

The Sizewell C Project, Ref. EN010012

Comments on any additional information/submissions received at D3

Suffolk County Council Registration ID Number: 20026012

Deadline 5

23 July 2021

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Please note: These comments should be considered alongside Suffolk County Council's Post-Hearing Submissions for the Issue Specific Hearings 1-7, and comments on the Applicants updated Draft Deed of Obligation [REP3-083], submitted at Deadline 5.

Preamble

A significant amount of additional information has been submitted at Deadline 3 and 4 by the Applicant, and whilst Suffolk County Council (SCC) has attempted to respond to as much as reasonably possible; due to the amount of information we reserve the right to comment further on updated documents at a later date.

[[REP3-044](#)] THE APPLICANT'S COMMENTS ON COUNCILS' LOCAL IMPACT REPORT

1. The Applicant responded, in [[REP3-044](#)], to the Local Impact Report (LIR) submitted jointly by Suffolk County Council (SCC) and East Suffolk Council (ESC). This section comments on some of the responses made in that document. Due to the amount of material that needed to be reviewed and submitted at Deadline 5, we have limited the comments primarily on issues where we disagree with the views put forward by the Applicant. We have focussed on the topic areas where SCC has a key interest in; in general, we have left those topics where ESC has the expertise or interest to ESC to respond on.
2. We note and welcome the significant amount of comments which indicated an agreement by the Applicant on the matters raised in the LIR, but will not comment on these in this representation.
3. The fact that we are not responding to certain comments by the Applicant in this document should not automatically imply that we are in agreement on those matters; and we reserve the right to comment further on topic areas at a later date.

Description of the area (Chapter 2)

4. We note the commentary provided by the Applicant on the economy of the area (Table 2.1). With regard to last item, comparison with Hinkley, SCC considers that the comment of the Applicant is only of limited relevance:

Table 1. SCC's response to Chapter 2 – Description of the Area

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
2.28: comparison with Hinkley	<p>It is noted that Leiston, Saxmundham and Aldeburgh combined have a lower population than Bridgwater, with the area's larger settlements (Ipswich and Lowestoft) further from Sizewell C than Bridgwater is from Hinkley Point C.</p> <p>However – it may be more appropriate to consider similar travel areas, in the context of the Project's effects on transport and the labour market.</p> <p>The area within 45 mins of both Sizewell C and Hinkley Point C (the latter has Bridgwater at but within its limit) is almost identical in terms of the number of households and their tenure characteristics, and population (2011 Census – ONS). Hinkley Point C's urban geography is sparse around the site, with population concentrated in Bridgwater. Sizewell C's is characterised by more settlements, of a smaller size than Bridgwater but with a similar combined scale, closer to the site.</p>	<p>Given that it can be anticipated that the greatest concentration of workers will “honeypot” in close proximity to the construction site – as has been observed at Hinkley Point C, the 45 mins travel time radius is by far less relevant in the context of socio-economic impacts than the settlements in closest proximity, although it is accepted that the transport and labour market will be impacted by workers living further afield, therefore the 45 mins radius has relevance.</p> <p>It is noted that the Applicant, in their answer to ExQ1 Cu.1.25 [REP2-100] states that “it is not considered that the residual effect of the Sizewell C Project would push workers to look further afield creating pressures on adjacent authorities” [i.e. Ipswich and Mid Suffolk]. This seems to contract the notion of the 45mins radius being “more appropriate” to be considered in a socio-economic context than the nearer settlements on their own.</p>

National and local policy (Chapters 3-5)

5. We note the Applicant's comments on national policy and the principle of development. These matters have been addressed in some detail in ISH1 and in other representations, so SCC does not consider it helpful to reiterate its views here.
6. We do not wish to comment further on comments the Statutory Development Plan and Other relevant policy.

Landscape and Visual Impact Assessment (Chapter 6)

7. Table 2 sets out SCC's response to the Applicant's comments on Chapter 6 of the LIR.

Table 2. SCC's response to Chapter 6 - Landscape and Visual Impact Assessment

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Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
Mitigation 6.1.3	The LIR suggests (paragraph 6.2) that the scale of the Fund needs to reflect the significance of the harm. SZC Co. sees the Fund as a means of mitigating the residual landscape and visual impacts, in accordance with the NPS, rather than as some form of tax and that the scale of it should be based on what can beneficially and appropriately be achieved.	SCC considers that the proposals that it envisages for the scale of the Natural Environment Fund is not out of scale with the impact on the environment and in particular the AONB. The scale is based on what can beneficially be achieved and is appropriate rather than being taxation
Design 6.3.7	SZC Co notes that one of the Detailed Built Development Principles – No 63, records SZC Co.'s commitment to control concrete to "have a consistent pale grey finish as far as reasonably practicable.... [and] ensure a consistent even finish can be achieved, subject to operational requirements [DAS 7.5.30]. A commitment to an agreed colour range for the concrete is also provided at DAS 7.7.3 and Figure 7.17.	SCC welcomes these commitments but continues to be concerned about ensuring the implementation of this approach.
6.3.8	SZC Co. note the Councils' response at paragraph 14.12 of the LIR regarding the relationship of the turbine hall design to the concrete domes, which indicates a positive response to the overall language of materials excepting the concrete requirement.	SCC has raised a number of detailed concerns about the manner in which these design aspects are governed in its written supporting material of the oral hearings, though it does acknowledge that improvements have now been made subsequent to the submitted version of the DAS and DCO.
Quality of the LVIA 6.3.9	SZC Co. considers that the landscape and visual assessment clearly sets out and acknowledges the more localised significant effects on the AONB and a number of its special qualities and natural beauty indicators in the paragraphs proceeding this summary and updated by the ES Addendum at Volume 1, Chapter 2 [AS-181] and Volume 3, Appendix 2.8.A [AS-206].	While the more localised effects on the AONB are noted, SCC remains concerned that the Applicant has not adequately acknowledged the wider impacts on the AONB.

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Seascape 6.3.10	However, the proceeding bullet point identifies major–moderate (significant) and adverse effects across a wide extent of the SCT [Seascape Character Type] during construction which appears to have been missed in the LIR. SZC Co. does not consider that this downplays effects on seascape character.	SCC notes that the impact on seascape character has been included.
Restoration proposals 6.3.11 6.3.12	<p>The LIR records that whilst the construction works would be generally disruptive in nature and not expected to provide any positive impacts on the landscape and AONB during this phase the Council's state that the construction works may provide the basis for future benefits “..if the restoration objectives are clearly understood, and the methods of achieving them are properly embedded into the construction programme...” (LIR paragraph 6.18).</p> <p>In accordance with Design Principle 39 contained within the Design and Access Statement, SZC Co. is committed to establishing new planting and landform at the earliest practicable opportunity. SZC Co. will provide further information on the phasing of landscape restoration works in alignment with the construction programme at Deadline 4</p>	Further detail is required on the content of the oLEMP and SCC welcomes that there is the commitment from the Applicant to provide further details in due course.
Pylons 6.3.15	<p>SZC Co. has provided comprehensive details of the alternative power export options considered and justification for the use of pylons as the preferred option. Details are provided in its response to EXQ1 Al.1.36 which refers to the Power Export connection Technical Recommendation Report, which is presented in Appendix 5E of its response to the ExA's first written questions [REP2-108].</p> <p>Power transmission lines are a standard feature of views of electricity generating stations, and form part of the baseline situation at Sizewell. At Sizewell, existing</p>	SCC's full response to the Technical Recommendation Report is set out in the comments on the Applicant's response to comments on the ExQ1.

6.3.22	Once a [outage] clash occurs, which would typically be due to a forced/unplanned outage, clashes would continue to occur until there is another forced/unplanned outage.	The issue about continuation of an unplanned outage is addressed in the comments on the Applicant's response to comments on the ExQ1.
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Area of Outstanding Natural Beauty (Chapter 7)

8. Table 2 sets out SCC's response to the Applicant's comments on Chapter 7 of the LIR.

Table 3. SCC's response to Chapter 7 Impacts on the Area of Outstanding Natural Beauty

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
7.3.8	SZC Co. acknowledges that during construction, the scale and extent of effects on natural beauty and special qualities indicators would be large to medium scale for the extents described (refer to Table 13.4 within Volume 2, Chapter 13 of the ES [APP-216]). However, it disagrees with the Councils' judgement regarding large and medium scale effects arising during the operational phase for all of the natural beauty and special qualities indicators. The assessment presented at Table 13.17 within Volume 2, Chapter 13 of the ES [APP-216] records large and large - medium scale adverse effects to the landscape quality and scenic quality natural beauty indicators for the extents described, and medium-small adverse and negligible effects on several other natural beauty and special qualities indicators. Several positive effects are also identified, including a major positive effect to the natural heritage features natural beauty indicator as a result of the creation of new areas of dry Sandlings grassland and other habitats that are characteristic of the AONB.	The current position of the Council is set out in the Statement of Common Ground between the Applicant and the Councils.

7.3.12	<p>SZC Co. acknowledges that the project will significantly and adversely affect the immediate portion of the AONB during construction and operation and the application describes the geographic area over which effects, including those considered to be significant, would be experienced. It is noted that the effects on the AONB arising from construction are temporary and reversible and in landscape and visual terms have a physical and visual limit of extent.</p> <p>SZC Co. does not agree that the effect of the power station during operation, would compromise the purpose of the designated area as a whole. SZC Co. notes that nuclear infrastructure has been a feature of the Suffolk Coast and Heaths AONB since its designation with Sizewell A being in-situ before the AONB itself was formally designated and Sizewell B being consented post-designation. As such, nuclear energy infrastructure has and will continue to be, a feature of this part of the Suffolk Coast and Heaths AONB but the AONB would not be 'overwhelmed' by it with the wider designated landscape dominating the area and prevailing.</p> <p>SZC Co. is confident that, whilst significant effects are identified, the AONB as a whole will continue to perform its statutory purpose.</p>	<p>For 7.3.12 and 13, the current position of the Council is set out in the Statement of Common Ground between the Applicant and the Council</p> <p>On 7.3.14, SCC does not share the Applicant's confidence in light of comments by Natural England at REP2-153. However, SCC defers to NE as the Government's advisor on protected landscapes and accordingly NE are best placed to advise the ExA on this matter</p>
7.3.13		
7.3.14		
7.3.15	<p>Any consideration of this issue also needs to recognise the exceptional circumstances inherent in the national need for new low carbon energy and the comprehensive nature of the site selection exercise that lies behind the development of NPS EN-6 and its identification of Sizewell C as one of a very few locations potentially suitable for a new nuclear power station. In reaching that conclusion, the Government was fully aware of the designated status of the Suffolk</p>	<p>Para C.8.126 of NPS EN-6 says: "This assessment has outlined that there are a number of areas which will require further consideration by the applicant, the IPC and/or the regulators should an application for development consent come forward, including amongst other things the effects and mitigating actions of coastal erosion, effects on biodiversity including the SSSI that is partially included in the site boundary, and the visual impact on the AONB. However, the Government has</p>

	Coast and Heaths Area AONB and the purpose of that designation. It was also aware that a new nuclear power station could not be developed here without the potential for some long lasting adverse effects on the AONB (NPS EN-6 C.8.73) and that the decision maker should not expect the visual impacts to be eliminated with mitigation (EN-6 3.10.8).	concluded that none of these factors is sufficient to prevent the site from being considered as potentially suitable." Thus, while the Government has accepted in EN-6 that the principle of development of a nuclear power station at Sizewell could be acceptable, further consideration is required, including by this Examination, of the scale of impacts and the proposed mitigation. It does not give an unfettered ability to develop a nuclear power station here.
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Ecology and Biodiversity (Chapter 8)

9. In many cases, SCC awaits further submission of details by the Applicant in future deadlines. In these cases, we cannot provide a useful response until we have been able to review these details. Due to time constraints, it has not been possible to comment on all matters on which disagreement remains. SCC's Silence on any particular issue in this submission should not therefore be taken as acceptance of the Applicant's response. Further, some of the Applicant's comments simply do not require a response.
10. Our response to those issues which we do want to address in this submission are detailed in Table 4 below.

Table 4. SCC's response to comments from Chapter 8 – Ecology and biodiversity

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
SSSI Crossing Table 8.1 Ref. 3c	<p>In the May 2020 DCO application, the design of the SSSI crossing was a 6m wide culvert combined with embankments. This proposal was replaced in January 2021 with a 40m long, 30m wide single span bridge combined with similar embankments.</p> <p>The SSSI crossing structure has been further redesigned and now includes the removal of the eastern bridge deck in the operational phase to reduce the bridge width from 40m to 15m. This will further reduce the potential for ecological fragmentation of habitats along the Leiston Drain during operation. However, SZC Co. does not consider that 'a full open span bridge' (e.g. triple span) as proposed</p>	<p>This remains an area of difference between SCC and the applicant, though it is anticipated that further documents will be submitted by the applicant at Deadline 5.</p> <p>Further remarks on the SSSI crossing can be found in our written summary of oral submission for ISH 7, which is also submitted at Deadline 5.</p>

	<p>by SCC to be appropriate given the delays to construction that this would entail.</p> <p>The compensatory measures stated in the LIR have been incorporated into the proposals as follows:</p> <ul style="list-style-type: none"> • At least 4.5ha of compensatory fen meadow habitats, secured via way of the Fen Meadow Strategy [AS-209] (which requires the preparation of Fen Meadow Plans) at the Benhall, Halesworth and Pakenham sites. The councils have reviewed a draft of this document and it has been updated following this review. • At least 3.06ha of compensatory wet woodland habitats secured via way of the Wet Woodland Strategy [REP1-020], at the Halesworth and Pakenham sites (with 0.7ha delivered on the main development site). • 6ha of compensatory open water, reedbed and ditch habitats, already delivered from 2016 at Aldhurst Farm (so no requirement is necessary). The compensatory and mitigation functions of Aldhurst Farm are covered in a response to ExQ1 Bio.1.51 at Deadline 2 [REP2-100]. • The Terrestrial Ecology Monitoring and Mitigation Plan (TEMMP) [REP1-016] which is secured by requirement to ensure monitoring of the Sizewell Marshes SSSI, its habitats and species. The councils have reviewed a draft of this document and it has been updated following this review. 	
<p>Fen Meadow Mitigation</p> <p>Table 8.1 Ref. 3d</p>	<p>Refer to 3c above.</p>	<p>SCC has significant concerns over the fen meadow mitigation proposals. Fen meadow is a difficult habitat to recreate. The degree of risk should be taken into account in determining the appropriate quantum of compensatory habitat.</p>

		<p>The current proposals provide only a 1:1 ratio of compensation while SCC would expect a higher level of provision.</p> <p>We make further points specifically concerning the Pakenham fen meadow in our written summary of oral submission for ISH 7.</p>
<p>SSSI loss of connectivity</p> <p>Table 8.1 Ref. 3e</p>	<p>As stated in section 3c above, the SSSI crossing structure has been redesigned to reduce the potential for fragmentation.</p> <p>SZC Co. has undertaken further lighting modelling which demonstrates that dark corridors, including the SSSI crossing area, can be maintained to facilitate the movements of bats.</p> <p>Sections 1.3 and 1.4 of the Lighting Management Plan (Doc Ref. 6.3 2B (A)) will be secured by requirement.</p> <p>Monitoring and adaptive mitigations measures for noise and light during construction, in relation to bats, are secured via way of the TEMMP [REP1-016]. The Councils have reviewed a draft of this document and it has been updated following this review.</p> <p>SZC Co. does not consider any loss of connectivity or fragmentation at the SSSI Crossing as being likely to result in a significant adverse effect.</p> <p>The use of the Natural Environment Fund as 'compensation' is not proposed.</p> <p>Compensatory habitat is proposed for Marsh Harriers but otherwise SZC Co. believes the project impacts are appropriately mitigated.</p>	<p>It is anticipated that further detail on the SSSI crossing design will be submitted by the Applicant at Deadline 5. Therefore, SCC remains in disagreement with the applicant on this matter.</p>
<p>Suffolk Shingle Beaches CWS</p> <p>Table 8.1 Ref. 3g</p>	<p>The ES, in Volume 2, Chapter 14 [AS-033], explained that the shingle habitats will be removed during the construction phase and the sediments stockpiled. Once the coastal defence works have been completed, the shingle habitats will be reinstated and the</p>	<p>Concerns remain as to whether the materials used for these defence works will be suitable for the communities present in the Suffolk Shingle Beaches CWS. In particular, large cobbles are</p>

	<p>vegetation allowed to re-establish naturally using a similar approach to that used successfully for the Sizewell B defences.</p> <p>Monitoring of the coastal defences will be undertaken in accordance with the Coastal Processes Monitoring and Mitigation Plan (CPMMP), secured by requirement.</p> <p>The TEMMP [REP1-016] is secured by requirement and sets out the long-term monitoring approaches of vegetation to be implemented to ensure the successful establishment of these habitats. Habitats within Suffolk Shingle Beaches CWS, particularly the vegetated shingle, are considered on national importance.</p> <p>Beach recharge will be undertaken as necessary in accordance with the CPMPP and this will maintain the substrates necessary for these habitats. Modelling to date shows up to seven recharge events over the lifetime of Sizewell C and whilst these would be at fairly regular intervals, given that erosion is storm driven, these events could be somewhat erratic. Recharge would happen in sections along the frontage and would not be for the entire length of the sea defence.</p> <p>Given that species characteristic of shingle beach vegetation communities are adapted to what is a naturally dynamic environment, it is considered that recharge events of this type and frequency would not lead to a substantive loss of shingle beach vegetation. The species present immediately after an area has been subject to recharge would simply be the early colonisers, characteristic of the early stages of vegetation establishment.</p> <p>The effect of land take on this CWS remains moderate adverse as stated in the ES, which is considered to be significant</p>	<p>proposed instead of shingle and it is not clear from details seen so far that it will be possible to successfully reinstate habitats. It is also not clear from currently available information what mitigation or compensation will be available in the case of failure to reinstate the CWS.</p> <p>It is anticipated that further details concerning the coastal defence works will be provided by the Applicant at a forthcoming deadline, to which we will respond in due course.</p>
Impacts on nearby European, nationally and locally designated sites as a result	<p>The CPMMP includes monitoring and management actions for potential impacts to ensure that no significant effects on coastal processes occur throughout the life of Sizewell C. An updated version of the CPMMP will be provided to key stakeholders for comment and submission to the ExA at Deadline 5 to reflect the</p>	See response to 3g above

<p>of changes in coastal processes</p> <p>Table 8.1 Ref. 3m</p>	<p>latest monitoring and modelling outputs and comments from stakeholders.</p> <p>Ecological monitoring and mitigation will also be secured via the TEMMP [REP1-016].</p> <p>The effects on coastal habitats, including the CWS, arising as a result of the new coastal defences are discussed further at 3g above.</p> <p>No significant adverse effects on coastal habitats are expected as a result of changes in coastal processes alone and Natural Environment Fund funding to compensate for residual impacts would be unwarranted.</p>	
<p>Northern and Southern Park and Rides, Freight Management Facility: Loss of habitat for breeding and wintering birds</p> <p>Table 8.1 Ref. 3n</p>	<p>No significant adverse effects on these sites, the habitats or species are expected – due in part to the quality of the site selection and design process but also to the mitigation proposed.</p> <p>Natural Environment Fund funding to compensate for (unidentified) residual impacts would be unwarranted.</p>	<p>SCC remains in disagreement with the Applicant on this matter.</p>

Archaeology (Chapter 13)

11. This is a topic on which substantial agreement has been reached since submission of the LIR. Differences remain on the Peat Strategy, however this may be due to a misinterpretation of our comments rather than a substantive disagreement. Some topics are subject to ongoing discussions and further updates will be forthcoming.

Table 5. SCC's response to comments from Chapter 13 – Archaeology

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
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Overarching Archaeological Written Scheme of Investigation Table 13.1 Ref 13.3	Additional comments received by SCC and from Historic England in their written representation [REP2-138] have been incorporated. A final version of the OWSI is submitted at Deadline 3 (Doc Ref. 6.14 2.11A (A)).	SCC notes that revision 2.0 of the OWSI addresses all previous comments by SCC. We are therefore happy to approve it.
Peat Strategy Table 13.1 Ref 13.4 & Annex L	This approach is agreed. SZC Co. does not agree with comments on the Peat Strategy in Annex L of the LIR [REP1-057] however - this is addressed below.	Response to Annex L comments included below.
Peat Strategy Section 13.3	<p>There are a number of points in this summary which are incorrect. Firstly, the resistivity tomography survey and other data drawn upon in the Peat Strategy which is set out at Volume 2, Chapter 16, Appendix 16G of the ES [APP-275] does not identify potential settlement areas: [quotes from ES omitted for brevity]</p> <p>Secondly, the Peat Strategy [APP-275] does not propose further evaluation to be followed by a decision on further mitigation, the four trenches proposed comprise the mitigation, along with investigation of the multiphased palaeochannel record from the site, geoarchaeological sampling (and palaeoenvironmental assessment from the proposed trench locations:</p> <ul style="list-style-type: none"> As set out in paragraph 6.2.5.5 [APP-275], the predictive model has been used to propose this excavation strategy to investigation to Holocene alluvial sequence and areas identified as having the highest archaeological potential. Using this approach an excavation strategy has been developed that considers the considerable challenges presented by this site (water table, depth of excavation, health and safety). 	<p>SCC note that there appears to have been some misunderstanding of comments made in the LIR. We did not suggest that the survey work undertaken to date in association with the peat deposits on Main Site had directly identified archaeological remains. However, we reaffirm that the results of this work do indicate significant potential for human occupation of Mesolithic and Neolithic date, and potential for archaeological remains. SCC suggest this potential based upon the identification of conditions suitable for preservation of specific classes of artefact (organic), and by comparing patterns of similar landscape use (riverine and coastal) on other sites in the UK, during the periods identified by the dating of the peats.</p> <p>Again, our comments regarding mitigation appear to have been misunderstood, as we have do not require a second phase of work following that which is set out in the Peat Strategy, but to ensure that a mechanism is in place to extend the excavation areas, and properly excavate and record the archaeology, if evidence of important archaeological remains is identified (e.g. fragments of boats/structures/fish traps etc) during this work.</p>

	<ul style="list-style-type: none"> Volume 2, Chapter 16 [APP-272] notes that the Peat Strategy in Appendix 16G [APP-275] sets out appropriate investigative techniques to allow loss of archaeological interest in the peats on the main platform site to be mitigated. A WSI setting out specific details of the methodology to be adopted will be agreed with SCCAS and Historic England once the earthworks contractor is appointed. Publication and popular dissemination of the results would allow any informative, and historic value, to be fully realised, and details of this will be set out within the WSIs. This will be secured in the Draft Development Consent Order, Requirement 3: Project wide: Archaeology and Peat [REP2-015]. 	<p>This approach is set out in the Peat Strategy and SCC wish to ensure that a contingency and methodology to deliver this is in the Peat Archaeological Written Scheme of Investigation.</p>
<p>Disturbance of archaeological remains</p> <p>Table 13.1 Ref Table 10a</p>	<p>Further discussions have been held on the requirements since the submission of the LIR and it is envisaged that the wording should be largely agreed when the next draft of the DCO is submitted at Deadline 5. Monitoring the implementation of the mitigation is agreed in principle, subject to the agreement of the exact scope and quantum in the Draft Deed of Obligation (Doc Ref. 8.17(D)).</p>	<p>No further comment at this stage. Discussions are ongoing with relation to the Draft Deed of Obligation.</p>
<p>Finalisation of site-specific WSIs/mitigation proposals</p> <p>Table 13.1 Annex L</p>	<p>SZC Co. is progressing discussions with SCC on the site-specific details of mitigation. It is not envisaged that there will be any issues which cannot be resolved in this respect. Submission and agreement of site-specific WSIs setting out the detail will be secured by requirement Project Wide 3: Archaeology and Peat [REP2-015].</p>	<p>We have agreed the wording of a new requirement 3, to be submitted by the applicant at Deadline 5.</p>

Traffic and Transport (Chapter 15)

12. Detailed comments are provided in Table 6, however a summary of our key concerns in this topic is as follows:
13. While SCC is generally satisfied with the traffic modelling and assessment of environmental impacts, we are awaiting final reports on a number of issues before reaching full agreement on these matters
14. While broad agreement has been reached on the management plans, a key remaining matter is controls and monitoring. SCC is in discussions with the applicants on these matters. SCC has identified an issue with process by which the Construction Workers Travel Plan transfers to the Operational Travel Plan. Discussions are in progress to clarify this transition process
15. SCC retains its position that the SCC chair should have a casting vote in the RTG.
16. SCC's detailed comments on transport related items in the deed of obligation are included in the separate SCC Deadline 5 submission on the Deed of Obligation.

Table 6. SCC's response to comments from Chapter 15 – Traffic and Transport

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
12a	HGV caps for network peak hours and daily HGVs are included in the CTMP [REP2-054]. Quarterly HGV caps are not considered necessary as outlined below. Monitoring and governance proposed via Transport Review Group (TRG). CTMP [REP2-054], CWTP [REP2- 055] and TIMP [REP2-053] are to be secured through the Draft Deed of Obligation (Doc Ref. 8.17(D)).	The Council maintains its position regarding the need for appropriate monitoring and controls, as set out in response to paragraph 15.5.4 below.
12b	The A14 forms part of the strategic road network (SRN) and is managed by Highways England rather than Suffolk County Council. Highways England has confirmed in the Statement of Common Ground [REP2-069] that they are "reasonably satisfied that the Sizewell C Project will not have a material	Whilst the Council recognises the Applicant's agreed position with Highway's England, that the impact may not be considered to be material on the SRN, the Council maintains that there will be a negative impact

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	impact on the SRN and no highway improvements are required over and above the improvements committed as part of the Brightwell Lakes development at the A12/A14 Seven Hills Interchange. However, the predicted impacts will be contingent upon robust management protocols as defined through the CWTP, CTMP and TIMP which are not yet fully agreed.” SZC Co. continues to liaise with Highways England to reach agreement on the CTMP [REP2-054], CWTP [REP2-055] and TIMP [REP2-053].	on the operation of the SRN as a result of Sizewell C traffic, as a result of reduced residual capacity.
12c	SZC Co. agrees the positive benefits of the Two Village Bypass. Refer to the response to 12c with regards to the proposed securing mechanisms for the road.	No further comment except that the process by which technical approval and adoption of the road is a matter being resolved by the parties.
12d	SZC Co. agrees the positive benefits of the Sizewell link road. Refer to the response to 12c with regards to the proposed securing mechanisms for the road.	<p>SCC’s position (as expressed in LIR) remains that while it recognises the benefits of the Sizewell Link Road removing Sizewell C traffic during the construction phase, it remains unconvinced of the benefits of the road in the operational phase.</p> <p>Notwithstanding this position SCC has engaged with the Applicant to develop a B1122 Repurposing Scheme that would make the road a sustainable travel corridor, if the Sizewell Link Road was retained.</p> <p>SCC proposes that this is included within the deed of obligation, if the recommendation is made that the Sizewell Link Road is retained as a permanent feature.</p>
12e	SZC Co. is largely aligned with the authorities in terms of the proposed transport mitigation. A package of highway/transport improvements for the A12 is proposed to be secured by requirement or funded via an obligation in the Draft Deed of Obligation (Doc Ref. 8.17(D)). In addition, a transport contingency fund is to be secured through the Draft Deed of Obligation (Doc Ref. 8.17(D)), which the TRG can direct be drawn down in the event that mitigation is required to address significant adverse transport impacts that were not mitigated	<p>SCC will continue to work with the Applicant on this issue, and welcome their commitment to a package of highway/transport improvements.</p> <p>However, it is worth that SCC has raised with the Applicant a number of concerns following review of the Environmental Statement and the ES Addendum Transport chapters. The Applicant has been working with SCC to address our concerns and that workstream</p>

	<p>through the DCO. Monitoring and governance is proposed via the TRG, which is also secured in the Draft Deed of Obligation (Doc Ref. 8.17(D)). SZC Co. does not consider that a contribution towards capacity improvements on the A12 between Seven Hills and A1152 is necessary based on the VISSIM traffic modelling of the corridor summarised in the Consolidated Transport Assessment [REP2-045 to REP2-052] and the proposed demand management measures included in the CTMP [REP2-054], CWTP [REP2-055].</p>	<p>has made recent progress, but has not been completed and for which the council will need to review to understand if there are any additional impacts. The results of which SCC will inform the Examining Authority with. It is important that the contingency fund has sufficient funds to respond to those issues identified.</p> <p>That being said, given the increased level of traffic there is likely to be a residual negative impact in a number of locations on the highway network as a result of Sizewell C traffic. The Council maintains its position regarding a material impact on the A12 between A14 Seven Hills and A1152 Woods Lane and the need for proportionate mitigation.</p>
12f	<p>SZC Co. is aligned with the authorities on the proposed mitigation, subject to agreeing some of the details. A package of highway/transport/ environmental improvements for A and B roads beyond the A12 are proposed to be secured either by requirement or funded via an obligation in the Draft Deed of Obligation (Doc Ref. 8.17(D)). SZC Co. will continue to liaise with the authorities with regard to the details of the improvements to be secured via the Draft Deed of Obligation (Doc Ref. 8.17(D)). In addition, a transport contingency fund is to be secured through the Draft Deed of Obligation (Doc Ref. 8.17(D)), which the TRG can direct be drawn down in the event that mitigation is required to address significant adverse transport impacts that were not mitigated through the DCO. Monitoring and governance are proposed via the TRG, which is also secured in the Draft Deed of Obligation (Doc Ref. 8.17(D)).</p>	<p>SCC will continue to work with the Applicant on this issue, and welcome their commitment. However, it is worth noting that, following our review of the Environmental Statement and the ES Addendum Transport chapters, SCC has raised a number of concerns with the Applicant. The Applicant has been working with SCC to address our concerns and that workstream has made recent progress, but this work has not been completed. SCC will need to review further to understand whether any additional impacts arise from this, and will raise any outstanding issues at future deadlines. It is important that the contingency fund has sufficient funds to respond to those issues identified. That being said, given the increased level of traffic there is likely to be a residual negative impact in a number of locations on the highway network.</p> <p>SCC welcomes the additional commitments by the Applicant to provide the following mitigation:</p> <ul style="list-style-type: none"> • A12 Marlesford and Little Glemham

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		<ul style="list-style-type: none"> • A12 Yoxford • B1122 'Early years' • B1125 Westleton <p>SCC proposes these, and any additional mitigation, are included within the Deed of Obligation.</p>
12g	<p>SZC Co. is proposing a permanent beach landing facility (BLF) to enable the heaviest/largest AILs to be delivered by sea rather than road. In addition, SZC Co. has committed through an obligation in the Draft Deed of Obligation (Doc Ref. 8.17(D)) to undertake a highway condition survey of the B1122 pre commencement and post the opening of the Sizewell link road and to fund Suffolk County Council to maintain the B1122 in good repair prior to the opening of the Sizewell link road. SZC Co. does not consider that funding is required to mitigate the detrimental effect of the road surface on the A12, as this forms part of the Suffolk primary road network and one of its functions is to accommodate HGV traffic.</p>	<p>The B1122 and parts of the A12 are evolved roads ie have not been formally designed to carry significant numbers of heavy axle loads. It is likely they will suffer from structural deterioration during the construction when, despite the BLF, they will be subjected to a significant number of HGV movements. The polishing effect of commercial vehicles tyres may also result in sections of the A12 and B1122 falling below the investigatory level for skid resistance when used by the additional SZC construction traffic and / or requiring surfacing with a higher Polished Stone Value to maintain skid resistance.</p>
12h	<p>SZC Co. understands that Suffolk County Council currently endeavours to co-ordinate highway maintenance to limit the impact on road users. For example, SZC Co. understands that overnight highway maintenance is currently undertaken on the A12 in order to limit the impact of the maintenance. SZC Co. therefore does not consider that the Sizewell C Project will have a significant detrimental impact on the ability of Suffolk County Council to maintain the local highways.</p>	<p>Major roadworks such as resurfacing of the A12 are undertaken at night or weekends to avoid disruption, delays and congestion. However, routine and cyclic maintenance such as grass cutting, gully emptying and minor repairs such as potholes, road signs or vehicle restraint systems are undertaken during the daytime out of peak period. No working restrictions are applied to major or minor works on the B1122. The additional traffic generated by construction of Sizewell C will make off peak works disruptive at best and potentially unsafe requiring SCC to do these overnight and incurring additional costs maintaining the highway in accordance with its duties.</p>
12i	<p>SZC Co. does not agree the economic assessment that has been undertaken with regards to the economic cost of</p>	<p>SCC understands that the Applicant will submit a formal response regarding this issue at Deadline 5, which will</p>

	congestion. Refer to SZC Co. response to Suffolk County Council's response to ExQ1 SE.1.42 for further details (Doc Ref. 9.30).	be reviewed and responded to appropriately. However, SCC's Appendix to ExQ SE.1.42 (Economic Assessment) is in response to the Applicant's statements based on Appendix 9C 'A12 VISSIM Technical Note V.13 and Appendices' [REP2-051] which suggested that the inclusion of Sizewell C traffic would not have a significant impact along this congested section of the A12 corridor. A more substantive response is provided to SE.1.42; however, it concludes that, although concerns have been raised by the Applicant in relation to the economic assessment, these concerns should only be associated with the outcomes from the Strategic VISUM economic assessment, not the microsimulation VISSIM economic assessment. The A12 VISSIM model has been robustly developed by the Applicant as stated within Appendix 9C [REP2-051] and agreed by the SCC model auditor. Therefore, the economic assessment and conclusions from this model should be seen as a robust reflection on the impact along the A12 corridor and should form the basis for initial discussions on mitigation measures.
12j	SZC Co. continues to liaise with the authorities to agree a package of improvements for the B1122 to mitigate impacts on vulnerable road users, which is proposed to be secured through an obligation in the Draft Deed of Obligation (Doc Ref. 8.17(D)).	SCC welcomes the Applicant's commitment and will continue to constructively engage.
12k	HGV caps for network peak hours and daily HGVs and included in the CTMP [REP2-054]. Quarterly HGV caps are not considered necessary as outlined below.	SCC understand that the Applicant is considering their position on this issue following ISH2 and ISH3, and whilst we currently disagree with their position, feel it would be inappropriate to comment further until the Applicant's considerations are complete. We welcome continued engagement on this issue.

