

ExQ2: 03 August 2021**Responses due by Deadline 7: 03 September 2021**

ExQ2	Question to:	Question:
G.2	General and Cross-topic Questions	
G.2.0	The Applicant	<p>Policy and Need</p> <p>Both in responding to ExQ1s and in evidence at the ISH the Applicant has reaffirmed their view that Government Policy emphasises the urgency of the need for delivery of the project by 2035. The application documentation and the information within the ES sets out a 9-12 year build programme, although the latest Implementation Plan [REP2-044] advises Unit 1 would be operational by the end of 2033, and Unit 2 by mid-2034, with an assumed start date of pre commencement works of quarter 2 (Q2)- 2022. It is understood these dates are based on assumptions that the SoS would make a positive decision on the DCO by end of Q1 2022 and a positive FID by Q3 of the same year. If the Applicant is correct that 2035 is the critical date by which the project must be up and running to meet Government objectives, please answer the following.</p> <ul style="list-style-type: none"> i) What part of 2035 is the critical date 1 January 2035 or 31 December 2035? ii) Does Government Policy specify anywhere a precise date? iii) If Government Policy is not this precise, would this not allow mitigation in terms of the SSSI crossing three span bridge option, SLR, TVB, to go ahead earlier in the programme and for the project to still meet what you have identified as the critical date?
G.2.1	The Applicant	<p>Policy and Need</p> <p>The Applicant has placed much reliance upon its interpretation of the urgency of the need. In the event that either the SoS Decision, or the subsequent FID be delayed to the extent that the project could not achieve the 2035 operational date would that not consequently place the development in conflict with that aspect of national policy?</p>
G.2.2	The Applicant	<p>Policy and Need</p> <p>The Planning Statement Update [REP2-043] makes reference to developments in national policy since the submission of the application which have led to the up-to-date policy statement in the Energy White Paper – Powering our Net Zero Future (December 2020). It draws attention, at paragraph 2.1.33, to page 48 of the White Paper which sets out the aim to: "... bring at least one further large-scale nuclear project to the point of FID by the</p>

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		<p><i>end of this Parliament, subject to clear value for money for both consumers and taxpayers and all relevant approvals". It explains that: "...the Government remains open to further projects, if the industry is able to reduce costs and demonstrate timely delivery." Given those caveats, what reliance should be placed at this stage upon the capability of the Sizewell C Project to contribute towards the Net Zero target?</i></p>
G.2.3	The Applicant	<p>Policy and Need</p> <p>The Energy White Paper, page 49, makes reference to the Regulated Asset Base (RAB) model for private investment in new nuclear and states that it will continue to explore a range of financing options with developers, including RAB.</p> <p>(i) Does that model now represent the most likely option for raising the funding required for the Sizewell C Project?</p> <p>(ii) If so, does that prospect, and any legislation required to be put in place to support that model, have any implications for the timing of the commencement of development and for any associated compulsory acquisition to take place?</p>
G.2.4	The Applicant	<p>Policy and Need</p> <p>The Planning Statement, paragraph 2.1.37, notes the support given by the Energy White Paper to advance nuclear innovation alongside support for large-scale nuclear projects. It is a key commitment to provide up to £385 million in an Advanced Nuclear Fund for the next generation of nuclear technology aiming by the early 2030s to develop a SMR design and to build an AMR demonstrator. Does the support and encouragement given to such technology, and the progress made in that respect, in any way diminish the need for large-scale nuclear projects and/or have any implications for the timing of such projects?</p>
G.2.5	The Applicant	<p>Policy and Need</p> <p>The Planning Statement Update [REP2-043], paragraph 3.1.9, draws attention to paragraphs 66-67 of the Drax Court of Appeal judgment which addresses the approach to the weight to be given to the contribution a particular project makes to meeting need (NPS EN-1, paragraph 3.2.3). Paragraph 66 of the Drax judgment states: "<i>First, while the starting point is that "substantial weight" is to be given to "considerations of need", the weight due to those considerations in a particular case is not immutably fixed. It should be "proportionate to the anticipated extent of [the] project's actual contribution to satisfying the need" for the relevant "type of infrastructure"</i>". Please identify all matters considered</p>

