. ECC's substantive points on extending periods to 42 days, 20% retention and index-linking of fees are not addressed.
Schedule 16 Part 3: paras 3(1)(a) and 3(6)	REP1-161	Not yet picked up	The Applicant is considering whether the proposed drafting changes to Part 3 of Schedule 16 (protective provisions for the protection of drainage and flood authorities) can be included in the draft Development Consent Order at Deadline 3. Revision C update: notwithstanding the Applicant's indication that it would consider this for Deadline 3, no amendments to Schedule 16 Part 3 have been made in Revision C. The Schedule of Changes lists no Revision C amendments to Part 3. ECC's point therefore remains unaddressed.
Schedule 16 Part 4: protection of highways authorities	REP1-161, also REP2-036	Agreement to move to a Framework	REP2-030 pg 168: The Applicant understood that the highways authorities were seeking a joint Framework Agreement. The Applicant shared a draft of this agreement in the week commencing 23

		Highways Agreement	February 2026 (along with updated Protective Provisions to reflect ECC's comments in the LIR). In the absence of a Framework Agreement, the Applicant is considering the comments raised by the Council. REP2-036 §3.8: ECC confirmed its preferred approach it to have a Framework Highways Agreement rather than rely on Protective Provisions.
Schedule 19 / certification: the dDCO should secure that certified documents remain readily available to host authorities during discharge of requirements	REP1-161	Not picked up	The fact that the documents to be certified will be available on the PINS website (REP2-030 pg 170) does not answer the need for the dDCO to secure this.
<u>Outline Code of Construction Practice / Requirement 4: add an express intra-project cumulative effects mitigation commitment (equivalent to the Sea Link outline CoCP commitment GG40), securing coordination of concurrent works across parts and stages that affect a common receptor, and secure it through Requirement 4.</u>	<u>R17 (30-06-26) Q1(b): ExA</u>	<u>New matter arising - not in dDCO</u>	<u>The Revision E dDCO contains no reference to cumulative effects and no concurrency / coordination mechanism. The commitment should be added to the outline Code of Construction Practice (document 7.2) and secured via Requirement 4. This dovetails with the Requirement 3 point above: because approval of the stages scheme is not required, nothing compels assessment of the combined effect of concurrent activities across stages.</u>
<u>Provision of as-built details to relevant local authorities, especially for underground cable corridors.</u>	<u>R17 (30-06-26) Q1(a): ExA</u>	<u>New matter arising - not in dDCO</u>	<u>The ExA notes that other DCOs secure the provision of as-built details to relevant local authorities, especially in relation to underground cable corridors. No equivalent requirement appears in</u>

			<u>Revision E. A new Schedule 3 requirement should be added.</u>
<u>Requirement 15 (Employment and Skills Plan): secure approval (not mere submission) of the ESP, with measurable local labour / apprenticeship / supply-chain commitments, and address supply-chain capacity given the other NSIPs in the vicinity.</u>			

Ends