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12l	Details of the proposed monitoring and management of fly parking are set out in the CWTP [REP2-055], which is to be secured through the Draft Deed of Obligation (Doc Ref. 8.17(D)). SZC Co. is not proposing to build new houses as part of the DCO, which would generate additional parking demand. Instead, non-home based Sizewell C construction workers would be able to utilise existing accommodation, including private rental accommodation. Any new houses in multiple occupation (HMO) would require a licence from East Suffolk Council and consideration should be given to existing parking capacity when issuing licences.	We welcome the Applicant's commitment to manage and respond to Fly Parking as set out in the CTMP [REP2-055], but still consider that there will be some residual impact, but that the Applicant has committed to an acceptable process to monitor and respond through the TRG. Notwithstanding our separate comments on the TRG processes.
12m	Network Rail has responsibilities for the operation of the rail network. Capacity analysis undertaken demonstrates that SZC trains can operate within the proposed hours without impacting services from Felixstowe.	SCC acknowledges the efforts being made into identifying an acceptable timetable, but SCC maintains our position that the potential exists for a negative impact on the rail network as a result of the additional rail movements, especially associated with delayed overnight freight movement or that assigned the morning flask path.
12n	SZC Co. Is working closely with Network Rail to determine whether track renewal on the East Suffolk Line can be delivered as a legacy benefit (rather than a necessity for this application).	SCC welcomes the further clarification provided and welcomes updates on these discussions.
12o	The benefit in upgrading the branch line to enhance its resilience, safety and noise performance should be recognised.	SCC maintains the position that the improvements do not offer a material long term legacy benefit, but acknowledges the benefits to delivering the freight strategy during the construction phase.
12p	SZC Co. is to submit an Operational Travel Plan to Suffolk County Council for approval prior to the end of the construction period, which would seek to reduce the reliance on the private car for travel to the site by the operational workforce and outage staff. The Operational Travel Plan is proposed to be secured through an obligation in the Draft Deed of Obligation (Doc Ref. 8.17(D)).	SCC maintains its position that there will be a negative transport impact in some locations associated with the operational workforce due to reduced capacity and other associated impacts; however, we welcome the commitments towards an Operational Travel Plan and would request that confirmation is given that the Operational Workforce will be subject to the CWTP

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		<p>[REP2-055] prior to delivery of the Operational Travel Plan and that the site would be subject to the Operational Travel Plan beyond the currently envisaged five years. We would expect that an Outline Operational Travel Plan be developed during the construction phase to help embed good practice.</p> <p>SCC's proposals on developing and implementing the Operational Travel Plan are included in our comments on the Deed of Obligation</p>
12q	SZC Co. agrees that the proposed walking and cycling improvements will provide a legacy benefit for vulnerable road users	No additional comments.
12r	SZC Co. accepts that there will be a need for a commuted sum for the maintenance of the two village bypass and Sizewell link road, which will be discussed with Suffolk County Council through ongoing workstreams.	SCC welcomes the Applicant's acceptance of the need for a commuted sum for maintenance of the Two village Bypass and Sizewell Link Road, and welcomes ongoing discussions on this with the Applicant. We would also seek that the commuted sum covers all other highway works.
Section 15.4	Risks within the Transport Assessment	<p>Whilst SCC recognises that acceptable data has been used to inform the modelling assessment, and that in many cases this was the best available data at the time; the council maintains the position that that data, and the subsequent modelling techniques, include risk. That level of risk varies depending on the assumption made, but given the number of assumptions, the significant numbers of movements, the projects location, the atypical nature of the project and the scale of project, SCC is looking to minimise those risks by including relevant monitoring and controls/processes, where appropriate. That being said, ongoing discussions are occurring in this area with the Applicant, which we welcome.</p>

		The Council does not accept that the Applicant's comparison of Sizewell C to Brightwell Lakes in terms of the relevant TA is of limited relevance. However, in terms of controls the number of dwellings is controlled by planning conditions and obligations requiring delivery of the appropriate highway infrastructure.
15.5.3	<p>The CTMP [REP2-054] for Sizewell C includes AM and PM peak hour HGV limits and daily HGV limits for the early years, as well as peak hour and daily HGV limits, based on the busiest day for the peak construction phase, once the Sizewell link road and two village bypass are operational. The reason for including these HGV limits is as follows:</p> <p>a) Peak hour HGV limits – EN-1 12 states at paragraph 5.13.8 that “Where mitigation is needed, possible demand management measures must be considered and if feasible and operationally reasonable, required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts.” The Consolidated Transport Assessment [REP2-045 to REP2-052] includes an A12 VISSIM micro-simulation model to assess the effects of the Sizewell C project on the A12 corridor between Seven Hills and A1152, which is susceptible to peak period congestion. It concludes that the impact on journey times over a 14km corridor are not considered to be significant (i.e. up to 37 seconds increase during the peak construction busiest day for the preferred freight strategy, with all other scenarios and time periods experiencing less increase in journey time on the corridor for the preferred freight strategy) and no highway improvements are proposed for this section of the A12. Instead demand management measures are proposed for this section of the A12, which include, but are not limited to, the delivery</p>	<p>SCC welcomes the Applicant's commitment to peak hour caps based on the sensitivity of the peak hours, as set out in CTMP [REP2-054]. SCC believes that these hours should be extended to cover the adjacent periods of 07:00 to 08:00 and 16:00 to 17:00, which are also subject to congestion, and note that the development impacts on this corridor are not dissimilar for these hours to the 17:00 to 18:00 hour. SCC also notes that there are minor junctions along the A12 corridor that are predicted to experience increases in delay as a result of the increase in development traffic and management methods for reducing the delays for exit manoeuvres on the minor junctions during the peak hours is generally considered to be a sensible and pragmatic approach. Whether the controls on the adjacent hours need to be caps or targets to be monitored against is a matter for discussion between the parties.</p>

	<p>management system and freight management facility at Seven Hills to enable the control of HGVs on the highway network as well as a direct bus strategy to reduce car trips. The sensitivity of the A12 corridor is recognised by SZC Co. and should the HGV trips be more than assessed, particularly during the network peak periods, then unmitigated impacts may arise. It is for this reason that the peak hour HGV limits are proposed.</p> <p>b) Maximum HGV daily limits – Volume 1, Chapter 2 of the ES Addendum [AS-181] has assessed the environmental transport effects for both the typical and busiest day during the peak construction phase and mitigation is proposed to mitigate significant adverse effects. It is recognised that, should the daily HGV generation exceed the busiest day, then unmitigated impacts may arise. It is for this reason that maximum daily HGV limits for the early years and peak construction phase are proposed.</p>	
15.5.4	<p>It is not considered necessary to also have a quarterly average HGV cap for the Sizewell C peak construction phase. The purpose for including the quarterly HGV cap within the Hinkley Point C project was due to the lack of evidence to support the view that there would be variation in daily HGV movements and that every day of the construction phase would not generate the maximum HGV limit. However, as set out above, Sizewell C is in the fortunate position to have a wealth of data available from Hinkley Point C, which has informed the Sizewell C HGV profile. The experience from Hinkley Point C demonstrates that there will be variation in daily HGV flows throughout the Sizewell C construction phase and it will not operate at the maximum HGV flows continuously. It may be argued that the daily variation in HGV flows at Hinkley Point C</p>	<p>SCC maintains its position; and whilst recognising the value in the data provided from Hinkley Point C, we also note that the projects' strategies are not identical. SCC considers that those areas where monitoring and controls have been put in place at Hinkley Point C have generally been successful, highlighting their value. We understand that the Applicant is considering this issue and will provide further information, which we welcome. Given the level of success at Hinkley Point C highlighted, it also suggests that typical day monitoring and controls are unlikely to significantly impinge upon the project's delivery.</p>

	<p>is a direct consequence of the quarterly average HGV cap and that, were HGV demand to be unfettered, the HGV profile could operate at the maximum daily HGV limit. However, there was a period at Hinkley Point C from April 2018 to September 2019 where the quarterly average cap (i.e. 500 two-way daily HGVs on average per quarter) was by agreement temporarily lifted, allowing for the project to operate at the maximum daily HGV limit (i.e. 750 two-way HGVs per day). Table 5.2 below shows the HGV movements reported to the Hinkley Point C Transport Review Group during the six quarters that the average quarterly HGV cap was temporarily lifted.</p>	<p>SCC notes that at this time the implementation secures delivery of the infrastructure for the freight management strategy rather than the modal split of the preferred freight strategy. SCC maintains the view that management of HGVs through controlling quarterly daily average numbers would be a mechanism to secure the commitments of the preferred freight management strategy.</p>
Section 15.6	<p>Contribution to A12 improvements</p>	<p>SCC maintains our position that proportionate mitigation for the A12 corridor is appropriate. We understand that the Applicant will be responding on this issue at Deadline 5 and SCC will respond appropriately to their submission.</p>
15.7.10	<p>With regard to the mode spit of other nuclear projects, Hinkley Point C is currently being constructed and the DCO set a target for 80% of the materials used for concrete materials to be delivered via the jetty once the jetty is available. This is not a like for like comparison between the 60% rail/marine mode share forecast for Sizewell C as the 80% target for Hinkley is not for all construction materials over the entire construction phase. A Freight Management Strategy was annexed to the Transport Assessment (duplicated at Appendix 15A of this report) submitted to support the Hinkley Point C DCO, which included a breakdown of the estimated materials required for the construction phase and the assumed mode of delivery. Analysis has been undertaken by SZC Co. to determine the mode share forecast within the DCO submission for Hinkley Point C over the entire construction phase, which is included as Appendix 15B, and shows that the 80% target via the jetty for concrete materials translates to 43% of the total construction phase materials via the jetty and 57% delivered by</p>	<p>SCC welcomes the additional information provided at Appendix 15B [REP3-045]. Firstly, SCC understands that the target for transporting 80% of materials used for concrete materials by jetty is currently not being achieved at Hinkley Point C, with in the order of 60 to 70% currently being achieved. SCC would seek further clarity on the figures provided and how they relate to caps; if 57% of total materials are being transported by road at Hinkley Point C, an understanding of why the caps at Sizewell C are greater than those at Hinkley Point C and why there is such a significant difference in total materials required between the projects would be beneficial. It is important to note that SCC is not necessarily requesting that the Applicant achieve the same proportions as could have been achieved at Wylfa, but would request an understanding of the absolute maximum of materials that could be</p>

	road. Therefore, the freight management strategy for Sizewell C will deliver a greater level of materials by rail/marine than Hinkley Point C.	transported by sustainable modes, and then an agreement for aspirational targets which look to maximise the use of sustainable modes, whilst recognising also the benefits of using a local supply chain.
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SCC's response to comments from Chapter 16 – Transport Impacts at Associated Development Sites

17. Table 7 sets out SCC's response to the Applicant's comments on Chapter 16 of the LIR.

Table 7. SCC's response to comments from Chapter 16 – Transport Impacts at Associated Development Sites

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
18a	SZC Co. supports the proposed closure of Valley Road for pedestrian/cycle access only, which is to be funded through the cycle connectivity fund secured through the Draft Deed of Obligation (Doc Ref. 8.17(D)) and consented through the process set out in Article 22 of the Draft Development Consent Order (DCO) [REP2- 015].	The Authority has not yet agreed to the method that closure of Valley Road is secured. No details are available regarding the scope of the cycle connectivity fund and while not objecting to this would propose it could be secured through the Leiston Cycle and Walking Scheme proposed by SCC in the Deed of Obligation or by inclusion in Schedule 10 Part 3 of the dDCO
18b	This is addressed in Chapter 18 of this report.	Defer to ESC.
18c	The park and ride facilities are secured through the Draft Deed of Obligation (Doc Ref. 8.17(D)). The Deed of Obligation confirms that SZC Co. shall use reasonable endeavours to carry out and complete the park and ride facilities in accordance with the Implementation Plan [REP2-044], unless otherwise agreed with the local authorities. This includes the timing of the proposed closure of the park and ride facilities. Requirement 21 requires that the related highway works have been completed before the park and ride facilities are brought	As set out at our Deadline 3 [REP3-079] response SCC is seeking justification of the proposed cycle parking provision and an increase in the proposed electric vehicle charging provision, and welcome ongoing discussions with the Applicant on this. SCC notes the comments on the mechanism for construction and removal of the park and rides. It is

	<p>into use. Requirement 24 requires that within 12 months of completion of the SZC construction, the park and ride facilities must be demolished and returned to agricultural use. Requirement 20 requires that a statement of compliance is submitted to East Suffolk Council for approval, demonstrating how the detailed design complies with the Associated Development Design Principles. The works must be carried out in accordance with the parameter plans and the approved plans and in general accordance with the Associated Development Design Principles. Any alternative plans need to be in accordance with the parameter plans and the Associated Development Design Principles and will be subject to East Suffolk Council's approval. Requirement 22 requires that the relevant highway works are in accordance with the approved plans and in general accordance with the Associated Development Design Principles. Any alternative plans to be approved by Suffolk County Council must be in general accordance with the Associated Development Design Principles and in the vertical limits of deviation in Article 4. Unless shown on the approved plans, Suffolk County Council must approve any changes to existing finished ground levels of surface water drainage. Requirement 5 requires that details of the surface and foul water drainage system are approved by East Suffolk Council in consultation with Suffolk County Council.</p>	<p>considering its position on the adequacy of 'reasonable endeavours' for delivery.</p> <p>SCC accept that removal and reinstatement is secured by Requirement 24 but is concerned that no approval from the LPA or LHA is required. SCC notes that the highway elements of construction and removal of the access to the park and ride will require approval by the highway authority pursuant to requirement 22 and for the Applicant to enter into a Highways Act: 1980 s278 agreement.</p>
18e	<p>The park and ride facilities are secured through the Draft Deed of Obligation (Doc Ref. 8.17(D)). The Deed of Obligation confirms that SZC Co. shall use reasonable endeavours to carry out and complete the park and ride facilities in accordance with the Implementation Plan [REP2-044], unless otherwise agreed with the local authorities. This includes the timing of the removal of the park and ride facilities. Notwithstanding this, SZC Co. acknowledges Suffolk County</p>	<p>SCC remains concerned about the impacts of the park and ride sites, particularly with regard to unforeseen impacts associated with late delivery and removal. SCC notes that the Applicant did not respond to the matter regarding the phasing of delivery of the parking spaces.</p> <p>See 18c regarding the mechanism of delivery.</p>

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	Council's comments and will discuss through ongoing workstreams.	
18f	The DCO proposes to reinstate the northern park and ride and therefore, should the Councils wish to retain some of the parking for the railway station, the Councils would need to obtain planning consent via a separate application prior to the proposed reinstatement of the northern park and ride facility.	SCC accepts that removal and reinstatement is secured by Requirement 24 but is concerned that no approval from the LPA or LHA is required.
18g	A cycle connectivity fund is proposed to be secured via the Draft Deed of Obligation (Doc Ref. 8.17(D)). Discussions are ongoing with the Councils with regards to the scope of the fund but it will include proportionate improvements to walk and cycling facilities to the southern park and ride facility.	<p>No details regarding the cycle connectivity fund are provided in the draft Deed of Obligation [REP3-027]. SCC has proposed a number of schemes that may have been included in the cycling connectivity fund including</p> <ul style="list-style-type: none"> • Leiston Walking and Cycling Scheme • B1122 Repurposing Scheme <p>Although discussions have been held regarding the possible scope of the cycle improvements to the southern park and delivery the highway works. SCC will work with the Applicant to clarify this matter.</p>
18h	In consultation with the Councils and Wickham Market parish council, SZC Co. has developed a package of improvements within Wickham Market, which are to be funded via an obligation within the Draft Deed of Obligation (Doc Ref. 8.17(D)).	While welcoming the progress on developing a package of mitigation measures for Wickham Market, SCC considers that the design and delivery should be undertaken by the Applicant. However, this mechanism can also be included in the Deed of Obligation.
18i	In consultation with the Councils, SZC Co. has developed a package of improvements for the B1078/B1079 corridor, which are to be funded via an obligation within the Draft Deed of Obligation (Doc Ref. 8.17(D)).	While welcoming the progress on developing a package of mitigation measures for the B1078/ B1079 corridor SCC considers that design and delivery should be undertaken by the Applicant. However, this mechanism can also be included in the Deed of Obligation.
18j	SZC Co. agrees that the two village bypass will have positive benefits of removing through traffic from the A12 through	SCC notes that the construction of the two village bypass will require approval by the highway authority pursuant to requirement 22 and for the Applicant to

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	Farnham and Stratford St Andrew. Requirements 5 and 22 apply – see above.	enter into a Highways Act: 1980 s38 agreement. The process to dedicate the two village bypass as highway maintainable at public expense is under discussion with the Applicant.
18k	SZC Co. is currently liaising with the Councils and parish council to develop a package of improvements for Little Glemham and Marlesford, which are to be funded via an obligation within the Draft Deed of Obligation (Doc Ref. 8.17(D)).	While welcoming the progress on developing a package of mitigation measures for the Little Glemham and Marlesford SCC considers that design and delivery should be undertaken by SZC Co. However, this mechanism can also be included in the Deed of Obligation.
18l	SZC Co. agrees that the proposed improvement at A12 / A1094 will provide legacy benefit. Refer to response to 18j with regards to the securing mechanisms for the roundabout.	SCC note that the construction of the two village bypass will require approval by the highway authority pursuant to requirement 22 and for the Applicant to enter into a Highways Act: 1980 s278 agreement.
18m	The removal of the Sizewell link road would require a significant amount of construction activity and would have environmental impacts. SZC Co. propose to retain the Sizewell link road for the reasons set out in SZC Co.'s response to ExQ1 AI.1.33 [REP2-100].	SCC maintains its position regarding the removal of the link road. In our Deadline 3 Response to AI.1.33 [REP3-084] we also outlined that the benefits offered during outages were limited by the number of outage workers who would use the route, that the occasional use of the road for AILs does not justify the environmental damage it would cause, and that whilst there would be environmental consequences for removing the route, these would be short term. Whilst the Sizewell Link Road may be larger in scale, there are precedents elsewhere in the project to remove infrastructure (e.g. park and rides, LEEIE, GRR).
18n	SZC Co. accepts that there will be a need for a commuted sum for the maintenance of the two village bypass and Sizewell link road, which will be discussed with Suffolk County Council through ongoing workstreams.	SCC welcomes the Applicant's acceptance of the need for a commuted sum for maintenance of the Two village Bypass and Sizewell Link Road, and welcomes ongoing discussions on this with the Applicant. We would also seek that the commuted sum covers all other highway works.

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18o	SZC Co. agrees that the Sizewell link road will result in reduced impacts of construction traffic for houses along the B1122.	No further comment.
18p	SZC Co. is currently liaising with the Councils to develop a package of improvements for the B1122 to be implemented during the early years, which is to be funded via an obligation within the Draft Deed of Obligation (Doc Ref. 8.17(D)).	Notwithstanding SCC's overarching position on the Sizewell Link Road, SCC welcomes the ongoing engagement on this issue and has proposed a 'B1122 Repurposing Scheme' in our response to the draft Deed of Obligation (see separate Deadline 5 submission).
18q	SZC Co. supports the downgrading of the B1122 once the Sizewell link road is operational and considers this to provide benefits for vulnerable road users. SZC Co. is currently liaising with the Councils to develop a package of improvements for the B1122, which is to be funded via an obligation within the Deed of Obligation [REP2- 060].	See 18p
18r	SZC Co. agrees that there are capacity and road safety benefits of the proposed Yoxford roundabout. Refer to response to 18j with regards to the securing mechanisms for the roundabout.	SCC notes that the construction of the two village bypass will require approval by the highway authority pursuant to requirement 22 and for the Applicant to enter into a Highways Act: 1980 s278 / s38 hybrid agreement. Discussions on the process of adoption of the roundabout as highway maintainable at public expense are in progress.
18s	SZC Co. does not consider that any physical improvements to the Seven Hills junction are required based on the VISSIM traffic modelling summarised in the Consolidated Transport Assessment [REP2-045 to REP2-056]. Highways England has confirmed in the Statement of Common Ground [REP2-069] that they are "reasonably satisfied that the Sizewell C Project will not have a material impact on the SRN and no highway improvements are required over and above the improvements committed as part of the Brightwell Lakes development at the A12/A14 Seven Hills Interchange. However, the predicted impacts will be contingent upon robust management protocols as defined through the CWTP, CTMP and TIMP which are not	SCC maintains its position that the presence of the FMF and the associated increase in traffic will result in a negative impact on the operation of the Seven Hills junction and at the A1156 junction. While SCC understands that the developer of Brightwell Lakes is working towards submission of reserved matters and technical approval of the highway works, the timing of delivery of the improvements to Seven Hills has not been confirmed.

	yet fully agreed.” SZC Co. will continue to liaise with the Councils and Highways England to reach agreement on the CTMP [REP2-054], CWTP [REP2-055] and TIMP [REP2-053].	
18t	SZC Co. does not agree that queueing back onto the highway from the freight management facility, especially during incidents on the highway network, is likely to occur. The freight management facility has been designed based on an incident scenario and the need to hold HGVs off the highway network rather than typical operations. For example, the internal site access road has been designed with queuing capacity with the access control barriers set back a considerable distance from Felixstowe Road in order to avoid any queueing back onto the highway. In addition, the number of HGV parking spaces is based on the ability to hold HGVs for a number of hours, if required	SCC requests that details of the scenario tested are made available to interested parties so that the adequacy of the number of parking spaces can be considered against the duration of an incident.
18u	The role of Operation Stack is to stack HGVs on Felixstowe Road in the event that Felixstowe Port is closed, usually due to high winds. It is understood by SZC Co. that Operation Stack is now far less likely to be implemented as Felixstowe Port has improved their onsite operations and delivery management system in recent years in order to better manage deliveries in the event of the Port closure. Likewise, Highways England has recently implemented a variable speed limit scheme for the Orwell bridge, which Highways England considers will reduce the need to close Orwell bridge in the event of high winds. The management of Sizewell C traffic in the event of an incident on the highway network is to be managed via the TIMP [REP2-053], which is to be secured through an obligation within the Draft Deed of Obligation (Doc Ref. 8.17(D)).	Operation Stack and its impact on movements around the FMF is considered by SCC to be one of the scenarios that should be tested within the TIMP.
18v	The reinstatement of the park and ride facilities and freight management facility is to be secured by requirement.	SCC accepts that removal and reinstatement is secured by Requirement 24 but is concerned that no approval from the LPA or LHA is required. SCC considers that the highway elements of removal of the access to the FMF will require approval by the highway authority

		pursuant to requirement 22 and for the Applicant to enter into a Highways Act: 1980 s278 agreement.
18w	The construction and removal of level crossings at Buckleswood Road and Abbey Road will be undertaken using appropriate traffic management controls and where possible temporary road surfaces to minimise disruption for road users.	<p>SCC considers that the highway elements of construction and removal of the access to the FMF will require approval by the highway authority pursuant to requirement 22 and for the Applicant to enter into a Highways Act: 1980 s278 agreement.</p> <p>SCC accepts that removal and reinstatement is secured by Requirement 24 but is concerned that no approval from the LPA or LHA is required.</p> <p>The use of traffic management and road closures will inconvenience a number of predominately local highway users.</p>
18x	Temporary closure of minor roads during the upgrade to level crossings on the Leiston branch line will be minimised. Work will be scheduled to keep local alternative diversion routes available.	SCC considers that the highway elements of construction and removal of the access to the FMF will require approval by the highway authority pursuant to requirement 22 and for the Applicant to enter into a Highways Act: 1980 s278 agreement

Flood and Water (Chapter 20)

18. We note that many concerns raised by SCC as Local Lead Flood Authority remain unaddressed. Table 8 sets out SCC's response to the Applicant's comments on Chapter 20 of the LIR.

Table 8. SCC's response to comments from Chapter 20 – Flood and Water

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
Use of non-SuDS measures Table 20.1 Ref 22a	The Outline Drainage Strategy [REP2-033] ("ODS") sets out a SuDS-led strategy for the proposed development. The ODS conforms with national and local policy and best practice, such as promoting the	SCC acknowledge the need for proprietary treatment systems to be used in specific circumstances. Indeed, they can often complement a well thought out SuDS strategy and we support this approach which could

	<p>drainage hierarchy and drawing on guidance such as the CIRIA SuDS Manual. As foreseen by both the NPPF and the CIRIA SuDS Manual, not every SuDS solution may necessarily utilise green/vegetated techniques.</p> <p>Where there is a rare need to use a non-SuDS approach (e.g. pumping where gravity is not feasible), SZC Co. is continuing to discuss those circumstances with SCC and ESC.</p> <p>SZC Co. has shared infiltration data and design calculations for the MDS and LEEIE with SCC and ESC, to provide increased confidence that the proposed solutions would fit within the Order Limits.</p>	<p>ultimately improve the quality of surface water discharged to the environment. What SCC would not support is the use of proprietary treatment as a sole or primary form of treatment where natural SuDS methods could otherwise be employed.</p> <p>Discussions are ongoing with the Applicant regarding the need for non-SuDS approaches and the justification for this.</p> <p>Whilst infiltration rates have been shared with SCC for MDS, the raw data (results of infiltration testing) has not been provided for this site. Infiltration rates, including the raw data have been provided for LEEIE. SCC have not received design calculations for either of these sites, contrary to the Applicants statement.</p>
<p>Acceptability of drainage strategy at LEEIE</p> <p>Table 20.1 Ref 22b</p>	<p>SZC Co. has shared two design iterations with SCC since the publication of the ODS setting out a SuDS-led strategy within the limits of the site.</p> <p>The FRA [APP-093] clearly concludes that there would be no increased off-site risk with appropriate drainage infrastructure and adherence to the ODS.</p> <p>The designs will be presented to the Councils for approval through Requirement 5 following the grant of the DCO. Further controls on design specification and performance are managed through the permitting process, following the grant of the DCO. Specifically, environmental permits will be required for discharges to the Leiston Drain and Sizewell Drain.</p>	<p>SCC acknowledge the designs shared with us by the Applicant to date. Whilst the initial design left us with multiple concerns, the second iteration is working towards addressing those concerns in a positive manner, the principles of which have the support of SCC.</p> <p>Whilst the ODS sets out basic principles and proposed strategies, as a standalone document, it is not sufficient to demonstrate that sufficient & suitable mitigation can be delivered within the Order Limits in accordance with national and local policy, best practice and guidance.</p> <p>The FRA & ES are reliant on the implementation of SuDS as primary mitigation. It must therefore be demonstrated that this primary mitigation can be delivered, in accordance with national and local policy, best practice and guidance. Without this detail, it is not possible to rely on this primary mitigation in the ES.</p>

		This work must therefore be completed as part of outline design during the Examination. Detailed design would be required for Requirement 5.
Order Limits Paras 20.3.12 & 20.3.13	<p>It is believed that the concern raised relates to a statement within a previous iteration of the LEEIE basic drainage design, which has since been superseded. SZC Co. has since provided to the Councils an updated design document which demonstrates that a SuDS-led drainage strategy can be achieved for the LEEIE site within the Order Limits.</p> <p>SZC Co. recognises the balance that must be struck between the efficient use of land (including the need to avoid compulsory acquisition unless there is a compelling need) and the land requirements of extensive SuDS solutions. The lack of good and consistent infiltration at the LEEIE site, for example, is well understood and indicated in infiltration data provided to the Councils. SZC Co. believes that a SuDS-led strategy can be delivered efficiently for this site, negating any need to extend the Order Limits.</p>	<p>This comment was made in relation to the information contained within the ODS, which still seeks to utilise below ground geo-cellular attenuation [REP2-033, para 3.4.90]. SCC acknowledge that subsequent informal design work, which is yet to be submitted to the Examination, seeks to remove the reliance on below ground attenuation and to utilise more open SuDS, an approach supported by SCC.</p> <p>SCC is not suggesting that the Applicant should make use of compulsory acquisition powers to deliver a particular drainage solution. Rather, we seek a strategy that makes use of SuDS approaches rather than non-sustainable approaches. There is no need to engage the relevant tests for compulsory purchase if the applicant is confident that a SuDS-led strategy can be delivered at the site.</p>
Potential for increased surface water flood risk at several sites Table 20.1 Ref 22c	<p>Please see the response above to 22b in relation to the construction phase drainage for LEEIE. LEEIE has no function beyond the construction phase and will be reinstated to the original land use.</p> <p>As with MDS and LEEIE (already provided), SZC Co. has committed to sharing infiltration data and design summary reports, setting out the drainage concept designs for the remaining associated development sites.</p> <p>These are well progressed for the Sizewell link road, two village bypass and Yoxford roundabout, due to the need to meet adoptable standards for SCC (as highway authority). Ground investigation data and design</p>	<p>Whilst the ODS sets out basic principles and proposed strategies, as a standalone document, it is not sufficient to demonstrate that sufficient & suitable mitigation can be delivered within the Order Limits in accordance with national and local policy, best practice and guidance.</p> <p>The FRA & ES are reliant on the implementation of SuDS as primary mitigation. It must therefore be demonstrated that this primary mitigation can be delivered, in accordance with national and local policy, best practice and guidance. Without this detail, it is not possible to rely on this primary mitigation in the ES.</p> <p>This work must therefore be completed as part of</p>

	<p>solutions are less advanced for the remaining associated development sites, reflecting the associated level of likelihood of effects relating to drainage and flood risk (as concluded by the respective Flood Risk Assessments). The detail is reserved through Requirement 5 of the DCO.</p> <p>No new data will be available during the examination for the park and ride sites, freight management facility and green rail route. On the basis of existing data, SZC Co. is confident that SuDS-led design strategies can be delivered within the Order Limits for these sites.</p>	<p>outline design during the Examination. Detailed design would be required for Requirement 5.</p> <p>SCC's view on the level of information provided for MDS & LEEIE is stated in response to Table 20.1 Ref 22a.</p> <p>Whilst productive discussions on Sizewell Link Road, Two Village Bypass and Yoxford Roundabout have taken place, the level of information shared with SCC to date, short of results of infiltration testing, is limited. No comprehensive outline surface water drainage strategy has been presented with supporting calculations, plans and sections, for either of these three schemes.</p> <p>Section highlighted yellow – To confirm, is the Applicant stating they do not intend to provide any further information, to supplement that contained within the Outline Drainage Strategy, for any of the listed sites? If this is the case, SCC have serious concerns regarding this approach.</p> <p>If this is not the case, SCC would welcome the Applicant clarifying what this statement relates to.</p>
<p>Flood Risk Paras 20.3.2 & 20.3.3</p>	<p>SZC Co. acknowledges the presence of an existing surface water flood risk to properties on Valley Road, and this has been a key consideration in the development of drainage solutions for this site. The Environment Agency's Written Representation at Deadline 2 [REP2-135] demonstrates that they have no concerns with respect to off-site flood risk associated with the proposals for the LEEIE site. A second iteration of the basic drainage design has been provided to the Councils, which demonstrates that the design criteria to manage the 100-year surface water event (plus an</p>	<p>The Environment Agency are not responsible for surface water flood risk, therefore their response would not have considered surface water flood risk.</p> <p>SCC acknowledge that the latest surface water drainage design iteration for LEEIE uses appropriate principles. However, SCC have not been provided with sufficient detail at this stage to be in a position to confirm that the design is sufficient to manage a 1:100 + climate change rainfall event.</p>

	<p>allowance for climate change) on site can be achieved, thereby ensuring there is no increase in the existing flood risk in this location.</p> <p>More generally, the Environment Agency's Written Representation at Deadline 2 noted that during both the design fluvial and tidal events in future epochs there is a minimal increase in flood depth, i.e. less than 0.02m, to properties already at risk of flooding and that the very small increase in flood depths and no change in flood hazard or numbers of properties flooded could potentially be considered insignificant and not requiring any further mitigation. As such, SZC Co. has confirmed that the proposed development would not result in a negative off-site impact on either residential or nonresidential properties</p>	<p>SCC have no comment on paragraph 20.3.3 which falls within the remit of the Environment Agency.</p>
<p>Green Rail Route Table 20.1 Ref 22d</p>	<p>There is ongoing positive engagement with SCC regarding how legacy benefit may be incorporated in the design proposals. The designs will be presented to the Councils for approval through Requirement 5 following the grant of the DCO.</p>	<p>The design for legacy benefit is not required during examination and can be agreed as part of Requirement 5. However, as stated in response to Table 20.1 Ref 22 c, information should be submitted to the Examination to demonstrate that sufficient & suitable mitigation can be delivered within the Order Limits in accordance with national and local policy, best practice and guidance. To date, SCC have seen no such information for this part of the scheme.</p>
<p>Potential for increased flood risks in connection with coastal processes Table 20.1 Ref 22e</p>	<p>Please refer to the coastal change/geomorphology Chapter 11.</p>	<p>SCC defer to ESC with regards to effects on coastal processes.</p>
<p>Monitoring and maintenance Para 20.3.9</p>	<p>The LIR states at paragraph 20.59 that: "regular monitoring and maintenance of sub-optimal SuDS solutions is not an approach that the Councils support, nor do we believe that it delivers sufficient mitigation".</p>	<p>This comment was made in direct reference to the use of below ground attenuation structures [REP2-033, para 3.4.90], where it was proposed to make direct connections from traditional gully and pipes systems. It</p>

	As a point of clarity, at no point in SZC Co.'s proposals is monitoring and mitigation proposed to support "sub-optimal" solutions as a form of mitigation. The criticism is not understood or explained in the LIR.	is acknowledged that LEEIE no longer proposes this approach, however, SCC do not have such detail for other sites which proposed a similar approach.
Operational drainage Para 20.3.15	The ODS provides the overarching principles and approach for the operational drainage arrangements. SZC Co. acknowledges that these designs are less advanced as the associated likelihood of effects on people and the environment is considerably smaller than the wider catchment and drainage requirements during construction and because the detail is reserved to be approved by the authorities at the appropriate time. The knowledge brought from developing the construction phase drainage designs will be used to inform the eventual operational designs, which will be presented to the Councils for approval through Requirement 5 following the grant of the DCO.	No information has been provided to date RE the operational surface water drainage strategy, once construction is complete. The Outline Drainage Strategy [REP2-033] does not make direct reference to this phase and no information is provided at all. The Applicant is solely reliant on overarching principles contained within this document, which are ultimately already contained in national and local best practice and guidance. As such, SCC cannot say with any certainty what the proposed operational drainage strategy is. This remains a serious concern.