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		to be relevant to an assessment of what weight would be " <i>proportionate</i> " to the " <i>anticipated extent</i> " of the Sizewell C Project's " <i>actual contribution</i> " to satisfying the need for this type of infrastructure?
G.2.6	The Applicant	<p>Policy and Need</p> <p>The Planning Statement Update [REP2-043], paragraph 4.1.3, comments that the subsequent judgments in the Drax case have implications for the approach set out in sections 3.6 and 3.8 of the Planning Statement [APP-590] in relation to whether there has been any "<i>change in circumstances</i>" since the designation of the NPS. It states that the Drax judgments clarified that any material change in circumstances relating to matters affecting the weight to be attached to the NPS, or the need case which it sets out, are matters not for this Examination but for a review of this NPS pursuant to section 6 of the PA 2008. However, the original Planning Statement was considering the phrase "<i>relevant change in circumstances</i>", as utilised in the 2017 Ministerial Statement in relation to the question of whether, "... <i>it is likely that significant weight would be given to the policy in EN-1 and EN-6</i>". That is in the context of EN-1 and EN-6 not having been suspended or revoked and appears to be directed to the manner in which the Secretary of State should approach any decision under section 105 PA 2008 without a review of the NPSs having taken place. Does that represent a different context compared to the assessment made by the Drax ExA in relation to the merits of policy in a section 104 case where the NPS was in effect and has that any bearing on the relevance of the clarification provided by the Drax judgement to the particular situation in this case?</p>
G.2.7	The Applicant	<p>Policy and Need</p> <p>The CCC 6th Carbon Budget (December 2020) recommended pathway requires a 78% reduction in UK territorial emissions between 1990 and 2035. Thus, bringing forward the UK's previous target by nearly 15 years. The Carbon Budget Order 2021 secures the carbon budget for 2033-2037 (the Sixth Carbon Budget). If the ExA should reach the conclusion that the Sizewell C Project is unlikely to be operational by 2035, for example because additional controls on implementation and/or mitigation that would delay the scheme are justified, does that consequently reduce the urgency of the need case and have any implications for the weight to be afforded to it?</p>
G.2.8	The Applicant	<p>Policy and Need</p>

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		The Planning Statement Update [REP2-043], Appendix A, paragraph A.1.6, states that the Government specifically confirmed in a press release published alongside the Energy White Paper that negotiations were being progressed with EDF in relation to the Sizewell C Project. Please indicate whether those negotiations are still ongoing and being progressed, and that the Applicant remains unaware of any similar discussions taking place in relation to any other large-scale new nuclear proposal at this time?
G.2.9	The Applicant	Policy and Need The Planning Statement Update [REP2-043], Appendix A, paragraph A.1.20, refers to the Modelling 2050 – electricity system analysis (BEIS December 2020) and identifies key conclusions on system costs and decarbonisation trends. This concludes that moderate levels of low-carbon hydrogen could replace unabated gas-fired generation and reduce the requirement for new nuclear and gas CCUS in low carbon systems. Furthermore, it is technically possible for higher levels of hydrogen-fired generation to also replace nuclear and gas CCUS, but this is dependent on the quantity and cost of hydrogen available for generating electricity. It is noted that there remain uncertainties over the timing of this technology. However, given these findings, has hydrogen-fired generation the potential to reduce or eliminate the need for new nuclear to ensure security of supply and, if so, what implications does that have for the 'need' case generally and, in particular, for the timing of the project?
G.2.10	The Applicant	Policy and Need The Planning Statement Update [REP2-043], Appendix A, paragraph A.1.29, states that Sizewell B is currently scheduled to close in 2035. However, it is noted that it is potentially subject to proposals to extend operation by 20 years to 2055. Please provide any further information that is available regarding the potential for the operational life of Sizewell B to be extended and any timeline for such a decision to be made?
G.2.11	The Applicant	Policy and Need The written submission of Alison Downes on behalf of Stop Sizewell C [PDB-098] submits that in the absence of an agreed funding mechanism for the project, the Applicant's claim of urgency is not reasonable. She makes reference to EDF's 2020 financial report which states: " <i>EDF's ability to make a final investment decision on Sizewell C may depend on the operational control of the Hinkley Point C project, the definition of an appropriate regulatory and financing framework and the existence of sufficient investors and financiers</i>

