



Norfolk County Council

Response to deadline 6 submissions

Norwich to Tilbury

(EN020027)

Deadline 7 – 21 July 2026

1. This submission sets out Norfolk County Council's ("NCC's") response to deadline 6 submissions.

[\[REP6-031\]](#) Draft DCO (Tracked) (Final Issue F)

2. New sub-paragraph 1(1) of Schedule 4 (discharge of requirements) inserts language which would allow the applicant to decide whether to submit a requirement for approval to either the relevant planning authority or the DESNZ unit. NCC considers the ability for the undertaker to choose their venue to be inappropriate. Instead, NCC prefers the approach proposed by Suffolk County Council, in which applications for discharge of requirement may be 'called in' by the secretary of state, either on her own initiative or by invitation.
3. As a minor drafting point, NCC invite the applicant and the ExA to consider whether, in the case where the DESNZ unit will manage the application, the discharging authority should more properly be the secretary of state rather than "the DESNZ unit".
4. Paragraph 3 of Schedule 4 has been changed to reflect the recent applicability of the Infrastructure Planning (Fees) Regulations 2010 to local authorities. NCC considers that the structure of 3(1)(a) and 3(1)(b) needs to be re-examined. It appears that (a) provides for either paying the fee due under the Infrastructure Planning (Fees) Regulations 2010, or where no such fee may be charged, the fee prescribed under the Town and Country Planning Act 1990. However, the requirement is to pay either (a) or (b), which is £298, apparently without any preference for (a) or, if a hierarchy is intended, any definition of the circumstances in which (b) should be paid instead of either option in (a).
5. NCC would request that the applicant consider whether what is intended is that the preference is for the appropriate fee to be paid under the Infrastructure Planning (Fees) Regulations 2010, but if there is no such fee for the fee prescribed for discharge of conditions under the 1990 Act is paid, and only if (for some reason) that cannot be the fee, the payment should be £298.
6. It is not clear to NCC under what circumstances it would be more appropriate to pay £298 rather than the fee under either of the enactments mentioned, but if the applicant does foresee such circumstances, they should be set out explicitly.

[\[REP6-073\]](#) Outline Code of Construction Practice (Tracked)
(Final Issue F)

7. Paragraph 6.1.16 has been edited to provide that revision C of the Drainage Strategy will be used as a basis of surface water management plans. NCC would like to highlight that we consider the Drainage Strategy to be wholly unsuitable as a basis for more detailed management plans due to the lack of evidence underpinning the approach taken by the applicant. NCC's concerns have been set out in the appendix to our responses to ExQ2 [\[REP5-257\]](#) and at item 9 of our ISH4 post-hearing submission [\[REP6-158\]](#).
8. NCC supports the changes made in section 7.3 (Ecology and Landscape Working Group) which expand the role of the ecology working group to include landscape matters. It will be important for the success of landscape mitigation and compensation measures for there to be a venue to consider their progress on an ongoing basis.

[\[REP6-096\]](#) Drainage Strategy DCO (Tracked) (Final Issue C)

9. The changes introduced in revision C do not address the fundamental issues we have with the drainage strategy. NCC's concerns about the drainage strategy have been set out in the appendix to our responses to ExQ2 [\[REP5-257\]](#) and at item 9 of our ISH4 post-hearing submission [\[REP6-158\]](#).

[\[REP6-118\]](#) Applicant's Written Summary of Oral Submissions and Response to Action Points for Issue Specific Hearing 4 (Final Issue A)

10. At Annex A of the applicant's written summary of oral submissions, the applicant has provided the draft text for a schedule to the DCO which would secure the provision of landscape compensation measures at a number of locations including the Waveney Valley. For reasons set out in detail in [\[RR-2754\]](#), [\[REP1-173\]](#) and [\[REP5-256\]](#), NCC consider that landscape compensation is required for the Waveney Valley due to the policy requirements of EN-1 and the major significant adverse effects on the highly valuable and susceptible Waveney Valley.
11. NCC is broadly content with the mechanism proposed by the applicant we consider that it is capable of meeting the tests in 4.1.16 and 4.1.18 of EN-1 (2024).

12. NCC and Suffolk County Council have jointly submitted some suggested drafting amendments for schedule 20 to the applicant. In general, these relate to practical issues with the way relevant authorities are defined, how monies are handled and accounted for, and how the “unspent contributions” mechanism works. We have made suggestions for how to define areas in column (1), suggested the relevant authorities to be listed in column (2) and provided our preferred figures for inclusion in column (3). We understand that the version of schedule 20 submitted by the applicant at this deadline (deadline 7) will take account of our suggestions.