Public Services (Chapter 27) and Community Impacts (Chapter 28)

19. SCC confirms that collaborative discussions with SZC Co. continue on required mitigation of the potential effects related to the Sizewell C Project, including the risks to public service delivery and community safety issues, measures related to children and young people (school and early years capacity and resilience measures), and impacts on social care and public health. SCC agrees that, in principle, a combination of precautionary mitigation and contingency provision through a Public Services Resilience Fund (PRSF), may be capable of responding to the identified risks and impacts, subject to agreement of details of the scope and scale of these measures.
20. We focus in the table below on those areas where we continue to have disagreement with the Applicant. In many cases, the Public Services Resilience Fund, if appropriately set up and resourced, may alleviate the concerns. It should be noted that it may be that, should the discussions around the Public Services Resilience Fund not reach agreement, additional areas of disagreement may evolve.

Table 9. SCC's response to comments from Chapter 27 – Public Services and Chapter 28 – Community Impacts

SIZEWELL C PROJECT DEADLINE 5 - SUFFOLK COUNTY COUNCIL RESPONSE TO ADDITIONAL SUBMISSIONS FROM THE APPLICANT

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
<p>Worker code of conduct Table 27.1 Ref 27.8(iii) 26f AND Table 28.1 Ref 28b 28.67 28.2 28.25</p>	<p>SZC Co. does not consider it appropriate to directly secure the Worker Code of Conduct. This forms part of the conditions of employment and therefore the Sizewell C Project needs the flexibility to alter the terms from time to time, following engagement with Union partners and continuing lessons learnt from Hinkley Point C.</p>	<p>SCC has not changed its position stated in the LIR that the Worker Code of Conduct should be legally secured and enforceable. SCC considers that this can be done in a way that there is the flexibility to alter the terms from time to time.</p>
<p>School transport Table 27.1 Ref 27.9 to 27.21 and 26a</p>	<p>SZC Co. considers that additional school transport will not be required and is not proposing this as part of the package of mitigation measures.</p>	<p>SCC understands from discussions with the Applicant since the Applicant's submission, that the Applicant may accept in principle a contribution towards school transport contribution subject to evidence/ justification based on data. Discussions are ongoing, but SCC considers that this is an area which needs to be appropriately mitigated. For reference, approximately 10% of children in Suffolk typically use Home to School Transport that the local authority has a statutory duty to make provision for.</p>
<p>School and Early Years Resilience Table 27.1 Ref 27.22 to 27.23 and 26b</p>	<p>SZC Co. considers that there is no evidence for the potential for a significant effect from the Project relating to the wellbeing and learning of pupils at school as a result of safeguarding concerns, emotional wellbeing and children with English as an Additional Language.</p> <p>Nonetheless, given the importance of safeguarding for children and the potential risks raised by SCC through engagement, SZC Co. has committed to providing precautionary mitigation in the form of School and Early Years Resilience Measures through Schedule 5 of the Draft Deed of Obligation (Doc Ref. 8.17(D)).</p>	<p>SCC welcomes that the Applicant has committed to providing precautionary mitigation in the form of School and Early Years Resilience Measures.</p> <p>The safeguarding issues for children and young people are referenced below.</p> <p>With regard to emotional wellbeing and children with English as an Additional Language, the schools in question are rural schools that currently do not tend to have many pupils with the characteristics of English as an Additional Language, or aligned with the transitive nature of a specialist construction workforce; and</p>

		<p>therefore would not currently have expertise and resource to support children with such characteristics.</p> <p>However, if the scale of the mitigation can be agreed with the Applicant, this concern can be addressed.</p>
<p>Family Services / Health Visitors, Community Health and District Nursing</p> <p>Table 27.1</p> <p>Ref 27.53, 27.57, 27.58 26c</p>	<p><i>The Applicant's statement rebutting the case for additional health visitor resource</i></p>	<p>Discussions between SCC and the Applicant are ongoing about the case for additional health visitor resource to be funded through the Public Services Resilience Fund. SCC considers that there is a case for such funding directly arising from the additional children that the Applicant's data identifies.</p>
<p>Care Homes</p> <p>Table 27.1</p> <p>Ref 27.24</p>	<p>There is no reason to suggest that this [<i>impacts on access to care/residents not wanting to access care in Leiston/the care sector's ability to develop and provide suitable provision in the area for local residents</i>] is a likely significant effect – an independent care provider would be motivated primarily by the incentive of providing care, and it is not clear why residents in Leiston would be less likely to seek access to care.</p> <p>If a private care provider is minded to sell their property for conversion to residential use, that is their commercial decision. The recipients of care would create market demand that would be provided for by the market. Residential care homes are no less financially attractive than private accommodation for workers – and the latter would be a temporary effect during the construction phase of Sizewell C, and as a result the identified risk is unlikely.</p>	<p>SCC notes that the likelihood of this impact occurring might be relatively small, but the level of impact would high, as it might significantly effect the quality of life of individuals and families as relocation to a different part of Suffolk may be the only option, and it may come at a significant cost to SCC. We consider contingency funding might be an appropriate way to deal with this potential impact.</p>

<p>Safeguarding and Wellbeing of Children and Young People Ref 27.32-27.33</p>	<p>SZC Co. recognises the risk that the Councils identify in terms of safeguarding for young people, and is proposing a range of embedded and additional mitigation measures in order to reduce these risks. The Public Services Resilience Fund includes measures to support and expand existing safeguarding measures currently being provided by East Suffolk Council and Suffolk County Council through the Community Safety Partnerships and Safer Stronger Communities Board, as set out in Schedule 5 of the Draft Deed of Obligation (Doc Ref 8.17(D)).</p>	<p>SCC does wish to re-emphasise the risk of safeguarding of children and young people. While everyone's responsibility, addressing it primarily resides with SCC Children and Young People's Services which spends in excess of £90m per year on this area of work.</p> <p>The issues that give rise to the additional demand on Children's Services include are many and varied, often occurring in combination:</p> <ul style="list-style-type: none"> • alcohol and drug misuse • mental health and emotional well-being • anti-social behaviour • prostitution/brothels • sexual exploitation of young people • domestic violence • neglect, abuse <p>These issues do not typically arise from the child themselves, but rather from the impact of adults on children. They can impact on dependent children of the Sizewell C construction workforce, children of partners with whom the Sizewell C workforce form relationships and young people with whom there is no familial relationship.</p> <p>We do not make any assumption that the construction workforce are anything other than ordinary people, but we would note that it is ordinary people that are involved in safeguarding and family services issues.</p>
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		<p>There is a clear and strong correlation between the size of population and the spend by Local Authorities on Children's Services.</p> <p>There is a high likelihood that the scale of the increase in the population from the Sizewell C workforce will lead to increased demand on Children & Young People's Services.</p> <p>A Public Services Resilience fund has been identified as potential mitigation and discussions with the Applicant are ongoing, but at this stage there is not yet agreement on the detail, or sufficiency, of this to meet increasing demand pressures</p>
<p>Social Care and Community Healthcare impacts (including Transport effects, Compensatory Reactive Measures, Workforce effects</p> <p>Table 27.1</p> <p>Ref 27.25 to 27.27, 27.55 and 26f</p> <p>Ref 27.56</p> <p>Ref 27.28 to 27.31 and 26f</p>	<p><i>[The Applicant sets out that it either does not predict that there will be any impact on social care or community health on those matters, or that it is "not the role of the planning system or the Sizewell C Project to mitigate for underlying issues of recruitment and retention of workforce in the care sector"]</i></p>	<p>SCC considers that the combination of increased competition for the workforce currently serving social care services, traffic delays, pressure on availability of car parks in the community due to more houses in multiple occupation, further exacerbated by the perception of issues in the area, will result in increases in the cost of home care packages (delivered by care providers and commissioned by SCC) during the construction phase of Sizewell C.</p> <p>If unmitigated by the Applicant, this would result either in degradation of care (i.e. less home care services being affordable in current budgets), the need to cut services elsewhere in the Council to fund the same level of home care, or the need to raise Council tax.</p> <p>(see also Economic cost of congestion in Table 6 item 12i. above and response to ExQ1 SE.1.42 below in this document)</p>
<p>Fire and Rescue Impact / Impact on</p>		<p>SCC is in ongoing discussions with the Applicant on the TIMP and on mitigation for impacts on the Fire and</p>

<p>emergency services (including transport impacts)</p> <p>Ref 27.46 and 26j</p> <p>Ref 27.45 and 26i and</p> <p>Ref 26i 27.65 27.66</p>		<p>Rescue Service, and reserves its position on the suitability of measures until these discussions are concluded.</p> <p>(see also Economic cost of congestion in Table 6 item 12i. above and response to ExQ1 SE.1.42 below in this document)</p>
<p>Sexual Health, Drugs and Alcohol</p> <p>Table 27.1</p> <p>Ref 27.36 to 27.41 and</p> <p>Ref 27.32 26g</p>	<p>Volume 2, Chapter 28 (Health and Wellbeing) of the ES [APP346] sets out that the Project will provide a comprehensive occupational health service "Sizewell Health" in Schedule 6 of the Draft Deed of Obligation (Doc Ref. 8.17(D)) (see Volume 2, Appendix 28A [APP-347]_for description). This will address most of the healthcare needs of the NHB workforce, including sexual health, and provide complementary care to the homebased workforce. Demand outside this, including for the NHB workers families (should they also move to the area), will be addressed through a residual healthcare contribution. SZC Co.'s proposed approach to calculating this is set out in Volume 2, Chapter 28, Appendix 28B of the ES [APP347]_but this is subject to further discussions with the Ipswich and East Suffolk Clinical Commissioning Group and the Councils.</p> <p>As set out in Volume 2, Appendix 28A [APP-347], Sizewell Health will run a range of health promotion campaigns which aim to maintain and improve the health and wellbeing of the workforce by: raising awareness of both work and non-workrelated health issues; and encouraging healthy behaviours within and outside of the workplace. These will include but not be limited to occupational health promotion; mental health; sexual health; general health; lifestyle screening; and targeted health education.</p>	<p>Whilst SCC welcomes the comprehensive occupational health service and the proposed health promotional campaigns, we consider that there will residual impact in these public health areas.</p> <p>We note that the lead authority on health impacts in sexual health, drugs and alcohol is SCC's Public Health function.</p>

	<p>Engagement with the Sizewell Health Working Group will be undertaken to ensure aligning with local priority and seasonal campaigns to maximum effect. SZC Co. does not consider it appropriate or necessary to secure individual campaigns by obligation. Sizewell Health will also offer regular sexual health clinics and SZC Co. is discussing with SCC the possibility of contracting these out to SCC's sexual health provider (mirroring the approach at Hinkley Point C). This would be undertaken via a separate commercial agreement with the Sizewell C occupational health provider, once appointed, and the Council.</p>	
<p>HGV driver population Table 28.1 Ref 28.19 and 28.50</p>	<p>The Councils refer to “a population of HGV and LGV drivers in the area (predicted to be up to 440 per year), as well as visitors (up to 200 per year) and workers’ families (1168 per year)” This is factually incorrect (...)</p>	<p>The LIR was partly referring, in terms of HGV drivers, the potential of HGV drivers sleeping in the HGVs, either on site or at the freight management facility. SCC would welcome clarification whether this can be expected, and if the potential impacts have been considered.</p>
<p>Pre-existing Conditions and Comparison to HPC Table 28.1 Ref 28.15</p>	<p>It is not clear or evidenced how the Sizewell C Project’s NHB workforce would increase impacts and risks based on the different demographic in the area compared to the area around Hinkley Point C, or the difference in pre-existing community safety impacts.</p> <p>The NHB workforce at Sizewell C is anticipated to act in a similar way to that which has been observed at Hinkley Point C in terms of crime and non-crime incidents, as they would be subject to the same management and mitigation measures (including the Worker Code of Conduct and security vetting) and in some cases will actually be the same people. The key demographic difference between Suffolk and Somerset is the age profile – particularly in East Suffolk, which is weighted towards older age groups. A comparison of</p>	<p>SCC Community Safety is not assuming that the Sizewell C workforce is more likely to be involved in community safety incidents than the average population, but an increase in population of any kind at the scale proposed will mean an increase in crime and impact on community safety. Importantly, we recognise that the new workforce could be both victims of crime as well as perpetrators. Also, it is important to stress that the presence of a transient workforce will be seen as a “market opportunity” for criminal activity, so the presence of the additional workforce can cause a wider community impact.</p> <p>We welcome the Applicant’s proposals both for the Worker Code of Conduct and security vetting, but they do not wholly mitigate against the significant community safety impacts. For example, a propensity for domestic</p>

	<p>the differing rates of types of crime between Bridgwater (in 2015) and Leiston (in 2019)³¹ suggests that:</p> <ul style="list-style-type: none"> □ There were far lower rates of almost all types of crimes in Leiston in 2019 than there were in Bridgwater in 2015, per 1,000 residents; □ Rates of anti-social behaviour in 2019 in Leiston were less than a quarter of the rate in Bridgwater prior to commencement of Hinkley Point C's construction; and □ Drug-related crime was 25% less prevalent in Leiston in 2019 compared to Bridgwater in 2015, and public order offences were also less prevalent. <p>It is therefore not clear why pre-existing differences in types of community safety issues, or demographics, would translate to differences in the type or overall rate of crime related to NHB workers. SZC Co. has engaged with the Councils to understand concerns of risks associated with the NHB workforce and has developed a Public Services Resilience Fund to address identified issues.</p>	<p>abuse or drug addiction will not be picked up in any vetting process. And these crimes by their nature often occur behind closed doors, so will remain hidden.</p> <p>SCC considers that the different pre-existing community safety conditions and demographics around Sizewell C, in comparison to Hinkley Point C, can make a significant difference in the severity of impacts resulting from the presence of the Sizewell C non-home based construction workforce: The existing demographics in East Suffolk are very different to that in Hinkley/Bridgewater, therefore the incoming workforce of mainly young, high-earning males will significantly change the dynamics of the community.</p> <p>Pre-existing risks and conditions, such as county lines, gang related violence, and drug and alcohol misuse, means that existing demographic already creates the environment for criminality and risk-taking behaviours, and that the incoming NHB workforce is likely to offer further opportunities for these conditions and risks to increase.</p> <p>For example, there are several County Lines currently operating in Suffolk, and any increase in population is likely to increase the demand for drugs, which has the propensity to increase violence and harm to both individuals and communities.</p>
<p>Community Safety Risks</p> <p>Table 28.1</p>	<p>(...)</p> <p>SZC Co. notes that these <i>[criminal exploitation (County Lines and modern slavery), violence against women and girls, men and boys (including domestic abuse and sexual violence), radicalisation, hate crime, increased</i></p>	<p>SCC understands from conversations to colleagues in Somerset that in relation to Hinkley Point C, crimes are going unreported/underreported, because people are under no obligation to say that they work for Hinkley Point C when they are picked up for crimes. Therefore,</p>

<p>Ref 28.4 / 28c 28.30 / 28d 28.35 to 28.43 28.46 28.47</p>	<p><i>anti-social behaviour, crime and non-crime community safety issues in locality, night time economy / alcohol risks, missing persons, mental health incidents, and increased community tensions as result of incoming workforce]</i> are potential risks rather than identified likely significant adverse effects and that mitigation is being provided on a discretionary, precautionary basis.</p>	<p>there will be an underestimation and under reporting of crime by Hinkley Point C workers. In addition, some of the crimes may be by subcontractors, and again these would not be attributed to Hinkley Point.</p> <p>Many areas of work of community safety are seen as 'hidden harm', meaning they are often not reported due to fear of reprisal, shame and sometimes people do not recognise they are a victim of a crime. This results in these crimes being vastly under reported, and the scale of which is often inaccurate and difficult to model. However, the risks are very real.</p> <p>We are working though the issues with the Applicant, and it is understood that the Public Services Resilience Fund will may fund the additional work required detailed in our Action Plan to mitigate the impact, but the scale of this is still to be negotiated with the Applicant.</p>
<p>Location of risks/impacts Table 28.1 Ref 28.21</p>	<p>There is no evidence to suggest that significant effects would occur outside of East Suffolk, where the vast majority of the NHB workforce would live (noting that many NHB workers would return to their permanent homes during their non-working periods).</p>	<p>SCC considers it a reasonable assumption that the workforce to travel outside of the area that they are living for their leisure time, and gravitate to more urban areas to access the night time economy (including a proportion potentially accessing established drugs/sex markets further away from their workplace). It is here where the risk of community safety crime types will increase, including domestic abuse, sexual violence, hate crime and drug use (supply and demand).</p> <p>Furthermore, the Applicant's Accommodation Strategy states that workers will live within a 60-minute commute of the Sizewell site. This could include towns the major towns of Ipswich and Lowestoft, where there is evidenced County Lines activity.</p>

		Therefore, SCC considers that the mitigation package needs to have a wider reach than the immediate area around Sizewell.
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Chapter 29 Housing and accommodation

21. Generally, SCC defers to ESC as the authority with expertise and responsibilities on housing and accommodation. SCC only wishes to further comment on the obligations to deliver project accommodation on time, and accommodation-related impacts on vulnerable people.

Table 10. SCC's response to comments from Chapter 29 – Housing and Accommodation

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
Principle of Project Accommodation Table 29.1 Ref 29.3 and 29.53 to 29.54	The delivery of the campus and timings are set out in Schedule 3 of the Draft Deed of Obligation (Doc Ref. 8.17(D)) [REP2-060], with reference to the Implementation Plan [REP2-044]. Paragraph 3.1.1 reads: 'Unless otherwise agreed with the Accommodation Working Group, SZC Co shall use reasonable endeavours to deliver the Accommodation Campus in accordance with the Implementation Plan'.	SCC sets out in more detail in its written submission of its oral case for ISH4 and ISH1 that we consider that a stronger obligation than "reasonable endeavours" is required for delivering the accommodation campus (and the caravan site) in a timely manner.
Effect on Vulnerable Residents Table 29.1 Ref 29.3 and 29.43 29b	There is no evidence that rent levels would increase as a result of the Project – please refer to SZC Co.'s response to the Responses to the ExA's First Written Questions (ExQ1) [REP2-100] - Question SE.1.2 - for SZC Co.'s position in this regard, and to Section 4 of its Written Submissions in Response to Oral Submissions made at Open Floor Hearings 18-21 May 2021.[REP2-130] for evidence of effects on the housing market in Somerset as a result of Hinkley Point C.	<p>SCC notes that the housing market in the Sizewell area is very different to that in the area around Hinkley, most notably as there is no town of the size of Bridgwater near Sizewell. Therefore, there is no evidence either for the Applicant's statement that rent levels and housing demand would not increase with such a large increase in demand from the workforce.</p> <p>SCC's concern is two-fold:</p> <ol style="list-style-type: none"> 1. The potential of a reduction of / insufficient accommodation for residential type care provision. Independent care providers who own premises used to provide care (residential /

		<p>supported living etc.) may decide it is more financially viable to either sell or convert their premises in to accommodation of EDF Work Force – there by reducing the availability of residential type care for the health and care sector. There is also a current need to increase residential/ supported living accommodation for the health and care sector – it is possible that Sizewell C will create inflated purchase/ development costs in the area which will reduce the sectors ability to develop and provide suitable provision in the area for local residents.</p> <p>2. The potential of a reduction in Housing for vulnerable/disadvantaged people in affected area: Given the increase in demand for housing anticipated by SCC during the development period, there is a risk that vulnerable/ disadvantaged people and key workers (including care staff) will be unable to access sufficient social housing in the area as landlords are more likely to want to rent to EDF workforce. This would also result on pressures on ability of young people to be able to continue to live in their local communities as the accommodation is taken up by SZC workers, including the impact on supply of supported housing for care leavers and semi-independent living accommodation for 16/17 year old children in care which is largely rented accommodation.</p> <p>SCC understands that some of these effects would not be mitigated through the Housing Fund, and expects that those would be covered by the Public Services Resilience Fund. Discussion with the Applicant are ongoing on this matter.</p>
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Gravity Model Table 28.1 Ref 29.11 to 29.23 Appendix 2.10	SZC Co. agrees that additional pressure could occur if the NHB workforce were greater or more concentrated. However, as set out in response to the Responses to the ExA's First Written Questions (ExQ1) [REP2-100] G.1.24(i), Cl.1.4 and SE.1.33., the assessment of NHB workers is considered to be conservative (and Suffolk County Council agree this); and local significant effects are identified and mitigation provided.	SCC welcomes this acceptance, that additional pressure could occur if NHB workforce were greater or more concentrated. We understand that Hinkley Point C has seen that NHB workers were more concentrated in close proximity to Hinkley Point C than the Gravity Model predicted, at least in period leading up to the peak. The Deed of Obligation should be clear on additional measures to be taken, and funding being available, if monitoring evidences a significant change to the predictions.
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Chapter 30 Quality of life and wellbeing

22. SCC does not agree on the level of impact on health and wellbeing of our communities. See comments in the table below.

Table 11. SCC's response to comments from Chapter 30 – Quality of life and wellbeing

Topic and reference to [REP3-044]	The Applicant's comments in [REP3-044]	SCC's response
Health and wellbeing Table 30.1 Ref 30.2, Table 30, 30f, 30.35-30.40	The result of the assessment reported in Volume 2, Chapter 28 of the ES [APP-346] is that there would be a likely minor adverse impact on health and wellbeing that would not be significant (see paragraphs detailed comments below). However, SZC Co. agrees that the Community Fund would be an appropriate tool to address residual effects on quality of life and wellbeing during the construction phase.	SCC disagrees that the impact on health and wellbeing is likely to be only minor adverse. Chapter 30 of the LIR sets out in detail the range of impacts that communities most affected by the development will suffer, and we consider that, in combination, these impacts will result in a more significant effect. However, we agree that the Community Fund can offset this impact.

Implementation and Deliverability Risks (Chapter 31)

23. SCC notes the broad agreement on a number of aspects in this matter. We wish to note the following areas of disagreement where further discussions with the Applicant are sought:

- a. Implementation Plan: We note the discussions at ISH1 regarding securing the sequencing set out in the Implementation Plan [REP2-044], and understand that the Applicant will provide further information at Deadline 5. We will comment further at that point.
- b. Limiting workforce numbers and accommodation: Closely related to securing the sequencing of the Implementation Plan, we consider that some level of control is important to ensure the relevant mitigations (campus, caravan site) are delivered before larger impacts as a result of greater workers numbers occur. We do not consider “reasonable endeavours” to deliver the campus and caravan site is sufficient. As set out in our Deadline 5 submissions: Post Hearing Submissions for ISH1, ISH2, and ISH4 and in [REP3-079].
- c. Transport and workforce caps, controls and monitoring requirements: As set out in our Deadline 5 submissions: Post Hearing Submissions for ISH1 and ISH2, the transport sections on the LIR above, our comments on the Applicant’s response to SCC’s Written Representation below, and in [REP3-079], SCC continues to seek additional caps, controls and monitoring requirements. Discussions with the Applicant on these matters are ongoing.
- d. Late delivery of ecological mitigation measures (31.4): The Applicant notes that the LIR’s suggestion (that, if translocation sites or foraging areas are not judged to be adequately established, development of sites where species would be adversely affected should not be able to go forward unless and until other contingency measures have been put into place) is impractical due to the substantial inherent delay. SCC believes that careful consideration needs to be given to contingency measures that can sufficiently address such concerns, and how the implementation of mitigation measures in a timely fashion can be secured through requirement or obligation (this may relate back to the means of securing the Implementation Plan).

Cumulative Impacts (Chapter 32)

24. SCC notes the comments by the Applicant with regard to project wide cumulative impacts, and broadly agrees with the comments (unless they related to issues which have been highlighted as disagreement elsewhere in this document). We expect that the commitments with regard to additional mitigation, communication and other measures listed in Table 32.1 are translated into appropriate obligations or requirements.

Associated Development sites (Chapter 35) and Impact on Communities (Chapter 36)

25. SCC notes the comments made in Table 35.1 and 36.1. We do not consider at this stage to specifically respond to those comments, as they are either covered elsewhere in this document, or are subject to ongoing discussions with the Applicant as

part of shaping the updated Deed of Obligation to be submitted by the Applicant at Deadline 7. We will at that point be able to update the ExA if there are unresolved issues.

[REP3-042] THE APPLICANT'S COMMENTS ON WRITTEN REPRESENTATIONS

26. The Applicant commented in [REP3-042] chapter 17 on SCC's Written Representation [REP2-189]. We wish to clarify and update on a number of issues raised in that response.

Freight Management Strategy

27. The Applicant states, in 17.2.1 [REP3-042], that *"it is disappointing that SCC describes the Freight Management Strategy as "sub-optimal" (Written Representations paragraph 2.45) although SCC produces no evidence that an alternative Freight Management Strategy is achievable, practical or deliverable."* They go on to state (in b)) that *"SCC asserts that the Applicant has not fully explored the maximisation of the delivery of materials by sea by reference to commitments proposed in relation to the Wylfa New Nuclear Plant, which proposed "80% of materials by sea" (paragraph 2.42). That is not a comparison raised by SCC prior to publication of the LIR."*
28. As stated in SCC's Written Representation, the, now accepted, changes to the DCO submission by the Applicant are in principle, in SCC's view, a considerable improvement on the proposals in the initial DCO submission but, as the Applicant rightly refer to, they remain in SCC's view sub-optimal. The Written Representation [REP2-189] sets out the shortcomings of the proposals, most notably, the need for night-time rail deliveries (which may have been avoided if rail improvements along the East Suffolk line had been prioritised at earlier stages), as well as details related to the Sizewell Link Road and the Two Village Bypass.
29. SCC has, in all pre-submission consultations and post-DCO submission representations, been clear that it was seeking to maximise the use of marine- and rail-based transport modes to transport materials to/from the site. It is incorrect that the comparison with Wylfa was first raised in the LIR, as SCC's Relevant Representation already referred to Wylfa's aspiration to deliver 80% by sea (paragraph 16 [RR-1174])
30. The Applicant stated in Table 2 [AS-280], explaining the preferred modal splits for materials, that the overall ambition was that 30-50% of materials would be delivered by rail and 10-30% by sea. It then notes that the Table shows *"an idealised modal split, which would reduce HGV movements from the 61% anticipated in the Application to 40%, it can only be achieved, of course, if there is sufficient capacity for rail and marine movements. There is potential for some flexibility between rail and sea transport but only up to 60% of material volumes."*
31. This seems to suggest that, at the time of submitting the change application, the Applicant considered that there might be a theoretical maximum capacity of 80% for rail and sea deliveries.
32. In paragraph 2.1.12, the Applicant notes that *"The split between rail and sea modes is to some extent interchangeable but approximately 40% of the construction material requires road transport."*

33. SCC has not seen detailed evidence why 40% of the construction material requires road transport.

34. Notwithstanding that limitation, we consider that there may be opportunities for deliveries by rail and sea beyond the 60% committed to by the Applicant, within the currently proposed Freight Management Strategy. SCC is not seeking a control for such an improved modal split, but solely an aspiration – as stated in the Written Representation, a “commitment/aspiration to aim to increase the proportion of materials being brought to site using rail and sea-borne transport modes further beyond 60% if the capacity of rail and marine modes and associated noise mitigation can be delivered to allow for this, unless clear evidence is provided that this is not possible” ([REP2-189] para 2.45 c).

35. In response to the Applicant’s Table 17.1, responding to SCC’s issues to be resolved in relation to the Freight Management Strategy, SCC wishes to comment as follows:

Issue	SZC Co response in [REP3-042]	SCC Deadline 5 response	Ref to other submissions
a) Evidence that the rail proposals are in fact deliverable in an acceptable timescale.	The scale of rail interventions is explained in the Initial Statement of Common Ground with Network Rail [REP2-074] and those interventions are substantially less than the interventions which the County Council suggests SZC Co should have promoted. SZC Co and Network Rail meet with SCC fortnightly in order to share openly the progress which is being made with rail deliverability. SCC’s concerns are entirely protected by SZC Co’s commitment to HGV limits in the early and peak years of construction, which mean that the Sizewell C Project can only be delivered if the rail infrastructure becomes operational within the timescales explained in the Initial Statement of Common Ground [REP2-074].	SCC welcomes the regular update meetings with SZC Co. and Network Rail. However, SCC is still unclear how rail works including noise mitigation specifically on the East Suffolk Line are secured within the DCO or supporting documents. SCC agrees that in principle, caps and controls on HGVs will be crucial to protect our concerns. However, as set out in Table 2 in [REP3-079], SCC does not consider the caps, controls and monitoring currently proposed by the Applicant to be sufficient to protect our concerns.	[REP3-079] Table 2
b) Evidence that the beach landing facility	SZC Co has amended the Implementation Plan [REP2-044] to include the temporary beach landing facility and SZC Co. has committed to reasonable endeavours to bring	As set out in [REP3-079] para 3 onwards, SCC broadly welcomes the changes to the Implementation Plan	[REP3-079]

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can be delivered in an acceptable timescale.	it forward in the timescale shown. The construction of the temporary BLF is not complex compared with other elements of the Project and SCC has raised no specific reasons to doubt its deliverability. As with the rail infrastructure, however, the limits committed on HGV movements in the CTMP [REP2-054] mean that the Project cannot be without the timely availability of the temporary BLF.	As set out in SCC's Deadline 5 submission: Post Hearing Submissions to ISH1, SCC's position is that use of "reasonable endeavours" by reference to the Applicant's obligations in any Deed of Obligation/section 106 agreement is not acceptable. We refer to our response in a) above with regard to controls.	D5 submission re ISH1
c) Commitment/aspiration to increase the proportion of materials being brought by rail or sea beyond 60%.	SCC has no evidence or proposals to suggest this is achievable. Indeed, SCC is aware that the use of the rail infrastructure is being optimised and that the reliable capacity of the temporary BLF is proposed to be fully utilised. There is no relevant comparison to be made with the marine facilities at Wylfa, although SZC Co promotes a freight strategy which achieves the same sustainable levels of non HGV transport. There is no substance or evidence supporting the requested commitment to increase the use of rail or sea transport – it is not practical and, even if it was, it would have greater environmental effects, which SCC acting consistently would not support.	See comments above with regard to the principle potential of increasing the percentage of material to be delivered by sea and rail within the proposed Freight Management strategy.	See above
d) Imperative that noise and vibration impacts of trains are mitigated.	SCC is aware that SZC Co has committed itself to a Rail Noise Mitigation Strategy [AS-258] and a Noise Mitigation Scheme [REP2-034]. SZC Co. is not aware of further practical measures that could be taken to limit rail noise effects.	SCC understands that discussions on the Rail Noise Mitigation Scheme are ongoing, and SCC welcomes if the schemes and strategy can be delivered in their entirety. However, SCC is still unclear how rail works including noise mitigation specifically on the East Suffolk Line are secured within the DCO or supporting documents.	

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e) Caps on HGV movements.	SZC Co. has fully committed to HGV caps in the CTMP [REP2-054] and the justification for the proposed HGV caps is summarised in SZC Co.'s Response to the LIR (Doc Ref 9.29) at Section 15.5.	As set out in a), SCC agrees that in principle, caps and controls on HGVs will be crucial to protect our concerns. However, as set out in Table 2 in [REP3-079], SCC does not consider the caps, controls and monitoring currently proposed by the Applicant to be sufficient to protect our concerns.	[REP3-079] Table 2
f) Measures to enforce the use of caps.	The CTMP [REP2-054] sets out measures to monitor and enforce the HGV caps	As set out in Table 2 in [REP3-079], and subsequent commentary on the CTMP in [REP3-079], SCC considers that additional monitoring measures are required.	[REP3-079] Table 2
g) Plans for the sequencing of construction.	These are fully set out in the updated Implementation Plan [REP2-044], reinforced by binding commitments to HGV limits which require the freight transport infrastructure to be fully operational at the time it is indicated to be required.	<p>As set out in SCC's Deadline 5 submission: Post Hearing Submissions to ISH1, SCC expects from the Applicant a very clear explanation as to the way in which the sequencing set out in the Implementation Plan [REP2-044] will be secured, and that the HGV limits should be absolute and clearly secured.</p> <p>We refer again to Table 2 in [REP3-079] with regard to additional caps and control.</p> <p>Following the ISH1 and ISH2, SCC is also aware of the disconnect between the Workers Early Years and Freight Early Years controls, as exposed by the early delivery of the Park and Ride Sites which would release the control on numbers of workers with an increase in buses and car movements in advance of completion of the Sizewell Link Road, a scenario not considered in the TA or ES.</p>	<p>D5 submission re ISH1</p> <p>[REP3-079] Table 2</p>
h) Acceptable Section 106 obligations for road improvements on the A12.	These are fully explored in the Consolidated Transport Assessment [REP2-045] and the relevant mitigation measures are committed in the Draft Deed of Obligation at Schedule 17 (Doc Ref 8.17(D)).	SCC continues discussions with the Applicant on what it considers are required road improvements along the A12 and other routes. The location of required mitigation for traffic impacts (or in some	[REP1-058]

		<p>instances for contingency funding), are set out in Tables 3 and 4 in LIR Annex M [REP1-058].</p> <p>SCC considers that most highway mitigation should be delivered by the Applicant and has proposed changes to the Deed of Obligation to reflect this.</p>	
<p>i) Off-setting the residual carbon footprint of the development.</p>	<p>There is no NPS, national policy or County Council policy to require this commitment and SZC Co. is not aware that the County Council has required it elsewhere or applied the same requirement to its own transport infrastructure projects. The application proposals, of course, are important not least for the contribution they make to the delivery of the Government's zero carbon commitments and directly supported in the most up to date government policy for that reason.</p>	<p>It is clear that there will be a significant residual carbon footprint of materials and workforce transport, and of the associated infrastructure, which will occur in advance of the power station generating electricity. Whilst we accept that there is no policy prescribing such a commitment, a number of recent publications from Government and Government Agencies – such as the Department for Transport's Decarbonising Transport (July 2021, Decarbonising transport: a better, greener Britain (publishing.service.gov.uk)) or Highways England's Net Zero Highways Plan (July 2021, Net zero highways - Highways England) - highlight the ambition and need to move towards decarbonising transport.</p> <p>Considering the scale of this development, and transport related carbon emissions, SCC considers that a commitment from the Applicant to play its part in these ambitions during the construction period of Sizewell C would be desirable. This could for example be in the form of infrastructure investment in the local area that support moving towards a zero/very low emission transport system, particularly in the freight, bus and logistics sector. With bold ambitions for low emissions for the Sizewell supply chain transport fleet, such an investment could both reduce the carbon footprint of the Applicant's transport requirements, and</p>	

		<p>create the foundation for wider benefits and carbon reductions in the local area, hence further offsetting its own impacts.</p> <p>Offsetting the carbon footprint could also in part be achieved through ambitions delivered through the Natural Environment Fund.</p>	
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36. In response to the Applicant's Table 17.2, responding to SCC's issues to be resolved in relation to the Freight Management Strategy, SCC wishes to comment as follows:

Issue	SZC Co response in [REP3-042]	SCC Deadline 5 response	Ref to other submissions
<p>a) Two Village Bypass</p> <p><i>"Opportunities for better solutions have been missed"</i> (paragraph 1.3)</p> <p><i>"The proposed two village bypass will prevent the delivery of the SEGWay four village bypass."</i> (paragraph 2.24)</p> <p><i>"The two village bypass should be agreed as an acceptable, though</i></p>	<p>The two village bypass offers the opportunity to achieve relief to the villages of Farnham and Stratford-St-Andrew at no public expense. In doing so, it would deliver an objective which first the Highways Agency and then the County Council (with the support of the local community) have been proposing since the 1980s. (...) The route proposed in the DCO is consistent with the SEGWay route as it passes Farnham but it does not extend to bypass the four villages on the A12. However, the Government rejected the SEGWay project in 2019 on the grounds that it did not provide sufficient value for money and with a recommendation that a less ambitious scheme should be considered perhaps in collaboration with EDF. The DCO proposals more than fulfil these recommendations, in the sense that the bypass is to be delivered entirely at the expense of SZC Co. The proposed alignment</p>	<p>Our Written Representation [REP3-042], (as are other SCC submissions) is clear that SCC welcomes the two village bypass, as an appropriate mitigation for Sizewell C; the missed opportunities relate in this instance to the rejection of Government of the preferable four village bypass proposal, rather than the Applicant's specific proposals for the two village bypass scheme.</p> <p>As paragraph 1.4 in SCC's Written Representation states: <i>"Whilst SCC sees the Two Village Bypass as essential minimum mitigation for the Sizewell C development that also has legacy benefit and considers that it is not proportionate for the Applicant to fund a longer bypass than the proposed Two Village Bypass, we consider it unfortunate that an opportunity to develop a full four village bypass (known as the "Suffolk Energy Gateway") could not be realised, as funding from the Department for Transport could not be secured."</i> And in 2.25, the two village bypass is</p>	<p>[REP3-042], para 1.4 and 2.25</p>

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<p><i>suboptimal option.</i>" (paragraph 2.27)</p>	<p>of the two village bypass in the DCO application would not prejudice the delivery of a longer, four village bypass in the future. (...)</p>	<p>referred to as <i>"an important improvement to the current road provision, with legacy benefit for Suffolk."</i></p> <p>SCC accepts that it is in principle possible to bypass the other two villages in the further (albeit not on the desired alignment as set out in the SEGWay business case), although it is noted that the business case for such a scheme will be less advantageous for the remaining two villages on their own.</p>	
<p>b) Sizewell Link Road – selection SCC commissioned a report from AECOM: "Sizewell C, Route D2 and B1122 Study" (see WR Appendix 2) which concluded that a relief road known as the D2 had merit and should be fully evaluated. (paragraph 2.33)</p>	<p>(The Applicant provided in its response commentary on the merits of the Sizewell Link Road, and challenges of the alternative D2/route W)</p>	<p>As stated in our Deadline 5 ISH2 Written Submission, at Deadline 2, the Applicant submitted Appendix 5D [REP2-108] in their response to the Examining Authority's questions to address the selection of the route. SCC welcomes the provision of further explanation of the Applicant's route choice. Whilst SCC considers that no demonstrable 'best' solution emerges, it nonetheless acknowledges that the Applicant has made that choice and so formulated its proposals. SCC is focussing on the proposal on its own merits.</p> <p>We refer to SCC's Deadline 3 Response to AI.1.30 [REP3-084], with regard to the lesser journey times/distance benefit of the Sizewell Link Road route compared to Route W and considerations of possible changes to the alignment of Route W to overcome the constraints referred to by the Applicant in this document.</p>	<p>SCC Deadline 5 ISH2 Written Submission</p> <p>SCC's Deadline 3 Response to AI.1.30 [REP3-084]</p>

<p>c) Sizewell Link Road – retention</p> <p>The proposed routing of the Sizewell link road is in parallel to an existing road, the B1122 and therefore has too limited legacy value to justify its retention postconstruction. (paragraph 1.5) A road designed as a temporary structure may not need to be designed to the standards necessary to make it acceptable for adoption as public highway. (paragraph 3.19)</p>	<p>The Sizewell link road follows a similar alignment to the B1122 and SZC Co. predicts that general traffic currently using the B1122 would transfer to the proposed Sizewell link road, given it follows a similar alignment to the B1122 (i.e. it delivers maximum relief). The Sizewell link road is proposed to be open to the public and the alignment of the proposed road will relieve those B1122 communities and would permanently reduce existing traffic flows through the villages of Middleton Moor and Theberton.</p> <p>The legacy benefits of retaining the Sizewell link road have been set out in SZC Co.'s response to the Responses to the Examining Authority's First Written Questions at AI.1.33 [REP2-100], including Chapter 3, Section vii of the Sizewell Link Road Principle and Route Selection Response Paper (Appendix 5D of the SZC Co. responses to ExQ1) [REP2-108]. That Paper also identifies the scale of environmental impact inherent in the removal of the road, as well as the opportunities that the long term presence of the SLR creates for an enhanced role and amenity for the B1122.</p> <p>The Sizewell link road would need to be built to a high standard. With a 10-12 year construction period and given the scale and nature of traffic involved, it is misconceived to think the Sizewell link road could be built as some form of temporary haul road.</p> <p>If the Sizewell link road was temporary, a significant amount of construction activity and traffic would be required to remove the</p>	<p>SCC's Written Representation (section 3) and SCC's Deadline 3 Response to AI.1.33 [REP3-084], and our Deadline 5 ISH2 Written Submission provides detailed responses on the points made by the Applicant. SCC maintains its view that, based on the environmental impacts of the proposed SLR accompanied with limited legacy benefits, the road should be removed when Sizewell C construction is complete.</p>	<p>Written Representation (section 3)</p> <p>Deadline 3 Response to AI.1.33 [REP3-084]</p> <p>Deadline 5 ISH2 Written Submission</p>
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	Sizewell link road. The scale of the works that would be required to remove the Sizewell link have been set out in SZC Co.'s response to the Responses to the Examining Authority's First Written Questions at AI.1.33 [REP2-100]		
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Outage Car Park, Pylons and SSSI Crossing

37. SCC's further comments on the issue of the outage car park is set out in the supplementary written paper accompanying Issue Specific Hearing 5 and in a separate paper for submission at Deadline 5 responding to the ExA's request for further information raised at the Hearing.
38. On pylons, a further analysis of the position is set out in response the Applicant's comments on the answers to ExQ1 LI.1.50 which is covered in the section on "[REP2-108]/[REP3-046- LI.1.50]/[REP3-042] Representations from the Applicant with regard to Pylons/Gas Insulated Lines" below.
39. With regard to the SSSI Crossing, we understand that new information will be submitted by the Applicant at Deadline 5, and we reserve further comments until we have reviewed that information.

[REP2-108]/[REP3-046- LI.1.50]/[REP3-042] REPRESENTATIONS FROM THE APPLICANT WITH REGARD TO PYLONS/GAS INSULTATED LINES IN RESPONSE TO SCC’S WRITTEN REPRESENTATION

40. This section responds to the Applicant’s comments on SCC’s Written Representation [REP2-189], which the Applicant decided to include in its response to the Examining Authority’s First Written Question LI.1.50 [REP3-06], rather than as part of its response to the Written Representation (see above). As these comments relate to SCC’s Written Representations, we have included our response under this heading, alongside the commenting on the Applicant’s response to the Written Representation [REP3-042].
41. SCC did have the benefit of seeing an advance copy of the Applicant’s Technical Recommendation Report (Appendix 5E of SZC Co’s Response to ExQ1 [REP2-108]) before it submitted its own answers at Deadline 3 and the Deadline 3 Written Representation [REP2-189]. The Deadline 2 Written Representation [REP2-189] and its Appendix sets out in detail SCC’s comments and the technical feedback from its consultant’s AFRY on that Technical Recommendation Report. On that basis, there is little new to add to the previous comments made in that submission [REP2-189], but a brief response is made in the table below.
42. The option of Gas Insulated Lines (GIL) was discussed in some detail at ISH5, which is referred to in the table below. Please see also SCC’s Deadline 5 [Post-Hearing Submission on ISH5].

Table 12. Response to the Applicant’s comments on pylons/GIL to [REP2-189] from their Deadline 3 comments on LI.1.50

SCC position in [REP2-189]	SZC Co. response at Deadline 3 [REP3-046 LI1.50]	SCC Response at Deadline 5
i. The Applicant’s report suggests that the use of GIL would lead to the use of SF6 gas, which is a contributor to global warming. AFRY points out that other operators have minimised or eliminated the use of SF6, instead using g3 gas for all installations. This is a far less potent greenhouse gas, with a much lower Global Warming potential	GIL was considered in detail for Sizewell C but would not be feasible due to unacceptable impacts on the operability and security of the site. Please refer to the report conclusions in the Technical Recommendation Report section 5 for a summary of the key issues. The choice of insulating gas did not materially influence the option selection process, indeed the potential to use an insulating gas with a lower global warming potential than SF6 was acknowledged in section 3.2.	In its Technical Report, the Applicant said that it did not have any operational experience of g3 gas (the alternative to global warming SF6 gas for use in GIL), its performance in service or its implications on maintenance procedures. It is welcome that during the ISH5 hearings, the Applicant accepted that this was not a constraint to the use of GIL.

<p>ii.The Applicant's report considers that the inspection and maintenance of GIL in troughs is time consuming and hazardous. AFRY's view is that maintenance would be at a minimum, because of the nature of the product and that machine handling of trough covers should not be seen as hazardous when removal is required. This compares favourably with the issues associated with the maintenance of overhead lines, including working at height. The nature of the coastal situation of this site means that overhead lines would require regular maintenance and cleaning. Accordingly, there is no agreement that overhead lines are more reliable or have lower maintenance risks, than a GIL solution.</p>	<p>The potential to install GIL in troughs was considered in detail. The reasons for rejecting such a method of installation are set out in the Technical Recommendation Report section 3.2.1.</p> <p>The reliability of overhead lines and GIL are discussed in sections 4.2.4 and 4.3.3 respectively. SZC Co. does not consider there to be any material difference in failure rates between these two technologies; they have both been proven to be reliable in service. Notwithstanding this, in the unlikely event of a fault, the time required to repair GIL is significantly longer than for overhead lines, as noted in 4.3.3.</p>	<p>The Applicant's Technical Report acknowledges that there is no difference in failure rates between the GIL and overhead line technologies and that in either case this is unlikely.</p> <p>SCC's consultants, AFRY, consider that the exposure of overhead lines in a marine edge environment may add to maintenance problems, the mechanical handling of trough covers would not be challenging and would need to be compared with the safety issues of working at height on overhead lines. In terms of the route through the site, this would be a combination of above ground and troughs if GIL was used.</p>
<p>iii.The Applicant's report identifies problems with the exclusive use of overhead or underground GIL routes, but does not appear to analyse the opportunities to use hybrids with underground or overground being used at appropriate places. The product allows such switching to meet the constraints imposed by different parts of the cable route</p>	<p>The potential to combine overground and underground installation techniques for GIL has been considered. Overground and underground constraints for each area that a GIL would need to traverse are described in the Technical Recommendation Report sections 4.3.2 and 4.3.3.</p>	<p>It is welcomed that the Applicant accepts that a combination of underground and overground solutions for GIL is possible and has been considered. We remain unconvinced that the constraints identified are insurmountable.</p>
<p>iv.The Applicant considers that, with the constrained nature of the site, there is</p>	<p>The constrained nature of the site and the impact this has on the suitability of a GIL</p>	<p>This matter is discussed below in the commentary in paragraph 44 onwards.</p>

not adequate space to accommodate a GIL route. AFRY points to examples where a similar connection occupies a space of no more than 1m in width and therefore it should be able to be accommodated and has identified workable routes around the site.	installation are described in detail in the Technical Recommendation Report section 4.3. These findings are not affected by the width of the installation.	
v. The Applicant suggests that, for security reasons, the only way in which an export cable can cross the site boundary is in overhead form. AFRY points out that the security could equally be achieved by using buried cables at this point. Material supplied by manufacturers shows that this is an appropriate use for the product.	The potential to cross the site boundary by underground means has already been addressed in the report. Refer to the Technical Recommendation Report sections 3.2.1 and 4.3.3.	The sections of the Applicant's Technical Report referred to do not state that it is not possible to cross the security fence by burying a GIL. It was acknowledged by the Applicant at the ISH5 Hearing that in principle this would be possible.

43. The Applicant states in its Deadline 3 response to LI.1.50 that: "SCC assert that the proposed pylons and overhead lines would significantly exacerbate the residual impacts on the character and special qualities of the Suffolk Coast and Heaths AONB (WR paragraphs 1.11, 4.8, 4.25, 4.45). This conclusion is not supported by the Landscape and Visual Impact Assessment. SZC Co. recognise that design solutions that minimise the visibility of pylons would be preferable and has selected a configuration that has the least visual impact from locations along the coast of the options considered." SCC concedes that a description, in alignment with the applicant's LVIA, would be that;

the proposed pylons and overhead lines contribute to the adverse residual impacts of the Main Development Site, on the character and special qualities of the Suffolk Coast and Heaths AONB.

However, this does not substantially change the case to avoid such impacts.

44. At the ISH 5 Hearing, the Applicant stated that there was no route that was likely to be suitable, and that SCC should be in a position to demonstrate that there was a realistic prospect of an alternative approach to overhead lines and pylons. SCC considers

that its submission [REP2-189] shows that an alternative approach, using GIL appears to be possible. With regards to the suggested constraints of the routing, we'd like to reiterate the following comments provided in [REP2-189]:

45. Figure 15 of the Applicant's Technical Recommendation Report showed three possible routes that might be used as a GIL route from the transformer associated with Turbine Hall 2 to the National Grid sub-station. It then went through each of the routes and sought to explain why these were not workable. AFRY, advising SCC, considered that the Red Route from Figure 15 appeared to be possible as a route. The rationale given in the Technical Report for this not being acceptable was that the route clashed with the sterile security zone on the East side of the site. AFRY considered that, with a width requirement for the GIL of only approximately 1m, a route could surely be found along this line. This would need to be set back from the sterile zone, perhaps by no more than the width of the line.
46. However, for SCC or its consultants, it is not possible to provide more certainty than this without the ability to access better plans and three dimensional modelling of the development than those seen in the Technical Report. Already at earlier stages in our discussion with the Applicant, AFRY had asked for three dimensional drawings but these have not been made available. This demonstrates that, with the information available, it is challenging/impossible for SCC/AFRY to produce a more worked up technical alternative in the way proposed by the Applicant.
47. Nevertheless, SCC and its consultants have put forward a suggested approach which we consider appears feasible and realistic, and which we ask the ExA to consider further.

[REP3-060] EAST SUFFOLK COUNCIL'S COMMENTS ON SUFFOLK COUNTY COUNCIL WRITTEN REPRESENTATIONS

48. At Deadline 3, East Suffolk Council made in [REP3-060] a number of points about issues raised in Suffolk County Council's Written Representations [REP2-189]. This section seeks to clarify and update some of the matters raised there.

SZC Co. Transport Strategy

49. Para 1.4 of ESC's Responses suggests that further detail would be needed of any measures that would be required if the Department for Transport Major Route Network funding is not secured. SCC is preparing such information and this will be made available to the Applicant and Examination in due course.

Sizewell Link Road

50. In para 2.4 of its document, ESC welcomes the opportunity to downgrade the B1122 to become a quiet road between Middleton Moor and Theberton with priority given to walking and cycling. As set out in our Written Representation, SCC's first preference would be to see the Sizewell Link Road removed at the end of the power station construction, but if this is not accepted by the ExA or Secretary of State, it would consider that measures to discourage motorised traffic on the old B1122 would be appropriate and is involved with discussions to ensure that this can be achieved.

51. The question of traffic on the B1122 in the operational period, including outages, has been addressed in SCC's Written Representation. SCC's view of the point raised in para 2.7 of ESC's comments of the impact of two simultaneous outages on traffic in the area is that, for the same reasons that it would be inappropriate to provide an outage car park to deal with the very rare occasions when the peaks of two outages would coincide, such infrequent occurrences would not justify the on-going environmental damage of retaining the Sizewell Link Road. The likelihood of simultaneous outages is discussed in SCC's Deadline 5 submission [Additional information requested by the ExA for this deadline: Alternative Outage Car Park].

Main Development Site: Pylon solution

52. The impact of the pylons and overhead lines on views of the power station referred to in para 3.2 of ESC's comments was dealt with in ISH5 by SCC and other Ips, and is also referred to in para 43 above.

53. SCC would agree with ESC that the latter's concerns in para 3.4 that it would not wish to see an expansion of the site to accommodate a different transmission technology but the advice that SCC has from its technical consultants, AFRY, is that GIL

would only require a width of 1m. It considers that, with the lack of fixity that applies to many of the buildings on the site, in particular those on the western side, such a limited space could be accommodated without the need to expand the site.

Outage car parking at Goose Hill

54. In para 4.2 of its comments, ESC assumes that if outage car parking at Sizewell B is used for Sizewell C outage workers, this will require bussing of such staff from there around to the main entrance of Sizewell C. However, there is a southern entrance to Sizewell C. SCC's assumption is that such staff would be able to use that entrance and thus walk the short distance from the Sizewell B outage car park. This has not been contradicted by the Applicant in its submissions.
55. The questions of relationship with policy set out in EN-1 and EN-6 are addressed in SCC's WR and in particular the issue in this case turns not on the general principle of development of a nuclear power station in an AONB, but rather on whether there has been adequate attention given to the need for this element of the development, the scope for dealing with it in some other way and the extent to which the effect on the environment could be moderated. A separate paper has been prepared for submission at Deadline 5 [Additional information requested by the ExA for this deadline: Alternative Outage Car Park] that sets out SCC's view of one alternative solution for dealing with the possible occasional need for further parking.

SSSI Crossing

56. This issue was given extensive coverage during ISH7 and, as a consequence, further information is to be provided by the Applicant. SCC will await this information before commenting further on the matter.

[REP3-046] THE APPLICANT'S COMMENTS ON RESPONSES TO EXAMINING AUTHORITY'S FIRST WRITTEN QUESTIONS (EXQ1)

57. SCC wishes to respond on a selection of comments made by the Applicant to responses of Interested Parties to the ExQ1, particularly in relation to SCC's original Deadline 2 responses.

Table 13. SCC response to the Applicant's comments on responses to ExQ1

AR.1.7	SCC	<p>Public Rights of Way</p> <p>(i) Are the Council satisfied with the Rights of Way and Access Strategy (Appendix 15I) of [APP-270] and the future intention to submit a Footpath Implementation Plan for approval?</p> <p>(ii) Does the Council consider all parties with protective characteristics have been fully considered in this strategy?</p> <p>(iii) And the approach justified?</p>
	Excerpt of Response by SZC Co. for Deadline 3	<p>An updated Rights of Way and Access Strategy was submitted at Deadline 2 [REP2-035], and further changes to address SCC's comments will be included in a second update of the Rights of Way and Access Strategy which will be submitted at a future deadline, where noted below.</p> <p>SZC Co's response to each of SCC's comments is as follows. [excerpts included that SCC wishes to comment on]</p> <p>(i)</p> <p>3. SZC Co. is unclear what SCC is referring to when they state '<i>...the changes proposed for the management of access on the coast by SCC.</i>' Please would SCC clarify.</p> <p>4. (first bullet) If the Coast Path needs to be temporarily closed and the inland diversion is required during the construction phase it would follow the route shown on Figure 15I.4 of Volume 2 Chapter 15 Appendix 15.I [APP-270]. This route is off-road except at road crossings and approximately 470m in length on Eastbridge Road between the northern end of the proposed off-road bridleway (Bridleway 19 diversion) north of the accommodation campus and Eastbridge.</p> <p>SZC Co. acknowledges that the inland diversion of the coast path, which may be necessary for short periods in rare circumstances, is longer and of a different character to the existing coastal route, and this is described in paragraphs 15.6.187 to 15.6.191 of Volume 2, Chapter 15 (Amenity and Recreation) of the ES [APP-267]. SZC Co. notes SSC's acknowledgement that there are physical</p>

		<p>constraints to the location of this alternative due to the footprint of the development. SZC Co. has undertaken extensive consultation on this inland diversion route with SCC and other consultees to agree the best possible route and experience for users.</p> <p><u>Eastbridge Road</u></p> <p>SZC Co. has sought to minimise temporary closures of the Coast Path and the need for temporary inland diversions (which would pass along the section of Eastbridge Road referred to by SCC), and will continue to do so throughout the pre-construction and construction phases. Further detailed design work included in the change request application in January 2021 has identified that the Coast Path would now be kept open at all times except in rare circumstances where it is considered unsafe to do so. As noted in Volume 1 Chapter 2 of the ES Addendum [AS-181]:</p> <ul style="list-style-type: none"> • Further detailed design work, which has been carried out since the submission of the Application, has identified measures which would enable the Coast Path to remain open during construction of the permanent BLF, except in rare circumstances where it is considered unsafe to do so. It would therefore now be assumed to remain open for substantially more of the construction period than in the submitted Application. However, shorter term temporary closures remain possible. (Paragraph 2.10.38.) • Further detailed design work since the submission of the Application has also identified measures which would enable the Coast Path to remain open at all times during use of the permanent BLF. This is an improvement to the proposals presented in the Application which stated that closure of the Coast Path would be unavoidable at times due to the sea-borne delivery of exceptionally large and heavy materials. (Paragraph 2.10.40.) • The Coast Path would be kept open during construction of the temporary BLF, except in rare circumstances where it is considered unsafe to do so, and would be kept open during operation of the temporary BLF. (Paragraph 2.10.54.) <p>The Coast Path would be kept open during the construction of the sea defences except in rare circumstances where it is considered unsafe to do so.</p> <p>Use of this section of Eastbridge Road by construction workers in cars is likely to be low. Any construction workers residing north or west of Blythburgh would be required to use the Park and Ride and not drive directly to the main development site. An extremely small number of construction workers may live in Eastbridge. Any workers living in other nearby villages such as Westleton and</p>
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		<p>Theberton would be expected to use the B1122 and not travel via Eastbridge. Eastbridge Road is also not a permitted route for HGV deliveries and so there would be no increase in HGV numbers.</p> <p>The diversion of Bridleway 19 will not add any additional pedestrians, cyclists or equestrians onto this section of Eastbridge Road as users of the bridleway who then continue their journey to Eastbridge currently have to use Eastbridge Road.</p> <p>Visitor surveys undertaken in 2014 (Volume 2 Appendix 15A of the ES [APP-268]) indicate that 29% of respondents said that they are likely to stop using the area during construction, which includes the area around this section of Eastbridge Road. A proportion of existing walkers on Eastbridge Road may stop using it and walk elsewhere during construction.</p> <p>Sandlings Walk currently runs along this section of Eastbridge Road. For the duration of the construction phase (except when the Coast Path within the main development site is temporarily closed) Sandlings Walk would be diverted northwards along the coast north of the main development site and west along PRow E-363/020/0 to Eastbridge, avoiding this section of Eastbridge Road north of the campus, as shown on Figure 15I.1 in Volume 2, Chapter 15 Appendix 15I [APP-270]. This is likely to lead to a reduction of walkers on this section of Eastbridge Road for the majority of the construction phase.</p> <p>In addition, SZC Co. is in discussion with SCC to identify if an off-road route for pedestrians can be provided through the S106. Further information will be provided in the next iteration of the Statement of Common Ground between SZC Co. and SCC and ESC.</p> <p>4. (second bullet) Campus-based workers walking from the campus into Leiston would be able to use the most direct route on the proposed off-road bridleway parallel to Abbey Road (B1122), and then continue on the existing footway alongside Abbey Road directly into the centre of the town. Campus-based workers cycling to Leiston could use the route described by SCC, which SZC Co. consider is a good route, and only a short cycle ride between the Campus and Leiston.</p> <p>4. (fourth bullet) The route of Sandlings Walk between Kenton Hills and Goose Hill will remain a permissive path. SZC Co needs to retain control of permissive footpaths so that access can be temporarily withdrawn with limited or no notice for security reasons.</p> <p>SZC Co. has explored the potential for a bridleway link between Sandy Lane and Bridleway 19 near Kenton Hills car park, so that a continuous off-road route could be provided wholly east of Lover's</p>
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		<p>Lane, and concluded that it would not be possible without using land and removing habitat within the Sizewell Marshes Site of Special Scientific Interest (SSSI), and concluded that this potential harm to the SSSI would not be appropriate. SZC Co. has provided a continuous off-road bridleway with two road crossings.</p>
	<p>Response by SCC for Deadline 5</p>	<p>SCC welcomes that the Applicant is addressing some of our concerns in the forthcoming revision of the Rights of Way and Access Strategy. We limit our response below on issues where the Applicant's response suggest that there is not at this point common ground:</p> <p>3. Changes proposed for the management of access on the coast by SCC may refer to SCC's role in managing the England Coast Path when this section of the path is open. This will include maintenance and promotion.</p> <p>4. The applicant misunderstands SCCs concerns regarding the use of Eastbridge Road between BW19 and Eastbridge. The primary concern is that walkers diverted during closure of the coast path will be directed onto the new bridleway paralleling Lovers Lane and Eastbridge Lane as far as the northern connection with BW19 but will then have to walk on Eastbridge Road to reach the footpath E-363/020/0 leading to Minsmere Sluice to re-join the coast path. The current situation is that users of Sandlings Walk can make decisions whether using Eastbridge Road but during closure of the permissive path from the coast and the Coast Path that option is no longer available. They and the users of the coast path would have to use Eastbridge Road which has no footway nor verges. While it is reasonable to expect use by SZC workers to be low Eastbridge Road is the main access to Eastbridge village and used by many visitors to access Minsmere by car. SCC does not consider Eastbridge Road is a suitable route for PRow users and a suitable and convenient alternative should be provided. This would be in line with NPPF guidance, para 100 of which states "Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails"</p> <p>The Applicant's assertion that the 2014 visitor surveys indicate 29% of respondents are likely to stop using the area during construction, including the area around this section of Eastbridge Road, is seen by SCC as an additional reason to include an off road link between BR19 and Eastbridge to mitigate construction disturbance, rather than maintain the status quo.</p> <p>4. second bullet point. While the Applicant consider the existing footway along Abbey Road the Authority raised concerns about the narrow width and proximity of the footpath to the B1122 which at this point is itself narrow and forecast to carry a considerable volume of SZC construction traffic. No</p>

		<p>additional measures are proposed for cyclists to use Abbey Road and the same concerns apply. This matter was raised in our LIR paragraph 15.115(REP1-045)</p> <p>4. fourth bullet point. SCC seeks the conversion of Kenton Hills permissive path to a PRow. This improvement would reflect the status of the route as the Sandlings Walk promoted trail and partly compensate for the loss of permissive access at Goose Hill, as referred to in the ROW & Access Strategy para 1.2.32 which notes Sandlings Walk would be reinstated on the majority of its original alignment, with sections in Goose Hill closed permanently.</p> <p>The Applicant desires that access can be temporarily withdrawn with limited or no notice for security reasons, but does not explain the nature of those reasons. If the security concern relates to terrorism, powers exist under s.22c of the Road Traffic Regulation Act 1984, as amended by the Counter-Terrorism and Border Security Act 2019, to close roads (which under the Act includes PRow) without prior advertisement.</p>
AR.1.8	The Applicant, AONB Partnership, ESC, SCC	<p>AONB</p> <p>The AONB Partnership set out detailed concern [RR-1170] with regard to the assessment of and significance of effects on the AONB and its statutory purposes:</p> <p>(i) Can the Applicant please respond in full to these concerns in respect of recreation and amenity?</p> <p>(ii) Can the Applicant also set out the effects on the AONB and its value as a recreational and amenity area through each of the construction, operational and decommissioning phases.</p> <p>(iii) Do the Councils and AONB Partnership consider the ES has fully recognised the benefits of the AONB as a recreational and amenity area and provided for appropriate mitigation?</p>
	Excerpt of Response by SZC Co. for Deadline 3	[In their response, the Applicant comments on each of the issues raised by ESC, the AONB Partnership and SCC]
	Response by SCC for Deadline 5	As noted in our original response, SCC has identified the impacts on the AONB, in respect of recreation and amenity, and the mitigation that we would expect to see in our Local Impact Report [REP1-045] at section 17, table 19. We concur with ESC in their original response, in that we agree with many of the findings in the Summary of Effects for construction phase (table 15.11) and operational phase (table 15.12) in 6.3 Volume 2 Main Development Site Chapter 15 Amenity and Recreation [APP-267] that identifies a series of significant residual effects. To address these residual effects, a package to mitigate and offset the impacts is required, which it is assumed will primarily be

		through the proposed Natural Environment Fund to be secured through the Deed of Obligation. SCC continues discussions with the applicant around the detail and scale of this fund.
AR.1.10	The Applicant, SCC	<p>Strategic alternatives for the movement of freight</p> <p>The Suffolk County Council [RR-1174] states that the Council does not support the Applicant's proposed freight transport strategy as it stands, and considers that it is still reasonably achievable to increase the proportion of rail and potentially sea-borne deliveries. In the light of the Applicant's strategic assessment of alternatives, and the Applicant's subsequent Changes to the original application, please indicate:</p> <p>(i) Why it is considered that an increased proportion of rail transport and sea-borne transport can be achieved without causing undue delay to the construction programme?</p> <p>(ii) Whether the changes to the application have overcome the SCC's concerns in this respect?</p>
	Response by SZC Co. for Deadline 3	<p>SZC Co. and Horizon at Wylfa offered the same commitment for the movement of construction materials, i.e. 40% maximum by HGV. The Wylfa application gave no commitment to reduce HGV movements below that level. It is relevant, however, that the application at Wylfa involved a Material Off-loading facility (MOLF) of considerably greater potential and capacity than can be achieved at Sizewell. In particular, the MOLF would provide two purpose-built quays: a bulk quay (with two berths); and a Ro-Ro quay. The facility was described in the Wylfa application as follows:</p> <p><i>"The bulk quay would extend between the eastern breakwater and the Ro-Ro quay and comprise two berthing platforms, each with four mooring dolphins (i.e. eight on total). It would provide berthing facilities for bulk vessels and unloading facilities for bulk materials. The two berthing platforms would have approximate surface area dimensions of 65 m by 30 m. The area behind the platforms and dolphins would be filled to a platform level of between +5 m AOD or +6 m AOD, and would be protected by a rock armour revetment.</i></p> <p><i>The Ro-Ro quay would extend eastwards from the southern end of the bulk quay (i.e. towards the shoreline) and comprise a quayside used primarily for Ro-Ro vessels and Lift-on Lift-off (Lo-Lo) vessels, incorporating a ramp for ship to shore transfer of AILs, and Lo-Lo of equipment and materials by cranes. Its quay wall would be approximately 100 m in length and its quay surface would be set at a platform level of between +5 m AOD or +6 m AOD. The quay wall for the Ro-Ro ramp would be set at the same level as the bulk berth quay surface level with the toe of the sloping ramp used to receive AILs being at approximately +3.5 m AOD, thereby providing a shallow gradient up to the general quay level. The quay wall would continue towards the Cooling Water System intake and the base of the wall would match the level required for the Cooling Water System intake.</i></p>

		<p><i>In addition to the bulk and Ro-Ro quays, the MOLF would include a temporary layby berth that vessels could be moored against for short-term waiting until the destination bulk or Ro-Ro berth is available. The berth would be located at the southern end of the western breakwater and consist of a series of berthing and mooring dolphin structures. The berth is remote from the land and would be accessed by small boats."</i></p> <p>The scale of the structure, the number of berths (3) and a significantly greater depth of water would allow access by a greater range, type, size and frequency of vessels. A MOLF has vehicular access allowing it to handle containerised and other goods of a type that cannot be brought via a BLF (or MBIF) which only supports a conveyor for bulk materials. The constraints at Sizewell do not make this scale of marine intervention practical.</p> <p>Please also see SZC Co.'s response to Chapter 15 of the Comments on Councils' Local Impact Report (Doc Ref. 9.29), where SZC Co. discusses maximising delivery of materials by rail and marine in further detail in response to matters raised by SCC.</p>
	Response by SCC at Deadline 5	<p>While the Wylfa application did indeed not include a commitment to reduce HGV deliveries to below 40% of materials, it did include an aspiration to increase the proportion of material delivered by sea to 80%. See paragraph 27 ff. above, which explains why SCC considers that the request of an aspiration of a higher than 60% proportion of materials to be delivered by sea and rail is reasonable.</p>
AR.1.21	The Applicant, Relevant local authorities (iv only)	<p>Methodology</p> <p>(i) In light of the complexity of the assessment and the time period over which the construction would last would it be reasonable to assume that the significance of effect could be greater than that which has been concluded?</p> <p>(ii) What degree of confidence is there in the assessment?</p> <p>(iii) As there is not an agreed methodology for assessing such affects and it is reliant upon professional judgement – has an independent review been undertaken of the findings?</p> <p>(iv) Do the Councils agree with the methodology and the significance of effect found by the Applicant with regard to impacts upon recreation and amenity?</p>
	Response by SZC Co. for Deadline 3	<p>Response to SCC</p> <p>SZC Co. agrees that all those receptor groups (4, 6, 9, 20) where there is a minor adverse effect be included in the parameters for consideration under the PRoW Fund within the Deed of Obligation.</p>

		<p>SZC Co.'s position regarding the Suffolk Coast Path, proposed England Coast Path, Sandlings Walk and public footpath E363/021/0 along the coast within the main development site is explained in the draft SoCG with SCC and ESC at PROW_12 as follows:</p> <ul style="list-style-type: none"> • PROW E-363/021/0, and the Coast Path are proposed to follow the same route through the main development site. They are proposed to run along the platform east of the hard sea defence, where the higher hard sea defence to the west will screen lower level buildings and structures within the power station and provide some noise mitigation, allowing people to enjoy the coastal landscape and minimise intrusion by the power station. This is similar to the existing Coast Path and coastal defence alongside Sizewell B. <p>SZC Co will provide an alternative informal footpath along the top of the hard sea defence. This will be within the permanent coastal margin (permanent accessible coastline which is being established by Natural England) which people will be able to use at all times, including if the lower PROW is eroded by extreme sea events, although this is very unlikely. The proposed PROW and Coast Path route east of the hard sea defence will be at a higher elevation than the existing PROW and coast path within the main development site, and the existing PROW and coast path to the north and south of the main development site. In extreme storm events it is likely that the PROW and coast path to the north and south would be eroded before the proposed permanent coast path within the main development site which would, therefore, become isolated should such events occur.</p> <ul style="list-style-type: none"> • As set out in the DCO, SZC Co will maintain the soft sea defence to minimise likelihood of erosion of the PROW and coast path. <p>The assessment of effects on the users of the Suffolk Coast Path and future England Coast Path during operation within Volume 2 Chapter 15 (Amenity and Recreation) [APP-267] and Volume 2 Appendix 15G (Non-Significant Effects) [APP-270] is minor adverse and not significant. SZC Co. confirms this position. PROW E-363/021/0 lies within Receptor Group 12 Minsmere to Sizewell Coast; effects on receptors within this receptor group is assessed as moderate adverse and significant during operation. See Table 15.12 of Volume 2 Chapter 15 (Amenity and Recreation) [APP-267] for a summary of effects.</p> <p>Volume 2 Chapter 15 (Amenity and Recreation) [APP-267] and Volume 2 Appendix 15G (Non-Significant Effects) [APP-270] conclude that receptor groups that the A12, A145 and B1119 pass through or along the edge of would not experience significant adverse effects. This applies to receptor groups A, C, D, F, G, H, L, M, N, 9, 17 and 18. SZC Co. confirms this position.</p>
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	Response by SCC for Deadline 5	<p>The alignment of FP21 on the sea defence is not yet agreed with SCC. SCC considers the optimal route for FP21, balancing its long term resilience to coastal erosion, storms and rising sea levels, and all-round views is on top of the sea defence, as is the case on many coastal defences.</p> <p>Elsewhere, the Applicant has cited security concerns as a reason not to locate the coast path on top of the defence. If the security concern relates to terrorism, powers exist under s.22c of the Road Traffic Regulation Act 1984, as amended by the Counter-Terrorism and Border Security Act 2019, to close roads (which under the Act includes PRow) without prior advertisement.</p> <p>SCC welcomes the provision of a lower path on the seaward side.</p>
AR.1.27	ESC, SCC	<p>Public Sector Equality Duty</p> <p>A number of RRs including [RR-681, 0790, 993] have been received identifying people with protected characteristics who indicate they would be disadvantaged by the proposed development.</p> <p>(i) Do the Councils consider adequate regard has been made to people with protected characteristics in identifying impacts and subsequently setting out appropriate mitigation?</p> <p>(ii) If in answering the above in the negative, what additional work should be undertaken to improve the assessment?</p> <p>(iii) What additional mitigation might be available?</p>
	Response by SZC Co. for Deadline 3	<p>SZC Co does not agree that adequate regard has not been made to people with protected characteristics in identifying impacts and subsequently setting out appropriate mitigation.</p> <p>To clarify, SZC Co submitted an Equality Statement (EqS) [APP-158] as part of the DCO – this is not an Equality Impact Assessment, but is intended to draw upon assessments within the DCO application and guide to where equalities impacts may be relevant and have been considered, in order to inform the DCO decision-making process. The Public Sector Equality Duty (PSED) in terms of decision-making sits with the Secretary of State, who may be supported by the recommendation of PINS, and the EqS is intended to help the Secretary of State conclude on the decision.</p> <p>As set out in the EqS (para 1.2.5), everyone affected by a development will have some protected characteristics under the Act (such as age, race, and sex), and they will not all be equally affected. That does not, however, necessarily constitute an equality effect. The question for the Public Sector Equality Duty is whether there are disproportionate or differential impacts that have been considered.</p>

		<p>However, by assessing certain impacts (e.g. on school places) we are dealing directly with differential or disproportionate impacts on persons with protected characteristics that we have identified.</p> <p>A further point about mitigating equality impacts is that mitigation is not always automatically different for equality considerations. For example, elderly people may be more affected by noise, but mitigation to reduce noise as much as is reasonably possible would not be specific mitigation for elderly people, but general mitigation that also reduce effects on potentially disproportionately affected elderly people. Similarly, public safety impacts could affect groups with protected characteristics differentially, but mitigation that reduces all impacts will avoid differential equality impacts.</p> <p>The EqS signposts to where potential differential or disproportionate impacts may occur and highlights where mitigation may be required. In most cases, the mitigation takes the form of funds so that public sector bodies can administer them in ways that avoid, reduce or mitigate residual equalities impacts.</p> <p>If that mitigation funding is supporting an existing council service like social care / community safety / integrated care – the PSED is with the Councils just like any other application of service, and the Applicant and Councils need to make sure that the remit of the funds (e.g. the Public Services Resilience Fund, the Housing Fund, and School Capacity and Support Contributions) is sufficiently flexible for the Councils to apply them under their existing terms of service (which themselves are already subject to Equality Impact Assessment).</p> <p>As far as the planning decision goes, the Examining Authority and Secretary of State can be reassured that appropriately scaled funds are available to deal with reasonable equality issues as they arise (or based on best practice of the bodies that apply the funds in pre-mitigation circumstances), and that the Council has input into the monitor/manage stage of implementation for those funds so there is a mechanism in place to deal with equality.</p> <p>SZC Co welcomes the positive engagement between themselves, ESC and SCC in developing a Public Services Resilience Fund to reduce the risk of effects on groups that may be differentially or disproportionately affected as a result of their Protected Characteristics, and may be more vulnerable to the effects of the Project.</p>
	Response by SCC for Deadline 5	<p>Again noting that the responsibility to be satisfied that the Public Sector Equality Duty has been met rests with the Secretary of State, we note the Applicant's response. The Applicant may wish to take advice as to whether they may require further equality assessments when details of mitigation measures are being confirmed by the Applicant, including for each measure who is going to be responsible to address the equality related impacts.</p>

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		<p>We welcome the Applicant's reference to mitigation funding and its role to address equality issues, and agree that mitigation through e.g. the Public Services Resilience Fund (e.g. on impacts on social care, health and school and early years provision) or transport schemes (e.g. to reduce severance, accidents, fear and intimidation) can address in part equality impacts. Discussion on these funds, and the monitoring regime to be defined in the Deed of Obligation, are ongoing between SCC and the Applicant</p>
FR1.74	Environment Agency, Suffolk County Council, East Suffolk Council, East Suffolk Internal Drainage Board	<p>Outline Drainage Strategy (ODS) [APP-181]</p> <p>Provide any comments you have on the coverage and content of the ODS at this stage.</p>
	Response by SZC Co. for Deadline 3	<p>Reference is also made to SZC Co.'s Response to the Councils' Local Impact Report (Doc Ref. 9.29). Since Deadline 2, SZC Co. has informally provided technical notes on the construction phase MDS water management zone drainage designs to ESC, SCC and the ESIDB. These will also be provided to the EA. These include an updated basic drainage design document (second iteration) for the LEEIE site. The notes provide a summary of infiltration testing, an acknowledged key parameter in the delivery of SuDS drainage features. These technical notes demonstrate that a SuDS-led drainage strategy can be achieved for the MDS and LEEIE sites within the Order Limits. The notes also set out SZC Co.'s approach and methodology to pollution assessment and treatment. On receipt of comments, and subject to revision, these will be entered into the Examination at Deadline 5.</p> <p>Each WMZ will be sized and operated appropriately to the conditions required in that zone. This will be dependent on the requirements for infiltration, allowable discharge sympathetic to the environment and in accordance with the SuDS Manual. Each WMZ has been assessed to include source control, local management (e.g. swales, ditches etc.) and regional SuDS structures (WMZ detention basins). This is in accordance with the recommendations of the CIRIA SuDS manual (C753). The preliminary sizing of the SuDS structures both Local and Regional is based on a worst-case scenario. This approach is conservative but ensures that sufficient land is attributed for the use of SuDS and is appropriate at this stage of Outline Drainage Strategy [REP2-033]. As the Detail Design progresses and more refined knowledge of the site is available, the SuDS structures will be further developed to determine control structures and physical geometric dimensioning appropriate for the use in that zone.</p> <p>In respect to biodiversity, SZC Co.'s key reference point is drawn from the Ciria SuDS Manual (C753). As represented throughout the application, this document is the foundation on which SZC Co.'s SuDS approach has been developed. We draw attention to the Introduction to the manual (page 6) which highlights the "Four Pillars" of SuDS. One of these pillars is Biodiversity. By observance of this manual</p>

		<p>we are applying the principles of Biodiversity in mimicking the natural environment; this represents one of the key tenets of SZC Co.'s approach.</p> <p>The Outline Drainage Strategy [REP2-033] sets out a number of opportunities for biodiversity, which may be applied during both construction and operation, for example in the design and use of infiltration trenches, planted swales and tree pits. The Outline Drainage Strategy [REP2-033] provides the overarching principles and approach for the operational drainage arrangements. SZC Co. acknowledges that these designs are less advanced as the associated likelihood of impacts on people and the environment is considerably smaller than the wider catchment and drainage requirements during construction and because the detail is reserved to be approved by the authorities at the appropriate time. The knowledge brought from developing the construction phase drainage designs will be used to inform the eventual operational designs, which will be presented to the Councils for approval through Requirement 5 following the grant of the DCO.</p>
	Response by SCC for Deadline 5	<p>As stated in SCC's response to SZC Co.'s Response to the Councils' Local Impact Report [REP3-044], the information submitted to the Examination and seen informally by SCC to date, is insufficient to demonstrate that a sufficient & suitable surface water drainage strategy, can be deliver within the Order Limits, in compliance with national & local policy, best practice and guidance. Until this can be demonstrated, it is not possible to rely on either the primary or tertiary mitigation set out in the Environmental Statements for Groundwater and Surface Water. SCC maintain that it is not suitable, for any of the Main Development Site or Associated Development Sites, to provide this information as part of discharge of Requirement 5, post DCO. An Outline design, with supporting information, should be submitted to the Examination at this stage.</p> <p>No information has been provided to date RE the operational surface water drainage strategy, once construction is complete. The Outline Drainage Strategy [REP2-033] does not make direct reference to this phase and no information is provided at all. The Applicant is solely reliant on overarching principles contained within this document, which are ultimately already contained in national and local best practice and guidance. As such, SCC cannot say with any certainty what the proposed operational drainage strategy is. This remains a serious concern.</p>
HW.1.0	ESC, SCC, CCG, Sizewell Health Working Group	<p>Methodology</p> <p>(i) Do you agree that the methodology and scope for assessment of effects from the proposed development as set out in [APP 346] is appropriate and has properly assessed the potential health and wellbeing impacts of the proposed development on the local community?</p>

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		(ii) Do the Councils agree with the methodology in determining the degree of intimidation from traffic and in particular from HGVs? (iii) Do you consider the findings of this part of the ES have been adequately justified?
	Response by SZC Co. for Deadline 3	<i>[Due to the length of the response and the general nature of our response, we have not quoted the original response here]</i>
	Response by SCC for Deadline 35	SCC does not have anything to add to the original response having reviewed the Applicant's lengthy comments on SCC's and other IP's comments, and also refers to Table 11 above, particularly with regard to safeguarding impacts and the scale of health and wellbeing impacts.
HW.1.10	The Applicant, SCC, ESC, CCG	Equality Statement The Applicant advises that the Public Services Contingency Fund which would be secured through the S106 would be an appropriate response to the concerns identified in respect of the difficulties associated with recruiting and retaining staff. Paragraph 1.6.49 [APP 158] (i) Please provide an update on the progress of the S106 (ii) Do the Councils and CCG regard this as an appropriate method of mitigation?
	Excerpt of Response by SZC Co. for Deadline 3	(...) The social care sector is a specific statutory service identified as having potential difficulty in recruiting and retaining staff, which the Council contends could be exacerbated by the Project. Primarily, this is an economic function of the wage paid to staff in this sector, and an individual moving to a new job, if it is better paid, is a positive economic effect. (...)
	Response by SCC for Deadline 5	As set out in Table 9 above, under Social Care and Community Healthcare impacts, SCC expects, as a result of the combination of a number of impacts related to the construction of Sizewell C, recruiting and retaining staff being one of those, that the cost of home care packages is likely to increase, and considers that mitigation by the Applicant for this effect is reasonable.
HW.1.19	The Applicant, Network Rail	Rail Safety Network Rail [RR-006] identifies concerns, that by introducing any Freight Trains onto the East Suffolk line will (due to their slower running speeds), cause an increased risk and delay to users of level crossings. ii. Please respond to this concern and advise if any mitigation could be provided to address this issue.

		If this were appropriate, how would it be delivered through the DCO?
	Response by SZC Co. for Deadline 3	SZC Co. continues to liaise with Network Rail. If mitigations are required, these will be pursued by Network Rail as the asset owner and organisation with responsibility for the management of safety risks at the level crossings.
	Response by SCC for Deadline 5	The Authority welcomes the liaison of SZC Co with Network Rail on the matter of rail safety. However, the Authority still seeks reassurance on the mechanism by which the process and implementation of any mitigation will be secured so that the issues of the ESL do not delay movement of freight to Sizewell. In addition to the specific locations highlighted in Network Rails D2 response the Authority would like clarification on how AILs will use the Middleton Level Crossing as no laybys are available for them to pull off the road and call the signalman as is the case at Darsham. The Authority appreciates that AILs have used this crossing in the past but the SZC will significantly increase both the numbers of AILs and other vehicles which would be disrupted by a stationary AIL.
HW1.28	The Applicant, Network Rail, Suffolk Constabulary, East of England Ambulance Service, Suffolk Fire and Rescue, SCC, ESC	Change Request No. 2 In the event the number of trains were to be increased, please explain what implications this may have for the operation of level crossings on the branch line and the main Ipswich to Lowestoft line and the effect on severance of communities or impacts on emergency services.
	Response by SZC Co. for Deadline 3	SZC Co.'s short response to this question at Deadline 2 provides the detail of the number, timing and frequency of closures at level crossings due to the passing of Sizewell C freight trains. The effects are limited in duration and 7 out of 8 movements occur at night (when severance and delay would be less significant), whilst the day time movement occupies an existing train path. These limited impacts are inherent in the use of rail, which the authorities strongly support but have been limited by the use of night time capacity. Network Rail's response is helpful in its assessment of any risk involved. There is some misunderstanding apparent in responses about the scale of level crossing intervention required. The best current understanding of the detail of potential level crossing interventions is provided in the Statement of Common Ground between SZC Co. and Network Rail, submitted at Deadline 2 [REP2-074] .
		The Authority cannot add any more detail to its response until more detail is provided by the applicant regarding operation of the freight trains on the Leiston Branch and ESL, specifically the times and durations that trains are passing over crossings and the impact of construction works in terms of temporary traffic management.

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LI.1.2	ESC, SCC, Historic England, Natural England, Suffolk Coast & Heaths AONB Partnership, Parish and Town Councils, Together Against Sizewell C, Stop Sizewell C	AONB – Adverse Effects Has sufficient weight has been given to the statutory purpose and need for protection of the landscape, character and special qualities of the Suffolk Coast and Heaths AONB both within and outside its boundary, in accordance with paragraphs 5.9.9 and 5.9.12 of NPS EN-1? Please qualify your answer. If not, please identify what additional measures are required?
	Response by SZC Co. for Deadline 3	SZC Co. has reviewed Chapter 7 of the Local Impact Report prepared by ESC and SCC and has prepared a response to the issues and comments presented including matters related to use of pylons and the siting of the outage car park at Goose Hill, see Comments on Councils' Local Impact Report (Doc Ref. 9.29). SZC Co. is also engaging with the AONB, SCC and ESC to prepare Statements of Common Ground, which include matters related to the location of the proposed Sizewell C development within the Suffolk Coast and Heaths AONB, the design of the proposed development and embedded mitigation, the findings of the LVIA in regards to the effects on the natural beauty and special qualities of the AONB and the scope of the Natural Environment Fund to mitigate the residual landscape and visual effects of the proposed development on the AONB and wider landscape beyond the designated area.
	Response by SCC for Deadline 5	This is covered in the SCC response to the Applicant's comments on the LIR
LI.1.7	SCC	Mitigation and Offsetting Please provide additional detail in respect of concerns raised in [RR-1174] regarding inadequate proposals for mitigating and offsetting landscape impacts both within and beyond the AONB.
	Response by SZC Co. for Deadline 3	SZC Co. acknowledges and is grateful for the comments and recommendations presented in Table 1 of Section 6 of the Local Impact Report prepared by SCC and ESC. SZC co. has responded to the issues in the Comments on Councils' Local Impact Report and refers the ExA to this (Doc Ref. 9.29).
	Response by SCC for Deadline 5	This is covered in the SCC response to the Applicant's comments on the LIR above
LI.1.12	SCC	Detailed Design Noting comments made in [RR-1174] please expand on what additional control SCC considers necessary in respect of detailed design issues within the DCO requirements?
	Response by SZC Co. for Deadline 3	The Design Principles in Table 5.2 of the Design and Access Statement relate to the landscaping design within and beyond the platform. Design Principles relating to structures fall within Table 5.3 of the

		<p>Design and Access Statement and as acknowledged have been amended (as submitted in Deadline 1) to provide more detail on colour for the reactor stack, turbine hall and interim spent fuel store.</p> <p>With regards to securing the colour of the turbine halls, SZC Co. will need to build in accordance with the relevant plans in Schedule 7 (Approved Plans) and the detailed design principles set out in chapter 5 of the Design and Access Statement, as secured in draft DCO Requirement 11 [REP2-015]. Any alternative plans submitted must also accord with the same design principles. As acknowledged by Suffolk County Council, Design Principle 56 was amended at Deadline 1 to state that the colour palette shall be discussed and agreed with East Suffolk Council, therefore, SZC Co. does not feel it is necessary to refer further to the cladding colour assessment in the Design and Access Statement.</p> <p>For the avoidance of doubt, the layout, scale and external appearance of the SSSI crossing will be submitted and approved under Requirement 12C of the draft DCO in general accordance with the plan listed in the Requirement. That plan shows details including those listed by SCC above. Therefore SZC Co. do not think it is necessary to provide a new Design Principle in the Design and Access Statement.</p> <p>The maximum heights of Works 1A (f) and (g) (intermediate level waste store and interim spent fuel store) and the zones within which they will be located are secured via the Operational Parameter Plans and also illustratively described in Chapter 7 of the Design and Access Statement [APP-586]. Sufficient detail is provided to allow them to be environmentally assessed. The detailed design of those buildings will be submitted to and approved by East Suffolk Council prior to their commencement, following consultation with the stakeholders listed in that Requirement.</p>
	Response by SCC for Deadline 5	<p>Requirement 11. Main development site: Approved buildings, structures and plant</p> <p>SCC's previous concern about this control was around the design of the two turbine halls (Work 1A(b)(i)). These are of particular interest given their prominence in the landscape and the fact that they are capable of different surface treatments, unlike other parts of the nuclear island.</p> <p>In pre-submission work, considerable consideration had been given by the Applicant and its consultants, the Councils and an independent Design Council panel to this matter, in particular the materials with which the building would be clad and its colouration, the latter to reflect its relationship with the surrounding AONB. The Applicant commissioned an independent assessment of cladding for the turbine hall and this is reported in section 6.17 of the Main Site Design and Access Statement (MSDAS) (APP-585). Para 6.17.9 says that it is intended to identify a range of colours and hues for the turbine halls within their receiving landscape, as part of this DCO submission.</p> <p>The element of the DCO controlling the form of the turbine halls is Requirement 11. This says that the works including the turbine halls must be carried out in accordance with the relevant plans set out in</p>

		<p>Schedule 7 (Approved Plans) and the detailed design principles set out in Chapter 5 of the MSDAS, save to the extent that alternative plans or details relating to their siting, scale or appearance are submitted to and approved by ESC pursuant to R11(2). The detailed design principles are defined in paras 5.1.7 and 5.1.9 of the MSDAS as being Tables 5.2 and 5.3 of that document.</p> <p>The relevant parts of the detailed design principles affecting the turbine hall specifically are those at items 54 – 56 of Table 5.3. In the submitted version of the MSDAS, the only principle related to the cladding of the halls was principle 56 which merely said that it should seek to provide a responsive surface treatment which changes in colour or tone, subject to lighting and climatic conditions. There was no reference to the careful work done by the Applicant and others on the colour palette relevant to its setting and to that extent the Applicant would have been free to use any colour that met the very broad terms of Principle 56 without further recourse to ESC or any others.</p> <p>The Main Development Site Design and Access Statement Second Addendum (submitted at Deadline 1) amends Principle 56 by adding that “the colour palette shall be discussed and agreed with East Suffolk Council and shall include details of the manufacturer’s maintenance specification for external facing cladding.” This is an improvement in that it provides the opportunity for ESC to influence the colouration of the important facades of the turbine halls. However it still does not fulfil the apparent intention of para 6.17.9 of the MSDAS in providing a range of colours and hues as part of the DCO submission itself. SCC would therefore propose that this should be provided, probably as part of the Detailed Design Principles, preferably through a forthcoming update of the MSDAS..</p> <p>Requirement 12 Main development site: Reserved matters.</p> <p>This requirement deals with a number of works, extended from the original list by the amendment in Revision 4 of the DCO. SCC’s concern on this matter related, in particular, to Work 1A(g), the interim spent fuel store. This will be a prominent building within the complex of structures on the site at a maximum height of 38m AOD (Zone 1A-7 of Table 2.1 in Chapter 2 of the Environmental Statement Volume 2 (APP-180)) and will be a key part of the view from western viewpoints. It is intended to be one of the buildings which may remain on the site once other structures have been removed after decommissioning of the plant.</p> <p>Changes to the proposals since the original submission now show (at Revision 4 of the dDCO) that Requirement 12 has a greater list of required consultees for the discharge of details of the layout, scale and external appearance of the buildings, while the detailed design principle within which it has to be in general accordance has been amplified in the Second Addendum of the MSDAS to say that those reserved matters should include details of the colour options available and how the proposed colour choice has responded to the building’s setting. Nevertheless, it is of concern to SCC that the form of the</p>
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		<p>building and details of cladding of such a prominent structure has not been part of the details submitted as part of the DCO so that the Examining Authority could judge the impact on the surrounding area. In earlier discussions, the Applicant has said that the design of this building needs to await the design of its equivalent at Hinkley Point C. However, from the example of the structure performing a similar role at Sizewell B, it is likely to be a simple building which could be designed specifically to take account of its situation within the AONB rather than inheriting a design from a far less sensitive location. It is noted that the Design Council had similar concerns in their 2019 letter (Annex B of MSDAS (APP-587)) when they said “the dry fuel store can significantly impact on the overall composition of the buildings, in both near and distant views given its proposed width, height, and location on the site. As such, we recommend that the project considers integrating the dry fuel store as a more detailed element within the DCO submission and providing greater detail on the rationale for its height, form and appearance.” SCC would agree that this approach should be followed.</p> <p>Requirement 12C Main Development Site: SSSI crossing</p> <p>Notwithstanding the debate about the nature of the SSSI crossing, SCC was concerned that, through Requirement 13 in the submitted dDCO, there was no means of controlling any element of the crossing save the height of the crossing (Zone 1E in Table 2.3 of Chapter 2 of the Environmental Statement Volume 2 (APP-180)). Therefore SCC welcomes the greater clarification of the means by which the form of the crossing may be established in the revisions included in Revision 4 of the dDCO by the addition of Requirement 12C. Owing to the fact that the Applicant is due to provide updated plans, response to the On a detailed matter, though, R12C has been “carved out” from R13 but the terms of the text for R13 still purports to cover Work 1A(I), the SSSI crossing.</p>
Main Development Site (MDS)		
LI.1.42	ESC, SCC, Natural England, AONB Partnership	<p>Accommodation Campus – AONB</p> <p>In respect of the location of the proposed accommodation campus, please provide a detailed response regarding potential effects on the statutory purpose of the AONB.</p>
	Response by SZC Co. for Deadline 3	<p>As set out in Sections A.21 and A.24 of the Accommodation Campus Appendix [APP-587], SZC Co. has given careful consideration to the planning and design of the proposals, and specifically in response to the location of the accommodation campus adjacent to the western boundary of the AONB and within land that forms part of its setting. The following points are highlighted:</p>

		<ul style="list-style-type: none"> • The delivery of the accommodation campus will be in general accordance with the key design principles which have been amended in response to stakeholder responses and are outlined in response to LI.1.41. • The campus development has been contained within the land to the east of Eastbridge Road and was selected following an optioneering process and stakeholder consultation prior to the DCO submission. The single field option minimises the heritage and visual impacts, including those on the setting of the AONB. • The orientation of accommodation blocks (extending east - west and siding on to Eastbridge Road) and approach to building massing (units of up to three storeys to the west adjoining Eastbridge Road and rising to four storeys to the east) minimises the visual impact on sensitive receptors to the west of the site, including Leiston Abbey (second site) and the realigned section of Bridleway 19. • The visual impact of the accommodation blocks, including that on the setting of the AONB, has been minimised by limiting the height of the proposed development to four storeys. • The accommodation blocks (the tallest buildings on the accommodation campus) are arranged generally towards the middle of the accommodation campus site to minimise the visual impact from Leiston Abbey (second site) and Public Right of Way E-363/010/0. • The masterplan for the campus retains the majority of existing trees and hedgerows to help establish an attractive, high quality environment for workers and minimise the visual impact of development. • The proposed realignment of Bridleway 19 extends adjacent to Eastbridge Road and adjoins proposed planting that along with a strategy to offset the buildings from the road, minimises views to the accommodation campus and helps retain the road's rural character as far as reasonably practicable and soften and screen views of the development in conjunction with the sensitive selection of building cladding colour. • The updated design principles outlined in LI 1.41 make a commitment to take into consideration the Suffolk Coast and Heaths AONB Guidance on the Selection and Use of Colour in Development document and material selection.
	Response by SCC for Deadline 5	SCC recognises the measures proposed by the Applicant but it continues to identify the impact of the proposal on the AONB, albeit temporary
LI.1.47	ESC, SCC, AONB Partnership, Natural England	SSSI Crossing – Assessment (Change 6)

		Would the changes made to the embankment slopes on the SSSI crossing [AS-181] better integrate the crossing into the landscape from coastal viewpoints? Are you satisfied that because of the change, the level of significance of effects during the operational phase would remain as stated in [APP-216]?
	Response by SZC Co. for Deadline 3	<p>SZC Co. is grateful for the comments from the Councils regarding the proposed changes resulting in the greater likelihood of more successful tree and shrub establishment, and comments from the Suffolk Coast and Heaths AONB Partnership and Council's regarding the assessment of landscape and visual effects presented in the landscape and visual impact assessment in Volume 2, Chapter 13 of the ES [APP-216] as remaining as stated.</p> <p>SZC Co. note the AONB's comment on the Use of Colour guidance published by the AONB informing the design development. For hard elements of the SSSI Crossing that are visible from public viewpoints and where a colour coating can reasonably be applied, the choice of colour will have regard to 'Guidance on the Selection and use of Colour in Development' published by the Suffolk Coast and Heaths AONB, where doing so would not give rise to operational, safety or ecological harm. This includes polartactic invertebrates. Elements of the SSSI Crossing that are reasonably required to have a concrete finish are excluded from this design principle. This can be agreed as part of the discharge of Requirement 12C of the draft DCO [REP2-015].</p> <p>However, to further secure our commitment, SZC Co. propose to include the following Design Principle in the Design and Access Statement -</p> <p><i>"For hard elements of the SSSI Crossing that are visible from public viewpoints and where a colour coating can reasonably be applied, the choice of colour will have regard to the 'Guidance on the Selection and use of Colour in Development' published by the Suffolk coast and Heaths AONB', where doing so would not give rise to operational, safety or ecological harm. This includes polartactic invertebrates. Elements of the SSSI Crossing that are reasonably required to have a concrete finish are excluded from this design principle".</i></p> <p>This will be included in the revised Design and Access Statement submitted at Deadline 5.</p>
	Response by SCC for Deadline 5	See response to LI.1.4
LI.1.50	SCC	<p>Pylons – Underground Cabling Options</p> <p>In respect of the proposed changes Richard Smith, Suffolk County Councillor for the Blything Division refers to a report [AS-307] produced by SCC which examines underground cabling options. Please provide a copy of the report and any responses received from the Applicant regarding it.</p>

	Response by SZC Co. for Deadline 3	Please see section above in this document (paragraph 40 onwards) for SCC comments to the Applicant's Deadline 3 response.
	Response by SCC for Deadline 5	
LI.1.52	SCC	Pylons – Mitigation In respect of the use of pylons, please confirm what a 'significant compensation package' would consist of, as detailed in paragraph 86 of [RR-1174].
	Response by SZC Co. for Deadline 3	In accordance with NPS EN-6, SZC Co. has sought to limit visual impacts through design and to mitigate residual impacts where practical. As paragraph 3.10.8 of NPS EN-6 recognises, however, effects cannot be eliminated. SZC Co. has proposed a Natural Environment Improvement Fund [REP2-060] as an effective approach to enabling the conservation and enhancement of the landscape and habitats to be delivered over time across the area of visual influence, thereby further limiting and mitigating effects. This is a practical and effective approach, consistent with the NPS. It is not understood what SCC believes is necessary by way of 'compensation', how this would address the requirements of the NPS or how such a compensation payment would be applied in practice to be any more effective than the carefully constructed approach already proposed to the Natural Environment Improvement Fund.
	Response by SCC for Deadline 5	Avoidance of adverse impact should be the first approach in considering proposals. However, if it is considered that the use of pylons and overhead lines at Sizewell is unavoidable, then this adds to the overall impact of the development where mitigation is sought through the Natural Environment Improvement Fund
LI.1.58	ESC, SCC, MMO, Natural England and AONB Partnership	Temporary Beach Landing Facility – Assessment (Change 2) Are you satisfied with the findings of effects relating to the temporary BLF detailed in section 2.8 [AS-181] as compared to the judgements in [APP-216]?
	Response by SZC Co. for Deadline 3	SZC Co. acknowledges the location of the new, temporary beach landing facility and enhanced permanent beach landing facility within and adjacent to the Suffolk Coast and Heaths AONB and Suffolk Heritage Coast, and has sought to minimise and mitigate effects as far as reasonably practicable. SZC Co. is grateful for the consultees review of the assessment findings and note that there is agreement to the assessment of residual landscape and visual effects as presented albeit diverging in regards to the extent of impacts on the AONB. Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216] and Volume 1, Chapter 2 of the ES Addendum [AS-181] fully acknowledge the nature, extent and significance of effects of the enhanced permanent beach landing facility and proposed new temporary beach landing facility during

		<p>construction and operation phases on the Suffolk Coast and Heaths AONB, informed by a full appreciation of the AONB's natural beauty and special qualities.</p> <p>SZC Co. does not agree that the proposals would have a negative impact on the AONB designation and its statutory purpose as a whole. Volume 2, Chapter 13 (Landscape and Visual) of the ES [APP-216], as updated by Volume 1, Chapter 2 of the ES Addendum [AS-181], fully acknowledges the nature, extent and significance of effects of the proposals during construction and operation on the Suffolk Coast and Heaths AONB, informed by a full appreciation of the AONB's natural beauty and special qualities.</p>
	Response by SCC for Deadline 5	<p>SCC notes the ongoing discussion between Natural England and the applicant regarding the impacts of construction on the purposes of designation (s82) during the construction period. Whilst SCC defers to Natural England position in respect of the impacts on statutory purposes during construction, of which the temporary BLF is a contributing part, the council gives very significant weight to transport and amenity benefits that are created by additional marine transport and is therefore clear that this is its preferred option</p>
LI.1.68	ESC, SCC, Natural England, AONB Partnership	<p>Mitigation</p> <p>What, if any, further mitigation is considered necessary in relation to the MDS? If necessary, how do you consider such measures should be secured?</p>
	Response by SZC Co. for Deadline 3	<p>In accordance with the NPS, SZC Co. has sought to limit impacts through design and to mitigate residual landscape and visual impacts where practical. As the NPS recognises, however, landscape and visual effects cannot be eliminated. SZC Co. has proposed a Natural Environment Fund (Doc Ref. 8.17(D)) as an effective approach to enabling landscape and ecology improvements to be delivered over time across a defined area, thereby further limiting and mitigating effects. This is a practical and effective approach, consistent with the NPS.</p> <p>With regards to a response to SCC's reference to the LIR and specifically section 6, Table 1 and paragraphs 6.18 – 6.59 of the LIR [REP1-045], references should be made to the matters raised in the Comments on Councils' Local Impact Report (Doc Ref. 9.29).</p> <p>It is not understood what SCC believes is necessary by way of 'compensation', how this would address the requirements of the NPS or how such a compensation payment would be applied in practice to be any more effective than the carefully constructed approach already proposed to the Natural Environment Fund.</p>
	Response by SCC for Deadline 5	<p>SCC considers that its use of the term "compensation" is within the broader term "mitigation" and in this context is taken by SCC to cover all or any measures that are directed to avoiding, preventing, reducing,</p>

		or where possible offsetting the adverse effects of the Project, in line with the description of mitigation in para 7 of Schedule 4 to the IP(EIA) Regulations 2017. This would therefore be covered by the Natural Environment Fund
Freight Management Facility (FMF)		
LI.1.96	SCC	<p>Design and Mitigation</p> <p>Paragraph 42 [RR-1174] states that if the ExA was to disagree with SCC and conclude that the SLR should be retained then satisfactory detailed designs with suitable landscape mitigation would be required. Please provide detail as to what would be considered appropriate in respect of landscape design and mitigation.</p>
	Response by SZC Co. for Deadline 3	<p>The SZC Co. response to ExQ1 AI.1.33 [REP2-100] provides some of the context to the downgrading of the B1122. Discussions with SCC are ongoing in relation to downgrading the existing route.</p> <p>The landscape and visual assessment at Volume 6, Chapter 6 of the ES [APP-457] and as updated by Volume 1, Chapter 6 of the ES Addendum [AS-185] does not identify any significant residual effects on landscape character that would require additional offsite planting along the proposed Sizewell link road. However, SZC Co. will continue to discuss any requirements for offsite planting and habitat creation with SCC as appropriate.</p>
	Response by SCC for Deadline 5	Further discussions are required on the details of the landscape proposals already made by the Applicant as well the relevant design and management plans
LI.1.98	ESC, SCC, Natural England	<p>Mitigation</p> <p>What, if any, further mitigation is considered necessary in relation to the SLR? If necessary, how do you consider such measures should be secured?</p>
	Response by SZC Co. for Deadline 3	<p>The SZC Co. response to ExQ1 AI.1.33 [REP2-100] sets out why SZC Co. consider that the Sizewell link road should be retained permanently. The mitigation measures are currently based on the assumption that the road would be permanent. Should the decision be taken that the Sizewell link road should be a temporary route, the scheme would be reconsidered in discussion with SCC and ESC.</p> <p>As set out in the SZC Co. response to ExQ1 LI.1.85 [REP2-100], SZC Co. does not consider that the Sizewell link road is located within the setting of the AONB. However, the design of the road seeks to minimise the use of features such as kerbs, lighting and signage, introducing them only where required to comply with highway standards, such as at roundabouts, as set out in the Associated Development Design Principles [REP2-041].</p>

	Response by SCC for Deadline 5	In addition to the issues around landscape to be subject of further discussion (see LI.1.96), the ISH7 debate identified that there was further work to be done on ecology linkages across the road that would need to relate to landscaping proposals.
Two Village Bypass (TVB)		
LI.1.106	ESC, SCC, Natural England	Mitigation What, if any, further mitigation over and above that detailed in Section 6.5 [APP-421] is considered necessary in relation to the TVBP? If necessary, how do you consider such measures should be secured?
	Response by SZC Co. for Deadline 3	The landscape and visual assessment at Volume 5, Chapter 6 of the ES [APP-421] and as updated by Volume 1, Chapter 5 of the ES Addendum [AS-184] does not identify any significant residual effects on landscape character that would require additional offsite planting along the proposed Sizewell link road. The physical changes to the landscape fabric within the site set out at paragraph 6.6.8 Volume 5, Chapter 6 of the ES [APP-421] are mitigated through the current package of proposed planting and habitat creation measures, as shown on the revised illustrative masterplan of the two village bypass provided at Figures 5.2.2 to 5.2.5 in Volume 2, Chapter 5 of the ES Addendum [AS-197]. However, SZC Co. will continue to discuss any requirements for offsite planting and habitat creation with SCC as appropriate.
	Response by SCC for Deadline 5	Further discussions will take place with the Applicant to address issues raised by residents and relationship with noise mitigation measures.
SA.1.1	The Applicant, ESC, SCC, WSC	The ExA reminds the Applicant, ESC, SCC, WSC and other IPs that s.106 TCPA 1990 makes promises which would not normally bind the land run with that land, provided the criteria in s.106(1) are met, and gives the planning authorities the power to enter the land so as to enforce the obligations which require operations to be carried out, by carrying out the obligations at the cost of the person against whom the obligation is enforceable. See section 106(3) and (12). Please will the Applicant, ESC and SCC say whether they accept that and whether they consider there are any other legal purposes for s.106.
	Response by SZC Co. for Deadline 3	Please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A).
	Response by SCC for Deadline 5	Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1].

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SA.1.2	The Applicant	Please will the Applicant submit a plan showing the land within the Order Limits which it (a) owns, and (b) otherwise controls, for example by contract or option, showing which is which and which is freehold and which is leasehold.
	Response by SZC Co. for Deadline 3	No further response from the Applicant is required as the plans have been provided.
	Response by SCC for Deadline 5	SCC is surprised at the small area of land within the Order Limits currently controlled by the Applicant. Although no conclusions have been made by SCC on the acceptability of the Evolving Approach at this stage and SCC intends to continue to work collaboratively on the Deed of Obligation, SCC does observe that as the Applicant does have an interest in some of the land within the Order Limits it would be possible to enter into a conventional section 106 agreement in this case (with a DCO provision and/or Deed of Covenant to secure further land is bound into that agreement as necessary before development is carried out on any such land).
SA.1.3	The Applicant	Please will the Applicant show which of that land it can bind by a s.106 planning obligation whether or not the Applicant currently proposes to bind such land in that way. If there is land it cannot bind, please state why.
	Response by SZC Co. for Deadline 3	Please see the amended draft Deed of Obligation (Doc Ref. 8.17(D)) which provides that the agreement is made under the Localism Act 2011 and s.111 of the LGA 1972. Please see the Obligations Enforcement Paper , provided in Appendix 26A of this document (Doc Ref. 9.30.A), which provides for the entry into a Deed of Adherence by potential transferees prior to a transfer under Article 9.
	Response by Suffolk County Council for Deadline 5	No conclusions have been made by SCC on the acceptability of the Evolving Approach at this stage and SCC intends to continue to work collaboratively on the Deed of Obligation. As for SA.1.2 above, SCC observes that as the Applicant does have an interest in some of the land within the Order Limits it would be possible to enter into a conventional section 106 agreement in this case (with a DCO provision and/or Deed of Covenant to secure further land is bound into that agreement as necessary before development is carried out on any such land). Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1].
SA.1.4	The Applicant	58. The Applicant states in the draft s.106EM (para 2.2) that it does not own all of the land within the main development site. It is not unusual for an applicant for planning permission or a DCO not to

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		own the whole application site. In such circumstances the landowner usually enters into the s.106 agreement. Please will the Applicant explain why that cannot be done in this case.
	Response by SZC Co. for Deadline 3	Please see Appendix 26B – SZC Co Land Plan in respect of the land in which the Applicant has a proprietary interest. 59. The references to the 'Main Development Site' have been amended to read 'SZC Development Site', and references to the 'Associated Development Sites' have been amended to reference "other Sites". Plan 1A in draft Deed of Obligation Appendix A – Plans (Doc Ref. 8.17A (C)) shows this land.
	Response by Suffolk County Council for Deadline 5	No conclusions have been made by SCC on the acceptability of the Evolving Approach at this stage and SCC intends to continue to work collaboratively on the Deed of Obligation. As for SA.1.2 above, SCC observes that as the Applicant does have an interest in some of the land within the Order Limits it would be possible to enter into a conventional section 106 agreement in this case (with a DCO provision and/or Deed of Covenant to secure further land is bound into that agreement as necessary before development is carried out on any such land).
SA.1.6	The Applicant, ESC, SCC, WSC	Has title to any land yet been deduced to ESC, SCC or ESC? What are the current conclusions of ESC, SCC and WSC on their title investigations?
	Response by SZC Co. for Deadline 3	No further response from SZC Co is required, as an investigation of title is not necessary under the 'Evolving Approach'.
	Response by Suffolk County Council for Deadline 5	SCC understands that title to the land within the Order Limits is not relevant to the parties entering into the Deed of Obligation by the Evolving Approach. However, SCC does note that the ownership of the land within the Order Limits will be relevant to the Host Authorities' enforcement options in due course. For example, the ability to enter land to enforce the Deed of Obligation would involve a different process if the landowner of the relevant land was not the Applicant. Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1].
SA.1.7	The Applicant, ESC, SCC, WSC	What consents would the Applicant need to obtain in order to enter into the modified s.106 arrangements it describes in its draft s.106EM [PDB-009]? What consideration and conclusions have been given or reached by ESC, WSC and SCC on this issue?

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	Response by SZC Co. for Deadline 3	Under the 'Evolving Approach', the Deed of Obligation would be entered into prior to the grant of the DCO. Please see the Obligations Enforcement Paper , provided in Appendix 26A of this document (Doc Ref. 9.30.A), in respect of enforcement of the obligations.
	Response by Suffolk County Council for Deadline 5	SCC expects the Deed of Obligation would be entered into before the grant of the DCO.
SA.1.8	The Applicant, ESC, SCC, WSC	How will the Sizewell Special Arrangements be enforced in the event of a breach, whether by the Applicant or a subsequent Undertaker?
	Response by SZC Co. for Deadline 3	The Applicant is grateful for SCC's confirmation that in principle it may be appropriate for the parties to any alleged breach to engage in a dispute resolution procedure. The dispute resolution clause remains subject to further consideration by the Applicant. Please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A), in respect of the Applicant's Evolving Approach to enforcement.
	Response by Suffolk County Council for Deadline 5	Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement submitted at Deadline 3 in [REP3-083]. SCC awaits the outcome of the Applicant's further consideration of the dispute resolution clause in the Deed of Obligation.
SA.1.9	The Applicant, ESC, SCC, WSC	What will be the enforcement position under the Sizewell Special Arrangements in the event that the Applicant or a subsequent Undertaker becomes insolvent? Please include what will happen if the Applicant becomes insolvent and the SoS were to make the DCO without knowing that.
	Response by SZC Co. for Deadline 3	Please see the Response to SA.1.3 in respect of the proposal that Deeds of Covenant are required prior to any transfer of the undertaking. The Evolving Approach provides that the Deed of Obligation would be completed prior to the grant of the DCO, such that the concern in respect of the gap between entry into the s.111 and the s.106 agreements under the Sizewell Special Arrangements does not arise. Please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A), in respect of the "Evolving Approach" to enforcement.

	Response by Suffolk County Council for Deadline 5	Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement submitted at Deadline 3 in [REP3-083].
SA.1.11	The Applicant, ESC, SCC, WSC	<p>There are many proposals in the schedules which require the participation and involvement of third parties. Take for example the Economic Review Group in Sch 7 para 2.9. It is to have seven members. Whilst three are drawn from persons who are parties to the s.106 agreement, three are not. They are to be nominated by the New Anglia LEP, the Tier 1 Contractors and the Suffolk Chamber of Commerce. There is no requirement on those three parties to nominate members though presumably an obligation on the Councils to do so could be incorporated in the Sizewell Special Arrangements and with careful drafting a planning obligation to secure participation by the Applicant could be imposed.</p> <p>(i) What is to happen if the third parties fail to nominate, or later do not contribute to the group?</p> <p>(ii) The group is given various tasks by para 2.9.3 such as meeting quarterly. What is to happen if the Group fails to do so? What enforcement is envisaged?</p> <p>(iii) The group is not quorate unless five members are present. It cannot therefore function without the participation of the third party members. How are they to be compelled to participate?</p> <p>(iv) Can the group fulfil the functions and address the issues for which it is required if the third parties do not participate as envisaged?</p> <p>Other examples of these types of issues include:</p> <ul style="list-style-type: none"> • the Community Safety Working Group (Sch 4 para 5) which needs the participation of Suffolk Constabulary, Suffolk Fire and Rescue Service and East of England Ambulance Service Trust; • the Health Working Group (Sch 6 para 4) which needs the participation of Public Health Suffolk and the Ipswich and East Suffolk Clinical Commissioning Group; • the Environment Review Group (Sch 11 para 9.2) requires participation of the Environment Agency and Natural England; • the Natural Environment Awards Panel (Sch 11, para 12.2) requires participation of Natural England and the Area of Outstanding Natural Beauty Partnership; • Sch 14, para 1.1 - Suffolk Community Foundation (a registered charity) to appoint a Community Fund Project Officer; • the Tourism Working Group (Sch 15, para 12.2) requires The Suffolk Coast Ltd, Visit Suffolk, Suffolk Coast and Heaths AONB Partnership (is this the same as the Area of Outstanding Natural

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		<p>Beauty Partnership referred to at para 12.2 of Sch 15) and the New Anglia Local Enterprise Partnership to appoint representatives;</p> <ul style="list-style-type: none"> Sch 16, para 1.1 envisages Marlesford and Little Glemham Parish Councils (sic) and Wickham Market Parish Council to participate in working groups; and Sch 16, para 3.1.3 also requires third party involvement - Highways England to nominate a representative to the Transport Review Group. <p>(v) Please will the Applicant explain in relation to all of these how the promises it makes and the involvement of the third parties is secured and delivered</p>
	Response by SZC Co. for Deadline 3	<p>The Applicant agrees that further detailed discussions are required to agree the governance arrangements. It is proposed that where appropriate the relevant Governance Groups shall be entitled to make further administrative arrangements from time to time (e.g. Schedule 4 Paragraph 5.7).</p> <p>Please see the response to TT.1.23 in respect of proxy arrangements for the Transport Review Group. Under the draft Deed of Obligation, where a named representative is unable to attend a meeting, it may nominate an alternate to attend on their behalf.</p> <p>The Applicant does not consider that it is necessary or appropriate to provide contingency funds in respect of potential breaches of the governance arrangements. The payment of monies from a contingency fund would not address the nature of the breach and it is unclear what such monies could be used for (save acting as a penalty).</p>
	Response by Suffolk County Council for Deadline 5	<p>SCC notes the updated drafting in the Deed of Obligation which includes third parties agreeing to a Deed of Covenant in respect of working/review groups.</p> <p>Further detailed discussions are required to agree the governance arrangements.</p>
SA.1.12	The Applicant, ESC, SCC, WSC	<p>By Sch 7 para 2.2.1 and 2.5.5 respectively the Regional Skills Coordination Function is to submit a draft Annual Workforce Delivery Implementation Plan</p> <ul style="list-style-type: none"> and to allocate funds. The “Regional Skills Coordination Function” does not appear to be a legal entity. What happens if the task is not performed?
	Response by SZC Co. for Deadline 3	<p>The delivery of these tasks is secured through the draft Deed of Obligation as set out in the previous response to this Question.</p> <p>Clause 15 and the revised Deed of Covenant provides for Deeds of Covenant to be entered into between third parties, the Applicant and the Councils where necessary.</p>

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		The Applicant proposes that reasonable endeavours should be used to enter into such Deeds of Covenant prior to the first meeting of the Governance Group, with the Councils and Applicant to meet to determine whether an alternative third party should participate in the relevant Governance Group in the event that the Deed of Covenant is not completed in due course. Where a third party's costs are to be paid by the Applicant, this will be set out in the Deed of Obligation. The Applicant agrees with SCC that ideally these Deeds of Covenant shall be in agreed form prior to the completion of the Deed of Obligation.
	Response by Suffolk County Council for Deadline 5	SCC notes the updated drafting in the Deed of Obligation which includes third parties agreeing to a Deed of Covenant in respect of working/review groups. Further detailed discussions are required to agree the governance arrangements.
SA.1.15	The Applicant	Definition of Implementation. Please will the Applicant explain how the exception for the Relocated Facilities Works is intended to operate and the result it is intended to achieve. How does this interact with the definition of Commencement in the s.111 agreement and the s.106 agreement? In recital F might it be better to say that by virtue of Art [x] the Undertaker will be prohibited from Commencing the Project?
	Response by SZC Co. for Deadline 3	Article 5 of the Development Consent Order requires the undertaker to serve notice on the local planning authority that it intends to commence Work No. 1D or Work No. 1E which the Applicant considers is appropriate notice. Please see Response by SZC Co. for Deadline 3 to SA.1.24 in respect of the approach to the Relocated Facilities Works.
	Response by Suffolk County Council for Deadline 5	Please see SCC's comments on SA.1.24 below.
SA.1.16	The Applicant, ESC, SCC, WSC	Interpretation – are there any EIA issues as a result of the deemed approval provisions in CI 1.2.7. The Applicant ESC, SCC and WSC are reminded of the litigation in Wells v. Secretary of State [2005] All E.R. (EC) 323 and other cases in relation to multi-stage consents and deemed approvals under the review of mineral planning permissions.
	Response by SZC Co. for Deadline 3	For the reasons previously given in response to this SA.1.16, the inclusion of a deemed approval provision in the Deed of Obligation is considered appropriate to enable the Applicant to efficiently undertake the Project. However, the Applicant intends to discuss this further with SCC and ESC.

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	Response by Suffolk County Council for Deadline 5	SCC does not agree with the proposal for a deemed approval provision. Please see SCC's D3 submissions on the Deed of Obligation [REP3-083] for SCC's position on this.
SA.1.19	Applicant ESC, SCC, WSC	Jurisdiction – CI 11. This states that English law applies and that the courts of England and Wales shall have exclusive jurisdiction. Will this not make enforcement in foreign jurisdictions difficult if not impossible? For that reason, was it not normal to give the courts of England and Wales non-exclusive jurisdiction?
	Response by SZC Co. for Deadline 3	SCC and ESC's request that claims should not be brought against them in jurisdictions outside of England and Wales is noted and agreed. For the reasons given in response to SA.1.37 at Deadline 2, the Applicant proposes a symmetrical exclusive jurisdiction clause.
	Response by Suffolk County Council for Deadline 5	SCC notes the Applicant's Deadline 3 response. SCC observes that the ability to enforce the Deed of Obligation is one of a number of considerations that it would expect to be given in respect of the suitability of an entity taking a transfer of the benefit of the DCO under Article 9 of the DCO. This reinforces SCC's position that any such transfer should be following approval by SCC or, at the least, following an opportunity for SCC to provide representations to the Secretary of State before any such transfer is permitted.
SA.1.21	The Applicant ESC, SCC, WSC	"Qualifying Interest", CI 1.1 – this appears to include SZC's land ownership, whatever it is. That would be the norm for a s.106 agreement, is consistent with CI 2.2 and the ExA has not seen any reason why that should not be the case, notwithstanding the other provisions of the Sizewell Special Arrangements, if it is decided to go down the s.106 route. Please will the Applicant insert the necessary provision to comply with s.106(9)(c)?
	Response by SZC Co. for Deadline 3	Please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A), which sets out the Applicant's further comments on enforcement under the Evolving Approach, which the Applicant considers an appropriate alternative means to entry into a s.106 agreement.
	Response by Suffolk County Council for Deadline 5	Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement submitted at Deadline 3 in [REP3-083].
SA.1.22	The Applicant, ESC, SCC, WSC	<p>CI 1.2.16 - restriction on commencing certain activities prior to payments. The ExA is grateful for the Applicant's confirmation that this is intended to be a restriction under s.106(1)(a) (and its comment on the inevitability of the passage of time).</p> <p>Given that it is a s.106(1)(a) restriction might it not be better in a different part of the agreement, such as CI 4, rather than in the definitions and interpretation clause?</p>

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	Response by SZC Co. for Deadline 3	<p>As the passage of time cannot be controlled by the Applicant, no corresponding provision can be agreed in respect of actions based on time. Such obligations have been drafted positively, and any breach of them would be enforceable by the Councils.</p> <p>Clause 1.2.7 of the draft Deed of Obligation provides that where the Applicant is under a restriction not to Commence development, it is also under an obligation not to "cause, permit or suffer" Commencement.</p> <p>Although Clause 4 of the draft Deed of Obligation is conditional upon Commencement and so is Clause 4.2 which contains this prohibition, were the Applicant to Commence the Project without making the necessary payments, this would still be a breach of the Deed of Obligation against which the Councils could take enforcement action.</p>
	Response by Suffolk County Council for Deadline 5	<p>SCC considers that a number of the obligations in the Deed of Obligation need to become effective before Commencement in order for details and measures to be effective from the point of Commencement.</p>
SA.1.23	Applicant, ESC, SCC, WSC	<p>Clause 2.2 Should the non-planning obligations also be stated to be enforceable?</p>
	Response by SZC Co. for Deadline 3	<p>Please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A).</p>
	Response by Suffolk County Council for Deadline 5	<p>Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement submitted at Deadline 3 in [REP3-083].</p>
SA.1.24	The Applicant, ESC, SCC	<p>CI 2.3 "... the provisions of the Second Relocated Facilities Section 106 Agreement shall apply (save as modified by the Development Consent Order) as if ... "</p> <p>(i) Please will the Applicant enlarge on what is said in the draft 106EM about what this clause is seeking to achieve, and explain what the clause delivers and how?</p> <p>(ii) Please direct the ExA to the parts of the Second Relocated Facilities Section 106 Agreement which limit it to the works permitted by the Second Sizewell B relocated facilities permission.</p> <p>(iii) Is this a variation of the Second Relocated Facilities Section 106 Agreement which ought to be dealt with under s.106A TCPA 1990?</p>
	Response by SZC Co. for Deadline 3	<p>Clause 2.2 (formerly clause 2.3) has been revised to be between ESC and the Applicant and not SCC, as requested.</p>

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		<p>As stated in the Applicant's response to DCO.1.141 at Deadline 2, the target is to deliver certain works pursuant to the Sizewell B relocated facilities permission 2 (reference DC/20/4646/FUL) by October 2021. However, the Applicant acknowledges it is possible to continue to build out under the Sizewell B relocated facilities permission 1 and then switch to Work No. 1D under the Development Consent Order, in which case it is conceivable that the obligations in the First Relocated Facilities Section 106 Agreement (which are triggered by reference to certain works carried out pursuant to the Sizewell B relocated facilities permission 1) would not be preserved upon the switch to the DCO.</p> <p>The Applicant will include appropriate provisions in an updated draft Deed of Obligation to ensure the relevant payments would still be required in this case.</p>
	Response by Suffolk County Council for Deadline 5	SCC awaits the Applicant's further drafting to pick up on the point the Applicant made in its Deadline 3 response to SA.1.24.
SA.1.25	The Applicant, ESC, SCC, WSC	CI 3.1.1 – drafting point; is not the effect with the words in square brackets ["with the exception of this clause 3 and clauses [●] and clause 4 insofar as it relates to obligations in the Schedules that must be complied with ... etc] circular? How can there be a requirement to comply if that requirement is in a part of the agreement which is conditional? It may be better to put this in the opening of CI 3.1.
	Response by SZC Co. for Deadline 3	<p>The pre-Commencement obligation to provide notice under Clause 12 of the Deed of Obligations is not conditional upon Commencement.</p> <p>Please see SA.1.22 in respect of the obligations in the Schedules which are to be complied with "on or before Commencement".</p>
	Response by Suffolk County Council for Deadline 5	SCC considers that a number of the obligations in the Schedules to the Deed of Obligation which the Applicant proposes to covenant to perform under Clause 4 of the Deed of Obligation may need to come into effect before Commencement to ensure that they can deliver the mitigation / measures that are envisaged. SCC suggests that these are carved out of the conditionality in Clause 3.1.
SA.1.26	The Applicant, ESC, SCC, WSC	CI 3, conditionality, legal proceedings and redetermination. The drafting for any agreement dealing with this often presents difficulties. Please will ESC, SCC, WSC all consider it carefully and ensure that however it is drafted, if a DCO is in place and implemented following the exhaustion of however many rounds of challenge and redetermination take place, brought by whomsoever, the development is bound by the s.106 agreement. The ExA would be grateful for the express confirmation of ESC, SCC and WSC prior to the conclusion of the examination that they are satisfied that this has been achieved in any s.106 agreement which is presented, whether under the Sizewell Special Arrangements or otherwise.

		<p>The ExA is sure that the Applicant is fully aware that it is in its interest also to ensure this and the ExA expects that it has access to suitable precedents.</p> <p>In relation to CI 3.2.3 and 3.3 the ExA draws attention to the words “subject to any variations to its terms necessitated through the redetermination process”. How would that work? Can the s.106 agreement be automatically amended? Is it necessary to use s.106A? If the Applicant is concerned that changes may be necessary is it not protected by not Commencing the Project until the variation has been agreed?</p> <p>Does Clause 3.4.1 cover the situation where there is a right of appeal against the refusal of permission to appeal?</p>
	Response by SZC Co. for Deadline 3	<p>Clauses 3.2 to 3.4 are only relevant to the period following the grant of the DCO but prior to Commencement and therefore not relevant to the operative effect of the obligations in the Schedules to the Deed of Obligation.</p> <p>CPR 52.30 is highly restrictive and only applicable in exceptional circumstances where the earlier litigation or appeal has been "critically undermined" and that not only is the injustice of not re-opening the appeal is "so grave as to overbear the pressing claim of finality in litigation" but "there is a powerful probability that [the decision [was wrong]." (see R. (on the application of Goring-on-Thames Parish Council) v South Oxfordshire District Council v Goring and Streatley Community Energy Ltd ([2018] EWCA Civ 860)). Therefore, the Applicant considers that it is highly unlikely that a successful claim under CPR 52.30 would be brought during the relevant period, and therefore not a circumstance necessary or usual to draft provision for.</p> <p>Please see the amended Clause 3.4 of the draft Deed of Obligation (Doc Ref 8.17(D)) which excludes CPR 52.30 claims.</p>
	Response by Suffolk County Council for Deadline 5	<p>As set out in the Deadline 5 response on SA.1.25 SCC considers that a number of the obligations in the Schedules to the Deed of Obligation which the Applicant proposes to covenant to perform under Clause 4 of the Deed of Obligation may need to come into effect before Commencement to ensure that they can deliver the mitigation / measures that are envisaged.</p> <p>SCC suggests that these are carved out of the conditionality in Clause 3.1.</p> <p>SCC also considers that these provisions should be carved out of the effect of Clause 3.2. For example, if a legal challenge is launched before the Project is Commenced but then disposed of and the Applicant Commences very shortly afterwards it simply may not allow enough time for the obligations which SCC considers may need to be dealt with before Commencement to be dealt with.</p>

SA.1.28	The Applicant	<p>CI 5.1 – release. The ExA notes also para 2.8 of the draft 106EM which states that the release operates only on transfer of the whole benefit to another party pursuant to Art 9 of the DCO, and the response to Observation 17 set out at the Appendix to the draft 106EM. Those contemplate transfer to only one party. Art 9 on the other hand allows transfer of parts to different parties. Clause 5.1 is ambiguous on this. What is proposed? The ExA notes that the Applicant is not released until all the benefit of the DCO has been transferred, which is the correct position under s.106(4).</p> <p>The ExA notes in passing that in Art 9 of the DCO the word “undertaker” is used to describe both the transferor / lessor undertaker and the transferee / lessee undertaker. Thus under Art 9(6)(b) a transferred benefit of the DCO is not enforceable against the transferor because they are the undertaker nor against the transferee because they too are the undertaker by virtue of Art 9(5). Please will the Applicant tidy up Art 9?</p>
	Response by SZC Co. for Deadline 3	Please see the further responses to SA.1.3 and SA.1.7 .
	Response by Suffolk County Council for Deadline 5	Please see SCC’s response to the Obligations Enforcement Paper [in the written submissions of SCC’s oral case at ISH1] and SCC’s comments on enforcement submitted at Deadline 3 in [REP3-083].
SA.1.29	The Applicant, ESC, SCC, WSC	<p>CI 8.2. The Applicant states in the Appendix to the draft 106EM, addressing Observation 19, that the dispute resolution procedure from CI 9.2 (now 8.2) onwards is permissive and therefore not compulsory. However, CI 8.2 does not appear to the ExA to be permissive. It allows any party to a dispute to serve notice referring the matter to binding expert determination. There is no option for the other parties to decline and, importantly, there does not appear to be the possibility thereafter to apply to the court for an injunction or other remedies. The expert’s decision is final and binding – CI 8.6.</p> <p>How in these circumstances can the process be said to be permissive and how can the host authorities obtain injunctions pending the expert’s determination?</p> <p>As the Applicant states that “SZC Co. does not consider that compliance with this Clause 9.1 would interfere with the Council’s ability to enforce the obligations in the s106 Agreement by injunction or a claim for payment, nor has this been raised in negotiations with the Councils” should that not be made clear in the drafting.</p>
	Response by SZC Co. for Deadline 3	As set out in the Obligations Enforcement Paper , provided in Appendix 26A of this document (Doc Ref. 9.30.A), the Applicant is continuing to consider enforcement under the Evolving Approach. The

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		Applicant notes the comments of ESC and SCC and intends to discuss the Dispute Resolution clause further in due course.
	Response by Suffolk County Council for Deadline 5	SCC agree that the Dispute Resolution clause needs further discussion with the Applicant.
SA.1.32	The Applicant, ESC, SCC, WSC	Clauses 12.2 and 12.3. What is the purpose of these clauses?
	Response by SZC Co. for Deadline 3	Please see Sheet 28 of Appendix 26B – SZC Co Land Plan which shows that the Applicant has no interest in the Pakenham Site.
	Response by Suffolk County Council for Deadline 5	<p>SCC understands that title to the land within the Order Limits is not relevant to the parties entering into the Deed of Obligation by the Evolving Approach. However, SCC does note that the ownership of the land within the Order Limits will be relevant to the Host Authorities' enforcement options in due course. For example, the ability to enter land to enforce the Deed of Obligation would involve a different process if the landowner of the relevant land was not the Applicant.</p> <p>Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1].</p>
SA.1.33	The Applicant, ESC, SCC, WSC	CI 12.4 – variation of trigger points. The proviso begins to address the EIA issue inherent in tailpieces; the ExA's questions in relation to that in the ExQs (DCO.1.73) apply here also.
	Response by SZC Co. for Deadline 3	<p>The Applicant is grateful to the Councils acknowledgement that it is appropriately trying to limit the amount of changes that can be made to the authorised development once consented. The Applicant considers that the amended Clause provided at Deadline 2 provides appropriate clarity in this regard.</p> <p>Please see the further response to DCO.1.73 (Doc. Ref. 9.30).</p>
	Response by Suffolk County Council for Deadline 5	Please see SCC's response to tailpieces and the EIA [in the written submissions of SCC's oral case at ISH1].
SA.1.34	The Applicant, ESC, SCC, WSC	<p>CI.14 – NPS policy tests for development obligations.</p> <p>CI 14 only applies to obligations which are development consent obligations. However, the Applicant acknowledges that there are obligations in the s.106 agreement which are not development consent obligations. Although para 4.1.9 of EN-1 is expressed to apply only to development consent obligations, please will the Applicant consider whether the non-development consent obligations it has included in the s.106 comply with the policy and modify CI 14 as necessary.</p>

		<p>Please will the Host Authorities state if there are any parts of the agreement, whether or not they are development consent obligations, which they consider are not policy compliant.</p> <p>Notwithstanding this declaration, the Applicant should address each of the obligations against the policy tests in the Certificate of Compliance, Execution and Enforceability which the ExA has requested in Observation 27. The declaration alone cannot make something which does not comply with the NPS policy tests compliant</p>
	Response by SZC Co. for Deadline 3	No further response is required from the Applicant.
	Response by Suffolk County Council for Deadline 5	SCC remains of the position that at this stage it cannot provide a judgement as to whether any parts of the agreement are policy compliant or not. The sums payable and detail of schemes/works to be carried out have yet to be finalised or negotiated in detail with the Applicant and it simply is not possible to provide the statement requested at this point.
SA.1.35	Applicant, ESC, SCC, WSC	<p>CI 15. The ExA notes the changes made in response to Observation 22. However, in the event that the third party persists in refusing to enter the deed of covenant, the mitigation – payment of money to that third party for a particular purpose – will not be delivered and alternative mitigation is to be devised under CI 15.3.3 thereby raising a tailpiece-like issue. Please will the Applicant and the host authorities continue to work to address this issue satisfactorily.</p> <p>The ExA notes that the deed of covenant provides for the return of unspent contributions. Whilst the ExA is familiar with such provisions, if the money is not spent at the appropriate time the mitigation it secures will be lost. As the mitigation will be required, should there not be an obligation on the recipient to spend it on the mitigation?</p>
	Response by SZC Co. for Deadline 3	<p>The Applicant does not agree to the proposed amendment that committed but unspent monies do not need to be returned after the relevant period has passed. The provision is required to encourage the prompt provision of the mitigation to be funded and this would be undermined by the ability to commit the funds for use at a future date. Where relevant, the Applicant has provided for the payment of contributions in instalments or on an annual basis such that an appropriate period is provided for the use of the monies prior to the repayment date.</p> <p>The Applicant intends to work with the Councils and the relevant third parties to ensure that the intended purposes of such contributions are suitably scoped.</p>

	Response by Suffolk County Council for Deadline 5	SCC also intends to work with the Applicant and third parties to ensure that the purposes of contributions and the mechanisms for these to be paid are suitable. SCC does not agree that there should be an obligation to repay monies where these have been allocated or committed as the Councils may have entered into legally binding arrangements to pay these monies to deliver the mitigation but not actually spent such monies and in such a circumstance the Councils should not be faced with having to return such sums.
SA.1.36	The Applicant, ESC, SCC, WSC	CI 17. This new clause is a large carve out for potential breaches of data protection law. It also relieves the parties of any responsibility to do anything required by the s.106 agreement if that would be contrary to “any other applicable legal requirements” of whatever nature. The ExA questions the appropriateness of this clause. Its presence removes the incentive on the parties and their legal advisors to draft so as to ensure the obligations can be performed without infringing other laws.
	Response by SZC Co. for Deadline 3	No further response is required from the Applicant.
	Response by Suffolk County Council for Deadline 5	SCC maintains that adequate sharing of information is critical to the effectiveness of monitoring obligations (and monitoring the effectiveness of mitigation measures) in the Deed of Obligation. SCC need to be satisfied that information can be shared in a lawful manner to enable such provisions to operate and suggests that the Applicant consider whether it may agree to an information sharing protocol at this stage.
SA.1.38	The Applicant, ESC, SCC, WSC	Sch 1, para 4.1 – return of unspent contributions. Whilst the ExA is familiar with such provisions, if the money is not spent at the appropriate time the mitigation it secures will be lost. As the mitigation will be required, should there not be an obligation on the relevant host authority to spend it on the mitigation?
	Response by SZC Co. for Deadline 3	Please see response to SA.1.35 . The Applicant considers that the proposed five year timeframe is appropriate and notes that this runs from the date of payment, which is to be appropriately staggered through the use of instalments and annual payments during the Construction Period.
	Response by Suffolk County Council for Deadline 5	As set out in SCC’s Deadline 5 response to SA.1.35, SCC does not agree that there should be an obligation to repay monies where these have been allocated or committed as the Councils may have entered into legally binding arrangements to pay these monies to deliver the mitigation but not actually spent such monies and in such a circumstance the Councils should not be faced with having to return

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		such sums. SCC do not agree that a five year timeframe is appropriate in light of the expected duration of the construction period for the Project.
SA.1.40	The Applicant, ESC, SCC, WSC	<p>Sch 1, para 5.1. – this imposes an obligation on the host authorities to register the deed as a local land charge.</p> <p>A development consent obligation is a local land charge – see s.106(11). The local authority will normally register it. But in addition, a local land charge binds persons acquiring the land, whether or not the charge is registered (s.10, Local Land Charges Act 1975).</p> <p>Please will the Applicant and Host Authorities reflect on the implications of this and respond.</p>
	Response by SZC Co. for Deadline 3	Please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A).
	Response by Suffolk County Council for Deadline 5	<p>Please see SCC's response to the Obligations Enforcement Paper in [the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement submitted at Deadline 3 in [REP3-083].</p> <p>In light of the Applicant's Obligations Enforcement Paper, it would appear that it would be appropriate for the obligation to register the Deed of Obligation as a local land charge to be reinserted into the draft Deed.</p>
SA.1.41	The Applicant, ESC, SCC, WSC	Sch 1 para 6 – please see the ExA's earlier question on this paragraph and CI 9.2
	Response by SZC Co. for Deadline 3	The Applicant does not consider there to be any public interest justification for the deemed approval provision to be removed or limited in any way.
	Response by Suffolk County Council for Deadline 5	Please see SCC's comments on deemed approval in its observations on the Deed of Obligation submitted at Deadline 3 in [REP3-083].
SA.1.43	The Applicant	Sch 3, para 2.1 – ambit of the Housing Fund. By whom is the promise at para 2.1 given?
	Response by SZC Co. for Deadline 3	The Applicant considers that the ambit of the Housing Fund in the draft Deed of Obligation (Doc Ref. 8.17(C)) is appropriate and addresses the relevant impacts of the Project.
	Response by Suffolk County Council for Deadline 5	SCC understands that the ambit of the Housing Fund is still under discussion.
	Applicant, ESC, SCC, WSC	Sch 3 – para 3.1 – this is an obligation to use reasonable endeavours to deliver the Accommodation Campus in accordance with the Implementation Plan?

SA.1.45		<p>(i) Is reasonable endeavours an adequate obligation?</p> <p>(ii) In the event of failure, the relevant host authority would normally have a right of entry to do the work and recharge the person responsible. (a) Is the Accommodation Campus on land owned or controlled by the Applicant? (b) How does the Applicant propose that the obligation to deliver the Accommodation Campus is enforced?</p>
	Response by SZC Co. for Deadline 3	<p>Please see response to SA.1.52, in respect of the use of "reasonable endeavours" in this obligation</p> <p>Please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A), in respect of the Applicant's further comments on enforcement under the Evolving Approach.</p>
	Response by Suffolk County Council for Deadline 5	<p>In this regard SCC notes that the current drafting of Schedule 3 Paragraph 3.1.1 in the Deed of Obligation [REP3-027] places the Applicant under a "reasonable endeavours" obligation to deliver the Accommodation Campus in accordance with the Implementation Plan. SCC's comments on the "reasonable endeavours" obligation approach in its response to the Obligations Enforcement Paper in [the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement submitted at Deadline 3 in [REP3-083] apply to this obligation too.</p>
SA.1.47	Applicant	Sch 3 para 6.2. Monitoring of accommodation matters. How is this obligation to survey and to produce a report to be enforced?
	Response by SZC Co. for Deadline 3	<p>In addition to the previous response to this Question, please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A), in respect of the Applicant's Evolving Approach to enforcement.</p>
	Response by Suffolk County Council for Deadline 5	<p>SCC considers this point to be subject to further discussion. Footnote 11 in the Deadline 3 version of the Deed of Obligation [REP3-027] indicates that the Strategic Relationship Protocols (SRPs) will set out the roles and responsibilities of each Emergency Service provider but is not clear that the SRPs will also deal with on-site emergency service providers too. SCC requests clarity over whether the SRPs will be in place by the time the Deed of Obligation is expected to be completed and what the process for reviewing and updating the SRPs is expected to be.</p> <p>SCC is conscious that it is the Host Authorities that will need to enforce the obligations in the Deed of Obligation (e.g. the obligations at paragraph 2.1 of Schedule 4 regarding the provision of On Site Security and On Site Fire and Rescue) and has some concerns as to whether such enforcement would be possible where the Councils may not be aware of the content of the SRPs or if the SRPs could be amended without the involvement of the Host Authorities. SCC also contrasts the definition of On Site</p>

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		Security and On Site Fire and Rescue with the definition of “Sizewell Health” in Schedule 6 which is defined by reference to a specification in the Environmental Statement.
SA.1.52	Applicant, ESC, SCC, WSC	Sch 9, para 2. Para 2.1 – this is an obligation to use reasonable endeavours to deliver the Key Environmental Mitigation. (i) Is reasonable endeavours an acceptable standard and if so, how? (ii) Please will the Applicant supply the Implementation Plan referred to. (iii) The ExA notes this includes the Fen Meadow Works which have a ten year timescale. Para 2.4. This provides for review of the Implementation Programme in the event of delays. Given that the mitigation is necessary, please will the Applicant say how changes to timescale are appropriate?
	Response by SZC Co. for Deadline 3	Please see paragraph 32.1.9 in Comments on the Local Impact Report (Doc Ref. 10.2) and section 5 of the Comments on Written Representations (Doc Ref. 10.1)
	Response by Suffolk County Council for Deadline 5	Please see SCC’s response to the Obligations Enforcement Paper [in the written submissions of SCC’s oral case at ISH1] and SCC’s comments on enforcement submitted at Deadline 3 in [REP3-083] apply to this obligation too. SCC awaits further information from the Applicant on the approach to mitigation which is expected at Deadline 5.
SA.1.55	Applicant, ESC, SCC, WSC, Natural England	Sch 11, para 8. (i) The Fen Meadow Contingency Fund. It appears that the fallback, if fen meadow is not successfully re-created, is the payment of money. (ii) How does this not disincentivise creation of replacement fen meadow? What other steps, incentives and sanctions are there to ensure that proper efforts are employed and implemented so that the Contingency Fund Payments do not have to be made? (iii) If the fen meadow is not successfully recreated by the Applicant is it realistic to suppose that others will have any greater success?
	Response by SZC Co. for Deadline 3	The Applicant's response to para 8.31-8.36 of SCC's LIR [REP1-045] is set out in the Ecology and Biodiversity chapter of the Comments on the Local Impact Report (Doc Ref. 10.2).
	Response by Suffolk County Council for Deadline 5	SCC’s position on this point remains as at Deadline 2. However, SCC awaits further information from the Applicant on the approach to mitigation which is expected at Deadline 5.
	Applicant	Sch 15 – Transport.

SA.1.58		<p>At para 2.1 this schedule requires implementation of various travel plans. Whilst the ExA is aware that it is common for s.106 agreements to address travel plans it is difficult to see that they are actually within the terms of s.106(1) TCPA 1990. The ExA has noted that the draft s.106EM asserts that compliance is not necessary owing to the modifications in the Sizewell Special Arrangements. However, the Sizewell Special Arrangements and the draft s.106 agreement propose that the Applicant enters into it by virtue not only of its status as undertaker (if the DCO is granted) but also as landowner of at least some land and the current drafting for the modification of s.106 set out in the Sizewell Special Arrangements and the DCO do not remove the necessity for the promises to fall within s.106(1) in order (a) to be “development consent obligations” as defined in the draft s.106 agreement [PBD0-004] and (b) to run with such land as is bound</p> <p>How therefore is delivery of and compliance with the travel plans ensured?</p>
	Response by SZC Co. for Deadline 3	<p>Please see the amended obligations in respect of the travel plans in the draft Deed of Obligation (Doc Ref. 8.17(D)), which include an obligation in respect of supply contracts and which the Applicant considers are appropriate.</p> <p>The Applicant does not consider that it is reasonable or necessary to provide a bond or contribution in respect the travel plans.</p>
	Response by Suffolk County Council for Deadline 5	<p>SCC considers the Transport schedule of the Deed of Obligation is still under negotiation with the Applicant. SCC is still considering whether it considers the provision of bonds are reasonable and necessary as the negotiation of obligations evolves.</p>
SA.1.59	Applicant	<p>Sch 15 – Transport</p> <p>(i) Para 3.3 – the transport review group. Para 3.3.5 contemplates a tied vote. Is the chair not to have a casting vote? Does this apply to all the other groups and committees created by the s.106 agreement and if so what is the resolution process in those cases?</p> <p>(ii) How is paragraph 3.5.2 (duty to promote objectives and benefits of the Transport Management Plans) and following (paras 3.5.3 – 3.5.8) enforced? Failure to perform is unlikely to sound in damages. Would an injunction be issued (leaving aside for the moment the fact that that person given the duties is not a person bound by the s.106 agreement).</p> <p>(iii) the ExA’s questions above in relation to third party involvement, the allocation of functions to persons who are not a party to the agreement and to groups, SA1.10 -1.12) are also relevant here.</p>

		<p>(iv) Paragraphs 4.4 and 4.9 (and potentially a paragraph in the section on Marlesford and Little Glemham – 4.13 – 4.17) have considerable discretion over the schemes to be implemented. Please will the Applicant explain how this meets the policy and legal tests?</p> <p>(v) Para 5.2 – SZC Co to check road condition “regularly”? Please will the Applicant state how regularly? For example is it to be weekly, monthly or some other interval?</p> <p>(vi) How is para 6.1 and 6.2 a planning obligation?</p>
	Response by SZC Co. for Deadline 3	The Applicant agrees that SCC would chair the Transport Review Group. It is not proposed that the chair would have a casting vote. This follows the approach at Hinkley Point C which the Applicant considers has worked well.
	Response by Suffolk County Council for Deadline 5	<p>SCC remains of the view that as highway authority, it would be appropriate for SCC to have the casting vote as Chair of the Transport Review Group.</p> <ul style="list-style-type: none"> ○ SCC do not agree that SCC should be under an obligation to deliver the highways schemes relating to Wickham Market, Leiston and Marlesford and Little Glemham (or Yoxford or Westleton). Suffolk County Council considers that there will be significant barriers to the authority delivering these schemes as proposed by the applicant. These are: <ul style="list-style-type: none"> • The schemes are not at a level of maturity where realistic costs can be estimated, nor are likely to be so before the end of the examination. • Lack of certainty regarding costs places the authority at risk, financially and reputationally. • Financial uncertainty is exaggerated by current volatility in material costs. Cost indexes are not reflecting the increased costs in the market. • The authority will be entering into a new commercial contract to procure highway works in 2013. It is likely that the contract rates will be significantly different than those in the current contract and make estimation of delivery costs uncertain. • The delivery cost of the above schemes would represent a considerable sum compared to the annual highway budget. This will require the authority’s contractor to mobilise significant additional resources for a short time before disposing of them.

		<ul style="list-style-type: none"> The scale of the Sizewell project and its draw in materials, plant and labour will, if the experience in Somerset is repeated, increase costs posing a further risk to the authority delivering these schemes.
SA.1.60	Applicant, ESC, SCC, WSC	<p>Sch 17 – Governance.</p> <p>(i) Definitions – para 1. Please will the Applicant explain where ESC and SCC covenant to form the Oversight Partnership.</p> <p>(ii) Para 2.1 – this may just be a drafting point, but the opening words read as though the covenant is not made until some point “on or before the Commencement Date”. Is that the intention or is it that the covenant is made on execution to establish the Delivery Steering Group on or before the Commencement Date?</p> <p>(iii) Para 2.5.1 – what happens if the DSG fails to do these things? How is it enforced? Similarly the obligations on the Oversight Partnership in para 3 and all the other groups contemplated by Sch 17.</p> <p>(iv) Para 5.1.3 quorum; in the phrase “at least one of whom is a member representing each of East Suffolk Council, Suffolk County Council and SZC Co ...”, should “each of” be replaced by “any of”? The ExA is unclear what is meant by the current wording. A similar formulation is to be found elsewhere in the schedules.</p> <p>(vi) the visual representation of the governance structure. The Community Fund, Main Site Forum and Associated Development Fora are shown but not linked to anything. The sub-bodies below the Transport Review Group and Planning Group appear to be incomplete. What are the relationships between the Executive Level Steering Groups and Oversight Partnerships in boxes at the head of the figure and the other groups? Please explain the colour code.</p> <p>(vii) Footnote 42. “Executive Level Steering Group is already in existence and is not constituted in this Deed. It is shown in Figure 1 for informational purposes only.” Is not some provision to ensure it continues to exist necessary?</p>
	Response by SZC Co. for Deadline 3	<p>ESC (i) The Applicant agrees that the proposed Main Site Forum and Associated Development Fora should be secured through the Deed of Obligation. The governance arrangements for these groups is being discussed with the Councils. There has been some delay in agreeing the arrangements for these groups due to county council elections but SZC expects to be able to include drafting in the draft Deed of Obligation to be submitted at Deadline 4 reflecting the agreed arrangements.</p>

		<p>ESC (ii) No further response required from the Applicant. The Executive Level Steering Group is shown in the visual representation illustratively and for completeness to show an existing informal working arrangement. It is not required to be formally included in the Deed.</p> <p>SCC (ii) Clause 4.3 of the draft Deed of Obligation (Doc Ref. 8.17(C)) includes a SZC Co covenant not to Commence the Project until the relevant obligation has been satisfied. The Applicant considers that Clause 4.3 when taken together with paragraph 3.1 of Schedule 17 already provides the requested drafting.</p> <p>SCC (iii) The Applicant agrees and has included the requested covenant in new paragraph 2 of Schedule 17 of the draft Deed of Obligation (Doc Ref. 8.17(C)) which covers all of the Governance Groups and the Oversight Partnership.</p> <p>SCC (iv) The Applicant agreed that that ESC, SCC and the Applicant will be at each meeting (in respect of all Review Groups) and the quorum provisions have been updated in the draft Deed of Obligation (Doc Ref. 8.17(C)) to reflect this. For clarity, there is a distinction in the quorum provisions relating to Working Groups and Review Groups. Unless otherwise set out in the Deed, Working Groups are quorate with 3 persons, one of which must be from the Councils (i.e. the attendance of only one representative from either Council is required to meet the Working Group quorum requirements). Whereas Review Groups are quorate with 3 persons, one of which must be from East Suffolk Council, one of which must be from Suffolk County Council and one of which must be from SZC Co (i.e. attendance from both Councils' representatives are required to meet the Review Group quorum requirements).</p> <p>See SA.1.11 in relation to proxy voting.</p> <p>SCC (vii) No further response required from the Applicant. The Executive Level Steering Group is shown in the visual representation illustratively and for completeness to show an existing informal working arrangement. It is not required to be formally included in the Deed.</p>
	Response by Suffolk County Council for Deadline 5	SCC considers the governance arrangements in Schedule 17 are still subject to discussion and negotiation with the Applicant.
SA.1.61	Applicant	List of plans and annexes. The ExA notes that many of these have yet to be provided. Please will the Applicant supply them or give a timetable for when they will be submitted to the Examination.
	Response by SZC Co. for Deadline 3	No further comments to add to SZC Co. response for Deadline 2, save that an Aldhurst Farm Plan (Plan 3) and SZC Supply Chain Work Plan (Annex) have now been added to the list of Annexures.

SIZEWELL C PROJECT DEADLINE 5 - SUFFOLK COUNTY COUNCIL RESPONSE TO ADDITIONAL SUBMISSIONS FROM THE APPLICANT

	Response by Suffolk County Council for Deadline 5	SCC is reviewing the plans and documents provided in light of on-going discussion on the Deed of Obligation.
SA.1.63	Applicant	Para 2.8. The current drafting of Art 9 of the DCO only makes planning obligations apply to a transferee. So, as things stand, it is necessary for the promises in the s.106 to meet the s.106(1) tests.
	Response by SZC Co. for Deadline 3	The Applicant does not consider that a Deed of Covenant for transferees is necessary, as Article 9(4)(b) provides that ESC and SCC would be able to enforce the Deed of Obligation against a transferee as if it were the Applicant unless otherwise agreed by the Secretary of State. As explained in paragraphs 5.7 and 5.8 of Appendix 26A SA.1 Response Paper, the Applicant would not be released from the Deed of Obligation until the entire undertaking has been transferred pursuant to Article 9.
	Response by Suffolk County Council for Deadline 5	Please see SCC's response to the Obligations Enforcement Paper in [the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement of the Deed of Obligation (and transfer of the benefit of the DCO) submitted at Deadline 3 in [REP3-083].
SA.1.64	Applicant, ESC, SCC, WSC	At para 4.8 the draft s.106EM states: "While it may be possible, in principle, for elements of the s106 Agreement as drafted to be pulled out into requirements, we consider that in most, if not all, cases there is considerable practical advantage and merit in placing the commitments to plans etc together with the governance arrangements for approvals or amendments, and procedures for resolution of disagreements, which relate to them and which it would not be appropriate to draft into the DCO." Please will the Applicant explain further why it is advantageous to deal with these matters in the s.106 agreement rather than in the DCO.
	Response by SZC Co. for Deadline 3	No further response is required from the Applicant.
	Response by Suffolk County Council for Deadline 5	Whilst SCC intends to continue to work collaboratively with the Applicant on the draft Deed of Obligation, no conclusions have been reached by SCC as to the acceptability of the Applicant's Evolving Approach at this stage and further information is expected from the Applicant at Deadline 5 in this regard. The evolving inter-relationship between the DCO and the Deed of Obligation is of particular importance to SCC and SCC awaits the information expected from the Applicant at Deadline 5 (following ISH1) on this point. SCC will then consider this further.
SA.1.67	Applicant, ESC, SCC, WSC	Observation 27 and title investigation by the Host Authorities. The ExA notes that the SZC Co's solicitors are willing to provide the confirmation document sought by the ExA. The ExA looks forward to the submission of the draft at the earliest possible opportunity.

		In relation to title investigation, the ExA notes that the Applicant is discouraging the Host Authorities from carrying out title investigation. As the Applicant observes, the Sizewell Special Arrangements are a new approach. It is evidently evolving. In addition the final position on the s.106 agreement is not yet settled. The ExA will be asking the Host Authorities for their confirmation that they are satisfied with all of the provisions of any s.106 agreement, including its enforceability throughout the construction and operation of the Project, should the DCO be made. Therefore to allow and to carry out title investigation would seem prudent.
	Response by SZC Co. for Deadline 3	See SA.1.3 in respect of enforcement against transferees and Article 9. See the Obligations Enforcement Paper , provided in Appendix 26A of this document (Doc Ref. 9.30.A), in respect of the Applicants comments on enforcement of the Deed of Obligation. The Deed of Obligation would be entered into prior to the end of the Examination, which the Applicant hopes provides confidence that the requested Confirmation Document will be able to provide the requested confirmations as to execution and enforceability.
	Response by Suffolk County Council for Deadline 5	SCC understands that title to the land within the Order Limits is not relevant to the parties entering into the Deed of Obligation under the Evolving Approach. However, SCC does note that the ownership of the land within the Order Limits will be relevant to the Host Authorities' enforcement options in due course. For example, the ability to enter land to enforce the Deed of Obligation would involve a different process if the landowner of the relevant land was not the Applicant. Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1].
SA.1.68	Applicant	Please will the Applicant state how a future undertaker would know of the existence of this extensive s.106 agreement. Such an undertaker might only be a transferee of part of the benefit of the DCO and not acquire any land. How would a lender or an investor who is not an undertaker know of the existence of the s.106 agreement?
	Response by SZC Co. for Deadline 3	See the response to SA.1.67.
	Response by Suffolk County Council for Deadline 5	Please see SCC's response to the Obligations Enforcement Paper in [the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement submitted at Deadline 3 in [REP3-083].

SA.1.69	Applicant, ESC, SCC, WSC	The ExA draws attention to s.106(6) which, where there is a breach of a requirement in a development consent obligation, gives the authority by whom it is enforceable the right to enter the land to carry out the operations. The host authorities, on the scheme in the Sizewell Special Arrangements, are the enforcing authorities of a s.106 agreement which is expressly stated to bind the Sites, i.e. the Order lands (see clause 4.1). Will they be able to exercise this power in relation to all the Sites?
	Response by SZC Co. for Deadline 3	Please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A).
	Response by Suffolk County Council for Deadline 5	Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement submitted at Deadline 3 in [REP3-083].
SA.1.71	Applicant, ESC, SCC, WSC	<p>The ExA makes the following further observations:</p> <ol style="list-style-type: none"> 1. This s.106 agreement is expressed to bind all the Sites (see CI 4.1 and CI 2.1 where it is said to do this by virtue of the Applicant's Qualifying Interest, which is its status as undertaker if the DCO is made and its status as a person with an actual interest in parts of the Sites. The status as undertaker would deem the Applicant to be interested in the whole Order land – see the new article for the DCO set out at para 2.6.1 of the draft 106EM. 2. The Sizewell Special Arrangements and s.106 agreement seek to create development consent obligations which are free floating and which do not bind the land. 3. The ExA has drawn attention to s.106(6) which, where there is a breach of a requirement in a development consent obligation, gives the authority by whom it is enforceable the right to enter the land to carry out the operations. The host authorities, on the scheme in the Sizewell Special Arrangements, are the enforcing authorities. It is not clear that they would be able to exercise this power in relation to the s.106 agreement for Sizewell. 4. The Applicant proposes that it enters into the s.106 both as undertaker with a deemed land interest and also as a landowner – see the definition of Qualifying Interest and clauses 4.1 and 4.2. Thus any promises which are development consent obligations because they fall within s.106(1) will run with the Applicant's title, whatever it is. 5. The development consent obligations in the s.106 agreement bind the Sites, that is to say the Order land. That is clearly stated at clause 4.1.

		<p>6. The s.106 agreement refers to development consent obligations and planning obligations. By Clause 2 they are expressly made to run with the Applicant's land.</p> <p>7. The Applicant might propose further modifications to s.106, changing the extent of s.106(6) and changing s.106(11) so that its floating development consent obligation is not a local land charge.</p> <p>8. The Applicant states its intention for the s.106 agreement at para 4.3 of the draft s.106EM "... we do not intend the s106 Agreement to bind successors in title. It should be binding only upon SZC Co as the 'undertaker', being the only party who may lawfully implement the development authorised by the DCO, and anyone to whom the benefit of the DCO is transferred under article 9 of the DCO" (para 4.3).</p> <p>9. The ExA would summarise the aim as being to make the s.106 agreement run with the DCO rather than run with the land. To achieve this, major modifications are to be effected to s.106 TCPA 1990. But if the provisions were incorporated into the DCO they would run with it anyway.</p> <p>10. Given that the legal purpose of s.106 is to make promises run with the land it seems strange to choose that power but then to modify it so as to remove its legal purpose. The ExA does not understand the Applicant's apparent aversion to using the DCO.</p> <p>Of course there may still be a need for s.106 agreement if there are things which are needed which cannot be done in a DCO, in which case please will the Applicant explain which they are. That is something which could be looked at if it arises and conventional means of securing development consent obligations when only part of the land is controlled by an applicant could be explored.</p>
	Response by SZC Co. for Deadline 3	The Applicant is grateful for SCC's willingness to continue further dialogue on a bespoke approach to securing mitigation. Please see the Obligations Enforcement Paper, provided in Appendix 26A of this document (Doc Ref. 9.30.A), which sets out the Applicant's further comments on its Evolving Approach and the enforceability of the Deed of Obligation.
	Response by Suffolk County Council for Deadline 5	Please see SCC's response to the Obligations Enforcement Paper [in the written submissions of SCC's oral case at ISH1] and SCC's comments on enforcement submitted at Deadline 3 in [REP3-083].
SE.1.27	The Applicant, (Suffolk Chamber of Commerce ESC SCC NALEP (iii) only)	<p>Supply Chain Strategy</p> <p>[APP-610] in paragraph 7.3.6 refers the reader to Appendix B [APP-611]. The section on Supply Chain (1.7) does not however explain how this strategy will be delivered.</p>

		<p>(i) Please provide precise details on this strategy and the delivery and monitoring mechanism.</p> <p>(ii) Please set out the details of governance arrangements and progress of the S106 so this strategy can be more fully understood.</p> <p>(iii) Do the respective parties agree that the S106 would deliver an appropriate supply chain strategy?</p>
	Excerpt of Response by SZC Co. for Deadline 3	<p>(...) in response to engagement, SZC Co. has committed to create/update a 'Supply Chain Work Plan' every six months, which will be secured as an obligation in the Deed of Obligation (Doc Ref. 8.17(D)). This Plan will set out the activities relevant to each phase of construction that the Project will deliver to engage with and improve the competency and capability of the supply chain. This will be shared with the Supply Chain Working Group at these intervals, to allow the Councils' and NALEP's Economic Development functions to align activities with the activities of the Project.</p> <p>SZC Co considers that the opportunities for the supply chain in the region are a positive effect of the Project, which would be enhanced by the Supply Chain Strategy and Work Plan.</p> <p>SZC Co considers that the membership of the Supply Chain Working Group, as set out in the Draft Deed of Obligation (Doc Ref. 8.17(D)), is appropriate. This does not preclude SZC Co, its contractors, the Suffolk Chamber of Commerce, the Councils or NALEP from using monitoring information and the Supply Chain Work Plan to engage more widely with industry bodies and businesses/business groups.</p>
	Response by SCC for Deadline 5	<p>SCC is commenting in a separate Deadline 5 submission [comments on the updated Draft Deed of Obligation] on the Draft Supply Chain Work Plan appended to the draft Deed of Obligation submitted at Deadline 3.</p>
SE.1.28	The Applicant, Relevant local authorities	<p>Labour Market</p> <p>Considering the number of construction workers envisaged to be required please advise on the implications this may have for the labour market both locally and regionally.</p>
	Excerpt of Response by SZC Co. for Deadline 3	<p>(...)SZC Co's position is that labour market churn as described here is a natural part of any economy, but recognises the Councils' concerns over vacancies becoming harder to fill. In SZC Co's view, displacement as defined by the Green Book is not likely. Measures like the Jobs Service will provide a wide and deep talent pool to avoid or reduce this risk, and will provide important monitoring information to be used by the Regional Skills Coordination Function to support future delivery of funding and activities in a flexible and dynamic way.</p>

	Response by SCC for Deadline 5	<p>SCC welcomes the recognition about our concerns over vacancies becoming harder to fill. Further comments on labour market churn/displacements have been provided above in response to the Applicant's response to the Local Impact Report.</p>
SE.1.31	The Applicant, all relevant local authorities	<p>60. Labour Market</p> <p>(i) What is being undertaken to maximise the number of local people that could aspire to and achieve higher paid skilled employment on the project?</p> <p>(ii) How could this be secured through the DCO?</p>
	Excerpt of Response by SZC Co. for Deadline 3	<p>(...) SZC Co. has set the estimate of home-based employment in order to fully and conservatively assess the subsequent effects related to the NHB element of the workforce. This does not mean that the estimated home-based peak would be a maximum, and indeed evidence from Hinkley Point C suggests that home-based recruitment is very likely to exceed this level. An element of the workforce will be organically home-based as a result of the skillset and wages for some roles, while some roles will be harder to recruit locally and require in some cases interventions to the skills pipeline and outreach activities. SZC Co. believes that the measures set out within the Draft Deed of Obligation (Doc Ref. 8.17(D)) would achieve this level of home-based recruitment.</p> <p>However, setting a minimum target is not appropriate – on implementation and review of the measures - if local people do not want to work on the Project, the Project will need to recruit from elsewhere rather than stall construction activity which would have wider knock-on effects.</p>
	Response by SCC for Deadline 5	<p>SCC sought in its original response the Applicant to set clear, ambitious and SMART (Specific, Measurable, Attainable, Relevant/Realistic, Timely) employment targets and ensure the project delivers a range of employment opportunities, at different levels, in different roles, promoting legacy roles for local people.</p> <p>SCC wishes to clarify that such targets are not proposed to be hard and enforceable controls, but that these targets would, with measures being monitored, help the Economic Review Group to identify if Sizewell C is not heading towards these targets and whether corrective actions can be taken to help achieve the targets.</p> <p>However, SCC does expect the applicant to clearly set minimum commitment levels for home-based employment numbers and to work with SCC to ensure robust strategies, plans and actions are in place, timely, to maximise the potential of these opportunities. Home Based numbers used within the ES must be viewed as a minimum requirement for the project as mitigation to all other themes is based on a</p>

		worst-case scenario of non-home based workers. If the quoted numbers of home-based workers are not reached then the mitigation cases developed and agreed would not be true and would require further mitigation.
SE.1.33	The Applicant, all relevant local authorities	<p>61. Home Based Workers</p> <p>62. ESC suggest they are seeking 36% of workers to be homebased[para 1.157 RR-0342].</p> <p>63. (i) Please explain why this figure is being sought, and upon what evidence this is based.</p> <p>64. (ii) Should this figure be regarded as a minimum for the whole project, or particular phases?</p> <p>65. (iii) How should this be secured?</p> <p>(iv) In the event the figure were to be lower for either the whole project, or particular phases what would the implications be?</p>
	Response by SZC Co. for Deadline 3	<p>Please see above (SE.1.31) and SZC Co.'s response to SE.1.33.</p> <p>The assessment case for non-home based/home-based workers represents a conservative position. As set out in SZC Co.'s response to Cl.1.4 [REP2-100], when the decision was made to increase the estimated peak of the workforce profile from 5,600 to 7,900, in order to be conservative, the assessment case that was taken forward assumed that all of the additional workforce could be non-home based. SZC Co. will seek to maximise the level of home-based workforce, but it is considered that this assessment case approach was needed in order to test and develop a robust and conservative Housing Fund. Experience reported at Hinkley Point C1 shows that the home-based workforce has in fact exceeded the proportions estimated at Sizewell C (36% home-based with a total workforce of 4,769 in the winter 2020 workforce survey and the home-based workforce has exceeded 50% for much of the construction phase to-date).</p> <p>As such, it is considered very unlikely that the non-home based workforce would exceed the identified peak or exceed the annual average levels identified in Volume 2, Chapter 9, Appendix 9A of the ES [APP-196].</p>
	Response by SCC for Deadline 5	See comments in Table 10 above re Gravity Model (Ref Table 28.1, Ref 29.11 to 29.23 Appendix 2.10)
SE.1.42	The Applicant, SCC, ESC	Freight Management Strategy

¹ <https://www.sedgemoor.gov.uk/SEAG>

		<p>A number of RRs including [RR-0040] expressed concern that the original application would cause economic harm by severing communities and reducing the quality of the environment which is an important contributory factor to the tourism sector. Would an increase in rail and seaborne freight provide an economic benefit by reducing such severance?</p>
	<p>Response by SZC Co. for Deadline 3</p>	<p>The Council's response states that SCC Appendix to ExQ SE.1.42 (Economic Assessment) indicates that <i>'for the A12 corridor between Seven Hills and A1152 Woods Lane there would be a significant negative cost to the economy as a result of congestion along this corridor during construction'</i> and that <i>'consideration should be given to a fund to mitigate/compensate for economic cost of congestion'</i> (in addition to the measures to mitigate tourism impacts through the proposed Tourism Fund).</p> <p>The Economic Assessment referred to is a user benefit assessment; this assesses the value of time lost or gained as a result of interventions (such as increase in demand on the road network or changes to infrastructure). The report does not conclude a <i>'significant negative cost to the economy'</i>. The assessment is not of local economic cost – it could, for example, include a journey through the area that does not stop. The Economic Assessment does not calculate the effect on the specific locations, businesses or sectors.</p> <p>The Economic Assessment itself does not conclude that mitigation is needed in the form of a fund. It concludes the <i>'there should be some consideration into what mitigation measures could be adopted to reduce the potential delay along the A12'</i>. This seems to suggest a transport mitigation – not a financial one – and SZC Co. is satisfied that the suite of transport mitigation to be secured within the DCO and Deed of Obligation, with associated management plans, is proportionate and reasonable to reduce the significance of any effect. It is not clear in respect of whom or how the fund proposed would mitigate against the cost of delay.</p> <p>There are a number of issues with the transport user assessment which means the effect of the Sizewell C traffic is overestimated:</p> <ul style="list-style-type: none"> • The report itself states that the models <i>'do not display a suitable level of convergence for economic assessment'</i> (Section 3.3). It is therefore unsuitable to use the models to estimate the economic effect (in this case the transport user (dis)benefits). • There are a number of assumptions and limitations set out in the report that mean that the disbenefit of the Sizewell C traffic is likely to be overestimated.

		<ul style="list-style-type: none"> • In particular, the two park and ride sites are excluded from the modelling of the proposed infrastructure; this reduces the benefit associated with the proposed infrastructure. This is particularly true in the early years since the park and ride sites will come forward in 2024 (and therefore the assessment overestimates the implied net effect of the Sizewell C traffic). • Further, it has been assumed that there will be 1,000 two-way HGVs per construction day between 2028 and 2034. However, the preferred freight strategy is forecast to generate 500 two-way HGVs on a typical day during the peak construction phase and up to 700 two-way HGVs on the busiest day. Plate 4.2 of the Freight Management Strategy [AS-280] provided a HGV profile over the construction phase based on the preferred freight strategy (i.e. 4 trains per day and temporary BLF). An updated HGV profile of the construction phase was provided in response to ExQ1 question TT.1.16 [REP2-100] and shows that the level of HGVs per day is far less than the 1000 two-way HGVs assessed in the Economic Assessment. <p>In conclusion, the effect of Sizewell C on the local transport network is overestimated in the Economic Assessment, and in any case, the Economic Assessment is not an appropriate basis for any fund.</p>
	Response by SCC for Deadline 5	<p>The Council understands that the applicant plans to provide a formal response to our economic assessment at Deadline 5, which we will review and respond to appropriately. However, in response to the Applicant's comments on SE.1.42. The Council's Appendix to ExQ SE.1.42 (Economic Assessment) is in response to SZC. Co. statements within Appendix 9C 'A12 VISSIM Technical Note V.13 and Appendices' [REP2-051] of the Consolidated Transport Assessment [REP2-050] which suggested that the inclusion of Sizewell C traffic would not have a significant impact along this congested section of the A12 corridor. In response to the above points, SCC must highlight the following:</p> <ul style="list-style-type: none"> • SZC Co highlight that the model assessment has several limitations, including stability, however this only applies to the strategic VISUM model, rather than the microsimulation VISSIM model which the disbenefits are being extracted from. Furthermore, the Microsimulation model is using an "all or nothing" assignment, meaning there is no route choice therefore convergence is assured. • It is accepted that the models used in the economic assessment have their limitations and assumptions, however, the majority of these limitations stated within the Economic Assessment are associated with the VISUM model, not the VISSIM model. Furthermore, the concerns raised by the Economic Assessment relate to the disbenefits being presented by the VISSIM model.

		<ul style="list-style-type: none"> • SZC Co. note that the proposed Park & Ride sites have not been assessed which is correct in relation to the strategic VISUM model assessment, not the A12 corridor VISSIM model assessment. • The 1,000 two-way HGVs per construction day was SZC Co.'s previous busiest day estimates. It is accepted that any reduction in the number of HGVs would reduce this disbenefit, however would not eliminate the economic disbenefit being presented in the Economic Assessment. <p>In conclusion, although concerns have been raised by SZC Co. in relation to the economic assessment, these concerns should only be associated with the outcomes from the Strategic VISUM economic assessment, not the microsimulation VISSIM economic assessment. The A12 VISSIM model has been robustly developed by SZC Co, as stated within Appendix 9C [REP2-051] and agreed by the SCC model auditor. Therefore, the economic assessment and conclusions from this model should be seen as a robust reflection on the impact along the A12 corridor and should form the basis for initial discussions on mitigation measures.</p>
TT.1.23	The Applicant, SCC	<p>Construction Traffic Management Plan (CTMP) [APP-608], Traffic Incident Management Plan (TIMP) [APP-607], Construction Worker Travel Plan (CWTP)[APP-609] – Transport Review Group</p> <p>The Transport Review Group membership, structure, roles and responsibilities is explained in the CTMP, the CWTP and the TIMP. The group consists of six members three appointed by SZC and three from other stakeholders. Notwithstanding information in the draft Section 106 [PDB-004], explain how the decisions will be made in this group if there is not a majority vote?</p>
	Response by SZC Co. For Deadline 3	<p>Chapter 2 of the Construction Traffic Management Plan (CTMP) [REP2-054], Construction Worker Travel Plan (CWTP) [REP2-055] provides more information on the governance, terms of reference and procedures proposed for the Transport Review Group (TRG). Responding to SCC's points above:</p> <ol style="list-style-type: none"> 1. Paragraphs 2.3.5 of the CTMP [REP2-054] and CWTP [REP2-055] allow SCC, ESC and Highways England to nominate an alternative representative (proxy) from their authority if they are unable to attend. 2. Paragraphs 2.4.3 of the CTMP [REP2-054] and CWTP [REP2-055] state that the Transport Coordinator could either be an employee of SZC Co. or an independent consultant but notes that they would need to be independent of the Sizewell C delivery team. 3. The administration and decision-making of the TRG is established within Section 3.2 of Schedule 16 to the draft Deed of Obligation (Doc Ref. 8.17(D)). It proposes that SCC would chair the TRG as proposed by SCC in their Deadline 2 response, but SCC would not have a

		<p>casting vote. This follows the approach at Hinkley Point C which the Applicant considers has worked well. Please also see SZC Co.'s response to SA.1.59.</p> <p>4. Should it be required to resolve a situation where no majority can be reached through TRG voting, a dispute resolution procedure will be in place. The dispute resolution procedures are set out in clause 8 of the draft Deed of Obligation (Doc Ref. 8.17(D)), as described in SZC Co.'s response to this question at Deadline 2. The dispute resolution process will be time constrained, but acknowledge that timescales are not included in the draft Deed of Obligation (Doc Ref. 8.17(D)).</p>
	Response by SCC for Deadline 5	<p>The Council maintains the position that the Council should have the casting vote in the event of a tied vote within the TRG, as it would reduce the need for potentially time-consuming arbitration processes for addressing impacts that are occurring at that time on the communities. The Council maintains the need for members to be able to nominate another member of the TRG to vote by proxy, if they are unable to attend. The Council would also welcome including Suffolk Constabulary as a member of the Transport Review Group.</p>
TT.1.25	The Applicant, SCC	<p>Traffic Management Monitoring System (TMMS)/ Delivery Management System (DMS).</p> <p>Could the TMMS/ DMS be coordinated and developed to actively manage the following?</p> <ul style="list-style-type: none"> i. HGV movements to associated development sites; ii. HGV movement to avoid sensitive periods in areas where impact might be high, e.g. schools, etc.; iii. Light Goods Vehicle (LGV) movements and routes; iv. Bus movements and routes; i. Route monitoring to ensure that HGV numbers did not exceed those modelled on specific routes; and ii. Currently the earliest and latest timings of freight movement to/ from the main site will be 07.00 and 23.00, however depending on origins and destinations HGV movements could be on the adjacent highway network for longer periods. In addition to on site monitoring of HGV timings, can HGV movements be managed so as to avoid much earlier and later disruption in sensitive areas?

	<p>Response by SZC Co. For Deadline 3</p>	<p>Refer to SZC Co. response in Chapter 15 (Sections 15.4 and 15.5) Comments on Councils' Local Impact Report (Doc Ref. 9.29) with regards to SZC Co. position on the robustness of the transport assessment and need for controls. Further comments are provided below in response to Suffolk County Council's response for Deadline 2:</p> <ul style="list-style-type: none"> i. The CTMP [REP2-054] proposes to monitor the number of daily HGV movements for each of the associated development sites during its construction through the development management system (DMS). Given the level of HGV movements and duration of associated development site construction, which will be phased in accordance with the Implementation Plan [REP2-044] it is not proposed to track associated development site construction HGVs with GPS. ii. The CTMP [REP2-054] includes peak hour (i.e. 08:00-09:00 and 17:00-18:00) HGV limits as well as daily HGV limits for HGV movements to/from the main development site. iii. The CTMP [REP2-054] proposes to monitor the number of LGV movements to/from the main development site but not the routeing for the reasons set out in SZC Co.'s response to this question for Deadline 2 set out above. iv. The CWTP [REP2-055] proposes to monitor the arrival and departure of buses at the main development site. However, it is not proposed to provide the TRG with monitoring data of the routeing of buses as, unlike the HGV drivers, the bus drivers will be regular drivers for the Sizewell C Project and will be driving buses on fixed bus routes to a timetable that will have been approved by the TRG. v. The CTMP [REP2-054] proposes to monitor compliance with the HGV routes to/from the main development site based on GPS technology. vi. The CTMP [REP2-054] proposes to monitor HGV use of laybys on the local highway part of the HGV routes outside of the main development site HGV timing restrictions.
	<p>Response by SCC for Deadline 5</p>	<p>The Council notes and welcomes those controls and the monitoring that the Applicant has committed to; however, this currently falls short of those the Council believe are necessary to limit impacts to those assessed within the ES. The Council submitted its proposed controls in our Deadline 3 submission [REP3-079]; however, the Council also notes that the matter of accurate use of language was raised in ISH1. This is applicable to the use of terms such as caps, controls, forecasts and monitoring in the management plans and the Council will reflect on this, and consider appropriate definitions, when reviewing its position on this and the controls tables presented in REP3-079.</p>

TT.1.31	SCC	<p>Streetworks Permit Scheme</p> <p>Does the Council operate a streetworks permit scheme for temporary works on the adopted highway? And if so, is the Council satisfied that the permit scheme is adequately covered in the proposed Development Consent Order.</p>
	Response by SZC Co. for Deadline 3	The permit schemes implemented by SCC are authorised pursuant to Part 3 of the Traffic Management Act 2004 (the "TMA 2004"). The TMA 2004 is not disapplied by the draft DCO [REP2-015] and therefore the Applicant is of the view that the permit schemes would still apply to the highway works comprised in the authorised development. However, should SCC be of the view that specific drafting is required to provide for the application of the relevant permit schemes to the works authorised by the DCO then the Applicant would be willing to consider including such drafting in a future revision of the draft DCO.
	Response by SCC for Deadline 5	SCC consider that this can be resolved in a planning agreement, protective provisions or similar agreement with the applicant.
TT.1.34	The Applicant, SCC, Scottish Power	<p>Transport Assessment (TA) [AS-017] – Cumulative Assessment with EA1 and EA2</p> <p>In the Table 26.2 of Chapter 26 of Environmental Statement (ES) for the East Anglia One North and Two Offshore Windfarm application it is identified that there may be a need for potential structural alterations to the existing bridge on the A12 at Marlesford to facilitate the movement of abnormal load vehicles over this bridge. Has this requirement:</p> <ul style="list-style-type: none"> i. Been considered as part of the Sizewell C project? ii. If this was to be required how would construction work impact on traffic flows on the A12 at Marlesford?
	Response by SZC Co. for Deadline 3	No further comments to add to SZC Co. response for Deadline 2. In particular, it remains the case (notwithstanding the response from Scottish Power Renewables) that the Sizewell C Project does not require the bridge at Marlesford to be strengthened given the use that will be made of the BLF and the heavy load route 100.
	Response by SCC for Deadline 5	This matter is included within Deed of Obligation as the "AIL Structural Survey" and "AIL Structural Improvements".

TT.1.36	The Applicant, SCC	<p>Fly Parking</p> <p>Fly parking if uncontrolled will potentially lead to several problems not least of which is modelled traffic flows being underestimated on some routes. Paragraph 13.3.2 of the TA Addendum [AS-266] states further work is ongoing about the management of fly parking. Explain how fly parking on the local highway network will be controlled, monitored, and enforced during the construction period.</p>
	Response by SZC Co. for Deadline 3	<p>The SZC Co. response at Deadline 2 and updated Construction Worker Travel Plan [REP2-055] provides more detail than the draft CWTP submitted with the DCO Application [APP-609]. It is considered that the mechanisms set out in the CWTP will be effective, as indicated by SCC's acknowledgement that this has been the case at Hinkley Point C. SZC Co. further address ESC concerns about potential increased on-street parking as a result of potential increased numbers of houses in multiple occupation in the SZC Co. response in Chapter 15, Comments on Councils' Local Impact Report (Doc Ref. 9.29).</p>
	Response by SCC for Deadline 5	<p>No additional comments beyond our Deadline 2 submission are considered necessary.</p>
TT.1.52	The Applicant, SCC	<p>Transport Assessment (TA) [AS-017] – Classification of HGV.</p> <p>Paragraph 7.2.43 states “HGVs include, for transport modelling purposes, all goods vehicles over 3.5 tonnes. HGVs are usually classified as goods vehicles over 7.5 tonnes; however, the lower threshold has been applied to provide a robust basis for the Transport Assessment.”. Explain this assumption in the following context:</p> <ul style="list-style-type: none"> ii. It is unlikely that the pattern of sizes of goods vehicles associated with the Proposed Development would replicate the sizes of types of goods vehicles in the existing flows surveyed. It is more likely the Proposed Development HGV traffic would be in the ‘usual’ classification of HGVs mentioned above. That being the case the same usual classification of HGV size of 7.5 tonnes would seem the most accurate one to use; iii. With the inflation of the baseline number of HGVs represented by the current assessment it would mean that the baseline (existing) level of HGV's are over estimated and therefore percentage increases in HGVs associated with the Proposed Development are being under estimated both in the Transport Assessment and in the Chapter 10 of the ES; and

		iv. If the applicant is satisfied that the HGV traffic associated with the Proposed Development will replicate the size pattern of baseline surveyed traffic, explain how this would be controlled within the DCO process to avoid the dominance of much larger vehicles being used.
	Response by SZC Co. For Deadline 3	As stated in SZC Co.'s response at Deadline 2, there has been no error in the estimation of HGVs within the strategic highway models. The environmental assessment is based on total Heavy Duty Vehicles (or HGVs) which are a combination of OGV1 and OGV2 vehicle classes. Therefore, SZC Co. do not believe there is any underrepresentation of HGVs in the assessment.
	Response by SCC for Deadline 5	The Council has discussed its concerns regarding the visitor car share factors. The Council are of the opinion that the simplest way to minimise the potential for impacts associated with these risks is for appropriate definition of visitors and appropriate monitoring of the number of these visitors and movements to/from the site, as set out in our Deadline 3 Response [REP3-079].
TT.1.61	The Applicant, SCC	A12 improvements: A14 'Seven Hills' to A1152 Woods Lane. Explain how the development of this project takes account of the impact of the Proposed Development and also whether the submitted modelling of the Proposed Development takes account of any of the improvements planned.
	Response by SZC Co. For Deadline 3	SZC Co. recognises the importance of the A12 corridor to the project and will continue to engage with SCC via the Transport Review Group (TRG) throughout the Sizewell C construction period to ensure Sizewell C activities are coordinated with proposed highway works on the A12 and across Suffolk. SCC are correct that the microsimulation model does not include the planned segregated left-turn lane improvement on the A14 westbound off-slip at the A12 / A14 junction. Despite this, queues in the left-hand lane on the off-slip are not predicted to be significant with or without Sizewell C traffic. Adding this improvement to the model is therefore unlikely to change the conclusions significantly and, if anything, would reduce the predicted delays. Temporary traffic management (TTM) arrangements that would be in place during construction of the Brightwell Lakes and MRN mitigation have not been assessed as part of the Sizewell C modelling. TTM associated with third-party projects would not normally be assessed in a transport assessment. In addition: 1. the MRN scheme is not a committed highway improvement;

		<p>2. TTM would be in place on the A12 only during temporary highway construction works. Any impacts would therefore be short term;</p> <p>3. Detailed construction phasing plans (e.g. lane closures) and a detailed programme of construction activities is not available to a level of detail that could be modelled.</p> <p>It is expected that any impacts that arise on the A12 due to construction of the Brightwell Lakes and MRN schemes would be mitigated by those projects, and carefully managed by SCC as highway authority, and Highways England in relation to the Seven Hills interchange.</p>
	Response by SCC for Deadline 5	No additional comments beyond our Deadline 2 submission are considered necessary.
TT.1.67	SCC	<p>Transport Assessment Addendum [AS-266] – Junction Modelling</p> <p>Junction 5 A1094/ B1069 junction. Are you satisfied that the mitigation proposed is an appropriate response to the proposed development impact at this junction?</p>
	Response by SZC Co. For Deadline 3	<p>c) SZC Co. is not proposing caps on workforce numbers. Refer to SZC Co.'s response in Chapter 31, within Comments on Councils' Local Impact Report (Doc. Ref. 9.29).</p> <p>d) SZC Co. is not proposing controls on shift patterns. Evidence has been provided from Hinkley Point C with regards to shift patterns within the Consolidated Transport Assessment [REP2-052]. Refer also to SZC Co.'s response in Chapter 15, Sections 15.4 and 15.5, within Comments on Councils' Local Impact Report (Doc. Ref. 9.29).</p> <p>e) Refer to SZC Co.'s response to Chapter 16 within Comments on Councils' Local Impact Report (Doc. Ref. 9.29). SZC Co. will continue to liaise with SCC with regards to the need or otherwise of monitoring of the reinstatement phase through the TRG.</p> <p>f) SZC Co. is proposing a transport contingency fund to be secured via the Draft Deed of Obligation (Doc Ref. 8.17(D)), which the TRG can direct be drawn down in the event that mitigation is required to address significant adverse transport impacts that were not mitigated through the DCO.</p> <p>To inform the discussion, SZC Co. will be supplying a further local junction modelling scenario, as stated by SCC. This assessment will consider impacts from 4-5pm in 2034.</p>

SIZEWELL C PROJECT DEADLINE 5 - SUFFOLK COUNTY COUNCIL RESPONSE TO ADDITIONAL SUBMISSIONS FROM THE APPLICANT

	Response by SCC for Deadline 5	The Council maintains our concerns regarding the risk within the modelling and our concerns around the potential for additional impacts at local junctions. The Council are of the opinion that the most appropriate way to minimise these risks at the A1094 / B1069 junction, and numerous other local junctions. is through appropriate controls, monitoring and management. The Council agree that monitoring and responding through the TRG is the appropriate recourse at this specific junction; however, the extent of monitoring is yet to be agreed.
TT.1.68	SCC	Transport Assessment Addendum [AS-266] – Junction Modelling Junction 9 B1119 / B1122 / B1069 Leiston Crossroads was modelled to be operating over capacity in the morning peak hour 08.00 to 09.00 in the operational phase of development 2034 onwards in the original TA [AS-017]. Revised modelling results in Table 9.16 show additionally the 15.00 to 16.00 peak construction period over capacity. Is the Council content that no additional mitigation is required beyond what is suggested in the TA and the TA Addendum?
	Response by SZC Co. For Deadline 3	No further comments to add to SZC Co. response for Deadline 2.
	Response by SCC for Deadline 5	The Council consider it reasonable and practical to embed a process for communication with Scottish Power Renewables within the CTMP.
TT.1.82	SCC	Transport Assessment Addendum [AS-266] – Junction Modelling A12 Corridor Assessment. Paragraph 9.6.20 states that “Based on the VISSIM assessment, no perceivable impact is predicted and therefore no mitigation in the form of highway improvements is considered to be required for the A12 corridor between Seven Hills and Melton. SZC Co. will implement a Construction Traffic Management Plan and Construction Worker Travel Plan to monitor and manage the impacts of Sizewell C freight traffic and workforce movements during the construction of Sizewell C. A Transport Review Group (TRG) will be established to review these plans and review the monitoring report produced each quarter. A transport contingency fund will be made available to the TRG to be used if necessary, to implement any further mitigation measures and remedial actions.” Do you agree with this analysis and the suggested approach to any necessary mitigation?
	Response by SZC Co. For Deadline 3	The queue length and delay results quoted by SCC are from the A12 VISSIM modelling results reported in Appendix 9C of the Transport Assessment Addendum [AS-270] . Following further discussion with

		<p>SCC and Highways England, the A12 VISSIM model was refined. Updated results are reported in Appendix 9C of the Consolidated Transport Assessment [REP2-051].</p> <p>The queue length and journey time results quoted above for the peak construction phase are from the Integrated Freight Strategy described in the Transport Assessment [APP-602] submitted with the DCO Application (May 2020), and not the preferred freight management strategy described in the Freight Management Strategy [AS-280] submitted to PINS in January 2021. The preferred freight management strategy results in significantly fewer HGV movements on the network (from 1,000 movements per day during the busiest day to 700 movements per day), and therefore lower impacts than reported above.</p> <p>For the sake of clarity, the “total delay” figures quoted in SCC’s response at Deadline 2 (items a. and b.) do not represent the delay experienced by an individual driver along the study corridor (i.e. 3-5 seconds in the early years and 5-13 seconds during peak construction). The “total delay” figures quoted are instead the product of the individual delay per vehicle and the total number of vehicles, i.e. vehicle.hrs.</p> <p>Also, the queue lengths quoted in items c. and d. are in “metres”, not “minutes” as shown. So, reproducing for clarity:</p> <p>c) Some examples of noticeable impacts in the Early Years scenario include the following: - An approximate 17 metres (two cars) increase in the queue length on the A12 north approach to the A12 / A1214 roundabout.</p> <ul style="list-style-type: none"> - An approximate 43 metres (seven cars) increase in the queue length on the Foxhall Road approach to the A12 / Foxhall Road roundabout. - An approximate 24 metres (four cars) increase in the queue length on the Barrack Square approach to the A12 / Barrack Square roundabout. <p>d) Some examples of noticeable impacts in the Peak Years scenario include the following:</p> <ul style="list-style-type: none"> - An approximate 113 metres (19 cars) increase in the queue length on the A12 south approach to the A12 / B1438 roundabout. - An approximate 76 metres (13 cars) increase in the queue length on the A12 south approach to the A12 / B1079 roundabout. - An approximate 82 metres (14 cars) increase in the queue length on the A12 north approach to the A12 / A1214 roundabout.
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		<p>- An approximate 104 metres (17 cars) increase in the queue length on the Anson Road approach to the A12 / Anson Road roundabout [SZC Co. do not recognise this queue length result]</p> <p>- An approximate 91 metres (15 cars) increase in the queue length on the A12 north approach to the A14 / A12 Seven Hills roundabout [SZC Co. do not recognise this result.] “</p> <p>See response to SE.1.42 in relation to the economic cost of congestion on the A12.</p> <p>Contrary to SCC’s statement above that “the number of peak hour HGV movements are currently not proposed to be capped”, peak hour caps on HGV movements are proposed by SZC Co. Details of the maximum peak hour number of HGVs permitted are provided in the Construction Traffic Management Plan [REP2-054] submitted at Deadline 2. Also see response to TT.1.25 in relation to monitoring of HGV movements through the CTMP.</p>
	Response by SCC for Deadline 5	The Council maintains our position that proportionate mitigation for the A12 corridor is appropriate. We understand that the Applicant will be responding on this issue at Deadline 5 and will respond appropriately to their submission.
TT.1.85	SCC, ESC, Wickham Market Parish Council	<p>Transport Assessment Addendum [AS-266] – Road Traffic Collision Forecasts</p> <p>Paragraph 10.3.8 states that “In Wickham Market, between Border Cot Lane and the River Deben bridge, proposals have been developed in consultation with Suffolk County Council, East Suffolk Council and Wickham Market Parish Council. They include footway widening around the Border Cot Lane / High Street junction, kerb build-outs and parking rationalisation over this length. There would be no change to the existing 30 mph speed limit.” Paragraph 10.3.10 in the first bullet point sets out that B1078 safety measures would hope to reduce vehicle speeds. Given there is a section of the B1078 that passes through a residential section of Whickham Market could you explain whether a reduction of the speed limit to 20mph was considered here?</p>
	Response by SZC Co. For Deadline 3	Monthly meetings have been held with Wickham Market Parish Council and several iterations of the proposals have been developed and comments incorporated within the schemes. The scheme proposals as they stand are undergoing a Stage 1 Road Safety Audit which is a normal review of road safety factors undertaken at this stage of design development. SZC Co. are continuing to work with the Parish Council to agree a package of measures within the village which they are satisfied can be consulted on

		with the public. SZC Co. await SCC's views on the 20mph zone proposals put forward by the Parish Council.
	Response by SCC for Deadline 5	<p>SCC considers that a 20mph zone may be appropriate for parts of Wickham Market but requires finalisation of the outline design to make a judgement on the effectiveness of the traffic calming to reduce vehicle speeds to an acceptable level.</p> <p>A 20mph speed limit has been discounted due to the visual impact of speed limits signs with what is predominately a conservation area.</p>
TT.1.87	The Applicant, SCC	<p>“Rat Running” Traffic Routes</p> <p>Numerous Relevant Representations have raised concerns around rat running through less suitable routes by workers and traffic associated with Sizewell C. Explain measures that are proposed or that could be employed to ensure compliance with recommended routes including any signing and digital navigation services proposed.</p>
	Response by SZC Co. For Deadline 3	<p>In response to the additional controls listed by SCC in their response:</p> <ol style="list-style-type: none"> Chapters 4 and 5 of the CTMP [REP2-054] describes the proposed measures to manage HGV (goods vehicles over 3.5 tonnes) deliveries to and from the main development site and associated development sites respectively. Chapter 6 of the CTMP sets out the proposed measures to manage the movement of LGVs. Chapter 8 and 9 of the CTMP describes the proposed monitoring and enforcement of proposed controls. Chapter 4 of the CWTP [REP2-055] describes the measures proposed to control parking for workers across the project. Chapter 5 of the CWTP describes the monitoring and data collection proposed for reporting to the Transport Review Group (TRG). Monitoring includes car park utilisation levels as well as fly-parking – including operation of a fly-parking team. As set out in Chapter 6 of the CWTP [REP2-055] workers will be provided with Driver Rules that must be adhered to. The Worker Code of Conduct will be part of worker contractual conditions, which workers will be required to agree to and accept. SZC Co. will set out a disciplinary process to ensure compliance with code of conduct, e.g. in relation to fly-parking. A specific session during the workforce induction process will cover transport issues. SZC Co. has developed a strategic signage strategy for the early years and peak construction phase of the project. The signage strategy considers an extensive area including the A14 and A140 around Stowmarket in the west, the A14 around Ipswich in the south, the A12 and A145 around Lowestoft in the north and other A- and B- roads connecting with the A12 where they are

		<p>forecast to be used by Sizewell C traffic. A more detailed plan of signage has been developed around the A12 / B1078 junction at Wickham Market, and at Leiston. SZC Co. have consulted on this strategy with SCC, ESC, Wickham Market Parish Council and Leiston Town Council.</p> <p>Chapter 4 of the CTMP [REP2-054] broadly describes the proposed strategy. The signage strategy will be developed by SZC Co., including further detail of signage around the main development site. Permanent highway signage has been discussed with SCC (ref. HWY04) and captured in the Initial Statement of Common Ground [REP2-076].</p>
	Response by SCC for Deadline 5	<p>The Council notes the measures identified in the Applicant's response. The Council remain of the opinion that the most appropriate way to minimise risks associated with rat running is through reasonable monitoring and controls, and then through the ability of the TRG to respond quickly and effectively to issues raised by the communities.</p>
TT.1.119	SCC, ESC	<p>ES CHAPTER 10 [APP-198] – TRANSPORT</p> <p>Do the Council's agree with the Applicant's assessment of the early years environmental traffic effects along the B1122 in the early years of construction? If so please explain the details of any concerns you have about the assessment.</p>
	Response by SZC Co. for Deadline 3	<p>SZC Co. is continuing to work with SCC and ESC to agree the Environmental Assessment Transport Effects and discussions are on-going. The Initial Statement of Common Ground [REP2-076], items ET01 to ET12 set out the current position in relation to the methodology of assessment and assessed effects. SZC Co. will provide an updated summary of environmental transport effects once agreed with SCC and ESC.</p> <p>Section 4.4 of the Construction Traffic Management Plan [REP2-054] sets out peak hour and daily HGV limits in the early years (i.e. before the Sizewell Link Road and two-village bypass are available). Time restrictions will also be in place for the first and last arrival and departure of HGVs at the main development site. Separate HGV limits are prescribed for weekend deliveries and the peak construction period. Chapter 8 of the CTMP [REP2-054] describes the monitoring strategy and Chapter 9 describes the enforcement measures proposed to ensure compliance with these limits.</p> <p>SZC Co. has reviewed the schemes on the B1122 which were put forward as part of Stage 2 Consultation. As indicated in SCC's response, some of these measures may be considered appropriate and acceptable. Initial work by SZC Co. has determined a number of improvements within Theberton to mitigate early years effects. Potential improvements include a new crossing and gateway features in Theberton. Other measures may be appropriate along the B1122, but are subject to further development and discussion with SCC and ESC.</p>

	Response by SCC for Deadline 5	The Council welcomes the Applicant's commitment to ongoing engagement and work on this issue and is awaiting issue of the final version of the Environmental Statement.
TT.1.122	SCC, ESC	ES ADDENDUM [AS-181] – Severance 2023 Early Years Table 2.10 Link 11 B1125 Westleton, this changes from minor adverse to major adverse, but significance is dismissed due to absolute traffic volumes. Given this represents a 61% rise in traffic volumes in the representative hour do the Councils agree with this assessment?
	Response by SZC Co. for Deadline 3	SZC Co. is continuing to work with SCC and ESC to agree the Environmental Assessment Transport Effects and discussions are on-going. The Initial Statement of Common Ground [REP2-076] , notes in particular that discussions are continuing in relation to the B1125 through Westleton (MI07) and ET05 describes the current position in relation to environmental effects on severance. As noted in Deadline 3 response to TT.1.119 , SZC Co. will provide an updated summary of environmental transport effects once agreed with SCC and ESC.
	Response by SCC for Deadline 5	The Council welcomes the Applicant's commitment to ongoing engagement and work on this issue.
TT.1.133	SCC	Cumulative Transport Impacts [AS-189] [ES-201] Explain any issues the Council has with respect to how cumulative impact has been assessed and also any areas where the Council considered mitigation is required and the reasons for any such mitigation.
	Response by SZC Co. for Deadline 3	SZC Co. is continuing to work with SCC and ESC to agree the Environmental Assessment Transport Effects and discussions are on-going. The Initial Statement of Common Ground [REP2-076] , ref. ET01 to ET12 set out the current position in relation to assessment of environmental effects. Ref. MI05 to MI18 describe the position in relation to mitigation in addition to that proposed by SZC Co.
	Response by SCC for Deadline 5	The Applicant has been working with SCC to address our concerns on the environmental assessment of road traffic and that workstream has made recent progress but has not been completed and for which the council will need to review to understand if there are any additional impact, including impacts in cumulative scenarios.

[REP3-013] COMMENTS ON THE UPDATED RIGHTS OF WAY AND ACCESS STRATEGY (REVISION 3.0)

49. SCC has reviewed the updated Rights of Way and Access Strategy, and would like to make the following comments. These should be considered alongside comments made above as part of the comments on the Applicant's response to the LIR.
50. SCC considers that in the summary of the strategy in para 1.1.5, the following issues need to be addressed in the next iteration:
- a. The summary of the Construction phase lacks any comments about building in a legacy benefit where appropriate. This should be added, particularly as NPS EN-1 (Paragraph 5.10.16) expects "applicants to have taken advantage of opportunities to maintain and **enhance** access to the coast."
 - b. The first bullet point for Operation phase refers to restoring PROW to their original standard "where practicable". This is unclear in intent, and, unless it can be clarified with sound reasoning, should be deleted.
51. We note that (re para 1.2.5 to 1.2.8) the alignment of the coast path (FP21) is not agreed (see also our comments on ExQ1 AR.1.7 and AR.1.21 above). Further discussions required.
52. SCC notes that the document suggests in para 1.2.20 that the link from the diverted BW 19 to Kenton Hills "would be made available after approximately two years from the commencement of the construction phase". This is of concern to SCC, as it is not clear how visitors will be able to reach Kenton Hills for this long period of time, as BW19 north of here will be closed.
53. Para 1.2.22 does not recognise that PROW users will need to use Eastbridge Road north of BW 19 which SCC considers is unsafe. Users should be provided with an off road safe and convenient link from BR19 to Eastbridge adjacent to Eastbridge Rd (see also our comments on ExQ1 AR.1.7 above)
54. The diversion of Sandlings Walk proposed in para 1.2.27 is acceptable provided that the Coast Path remains open. However, if the Coast Path is closed, users will have to divert via E-363/020/0 and Eastbridge Road as shown in Fig15L4. SCC notes that there is a significant amount of construction on the coast and on the diversion route, and the programming of the improvements to the diversion routes remains to be fully confirmed. Careful programming will be required to ensure that these works are co-ordinated and a safe route or diversion is always available for PROW users.
55. SCC questions the need to close and divert footpaths over the Green Rail route (para 1.2.28) if rail movements are only overnight. We would request further consideration and discussion to retain these footpaths in their current position. We note that the design of the diversions with fences either side of the path are not conducive to a high standard of amenity.

56. SCC considers that, as part of the reinstatement (in para 1.2.32), the Sandlings Walk should be converted to a PRow (rather than a permissive path), in order to enhance access to the coast. See our detailed comments responding to the Applicant in ExQ1 AR.1.7 above.
57. With regard to the location of the Coast Path and FP21 (para 1.2.33 to 1.2.36), SCC's position is that these should be located at the top of the sea defence (see also our comments on ExQ1 AR.1.7 and AR.1.21 above).
58. SCC considers the permissive footpath from Kenton Hills car park to Sandlings Walk should be converted to a PRow (paragraph 1.2.39)
59. In the summary in 1.2.40, the points noted above need to again be considered i.e.:
- a. 5th bullet the permissive footpath from Kenton Hills should be converted to a PRow
 - b. 8th bullet the coast path and FP21 should be located on top of the defence

MISC. ARCHAEOLOGICAL EVALUATION AND SURVEY REPORTS

[REP3-017] 6.3 Volume 2 Main Development Site– Chapter 16 – Terrestrial Historic Environment – Appendix 16D: Evaluation Fieldwork Report Addendum - Revision 1.0

60. This document provides archaeological evaluation reports for the Main Development Site areas 3 and 4. The MDS 3 report does not address comments which SCC has previously provided directly to the Applicant's heritage team and their archaeological consultants. Therefore it remains unapproved. The MDS 4 report is in draft status so has not been approved by SCC. We will provide detailed comments directly to the Applicant's heritage team and consultants.

[REP3-020] 6.6 Volume 5 Two Village Bypass – Chapter 9 – Terrestrial Historic Environment – Appendix 9D: Evaluation Fieldwork Report – Revision 2.0

61. This report takes into account previous comments by SCC therefore we are happy to accept this as a final report, subject to completion of the associated OASIS record and submission of hard copy to the County Historic Environment Record.

[REP3-021] 6.7 Volume 6 Sizewell Link Road – Chapter 9 – Terrestrial Historic Environment – Appendix 9D: Evaluation Fieldwork Report – Revision 2.0

62. This report does not address comments which SCC has previously provided directly to the Applicant's heritage team and archaeological consultants. In addition to comments previously made, SCC notes that the OASIS ID listed on pages 2 and 3 of the report (though the correct ID is listed later in the document). Therefore this document remains unapproved.

[Rep3-022] 6.14 Volume 3 Environmental Statement Addendum Appendices – Chapter 2 – Main Development Site Appendices – 2.11.A: Overarching Archaeological Written Scheme of Investigation – Revision 2.0

63. This document addresses all previous comments made by SCC and therefore we are happy to approve it.