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		<i>interested in the project. None of these conditions is assured at this time</i> ". Please indicate whether the situation has changed as regards any of the conditions referred to in that report?
G.2.12	The Applicant	<p>Policy and Need</p> <p>The Stop Sizewell C Deadline (DL) 3 comments [REP3-] makes reference to a report by Energy Systems Catapult and Good Energy "Renewable Nation; Pathways to a Zero Carbon Britain" which states: "A separate reason for excluding nuclear power is the difficulty in balancing the technology with renewables. The energy system in the modelling needs greater flexibility without adding further inflexible capacity to the mix. A recent example of this was the unusual case of National Grid paying a nuclear plant, Sizewell B, to reduce its output during a period of low demand and high renewable generation". Please comment on the perceived difficulty of managing new nuclear alongside such a large fleet of renewables and whether adding both more nuclear power and more renewables would be likely to lead to higher costs for consumers and much higher levels of constraints for wind generators?</p>
G.2.13	The Applicant	<p>Policy and Need</p> <p>The Stop Sizewell C DL3 comments [REP3-133] are critical of the LCA and submits that it has presented a case based on the best possible scenario, with negligible margin for error over a period of 60 years.</p> <p>(i) Please comment on whether the LCA utilises figures are over-optimistic and whether a more realistic case should be presented as proposed by Stop Sizewell C?</p> <p>(ii) Please also respond to the construction emissions inconsistencies referred to in justifying the figures used and explain any revisions in the figures compared to those used by the ES.</p> <p>(iii) Does the Applicant accept that the carbon cost of uranium extraction and preparation may rise in the future under a scenario in which global nuclear generating capacity increases, and how would that affect the upstream emissions calculation?</p>
G.2.14	The Applicant, SCC, ESC	<p>Policy and Need</p> <p>The ExA's ExQ1 G.1.12 questioned whether the Planning Statement [APP-590], paragraph 3.9.2, was correct to state that it was appropriate to treat EN-1 and EN-6 as providing the primary policies relevant to the determination of the application. The responses to that</p>

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		<p>ExQ1 from the Applicant, ESC and SCC together with the Applicant's comments on the responses received from ESC and SCC are noted [REP3-046]. In the decision dated 19 February 2021 relating to the application for the Wheelabrator Kemsley K3 Generating Station and Wheelabrator Kemsley North Waste-To-Energy Facility Order the Secretary of State for Business, Energy and Industrial Strategy, at paragraph 6.3, states: "As set out above, sections 104 and 105 of the Planning Act 2008 set out the procedures to be followed by the Secretary of State in determining applications for development consent where National Policy Statements have and do not have effect. In both cases, the Secretary of State has to have regard to a range of policy considerations including the relevant National Policy Statements and development plans and local impact reports prepared by local planning authorities in coming to a decision. However, for applications determined under section 104, the primary consideration is the policy set out in the National Policy Statements, while for applications that fall to be determined under section 105, it is local policies which are specifically referenced although the National Policy Statements can be taken into account as 'important and relevant considerations'." It is recognised that there are obvious differences on the facts between that particular case and the Sizewell C Project application. Nevertheless, further comments are sought on the principle of the approach to the primacy of policy in a s105 case, as expressed by the Secretary of State in that decision.</p>
G.2.15	TASC	<p>Policy and Need</p> <p>At DL1 TASC submitted a letter addressed to the Secretary of State for BEIS and Secretary of State for HCLG [REP1-187] requesting a response by 2 June 2021. Please submit to the Examination a copy of any response received by you from the Secretary of State's to that letter?</p>
	TASC Response	<p>Please refer to letter from our lawyers, Leigh Day, to the ExA dated 2nd September 2021, which has the letter from the Secretary of State for BEIS attached to it.</p>
G.2.16	ONR	<p>Policy and Need</p> <p>In relation to the identification of Sizewell as a strategically suitable site within the NPS EN-6, the initial SoCG between the ONR and the Applicant [REP2-078], refers to ONR's written representation [REP2-160] which provides details of the Nuclear Site Licensing assessment procedure. ONR indicates that it is currently assessing this application and</p>

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		<p>expects to be able to grant a licence, subject to the successful completion of our assessment, by mid-2022.</p> <p>(i) Please can ONR provide an update on its position on matters which are noted in the NPS?</p> <p>(ii) In particular, has the ONR now received the JSSR and the SDSR from the Applicant?</p> <p>(iii) Please provide an update as regards the progress of the site suitability work including in relation to Government siting policy, flood risk, and non-seismic ground conditions.</p> <p>(iv) Since the submission of written representations to the Examination, has the ONR identified any shortcomings that might prevent the grant of a nuclear site licence to the Applicant in due course, or to subsequently permit the commencement of nuclear construction?</p> <p>(v) Does the ONR still expect to be able to grant a licence, subject to the successful completion of the assessment, by mid-2022?</p>
	TASC Comment	<p>TASC points out that the ONR is bound by the 'Regulators' Code' which states that <i>(i) Regulators should carry out their activities in a way that supports those they regulate to comply and grow and (iii) Regulators should base their regulatory activities on risk: www.legislation.gov.uk/ukdsi/2014/9780111108666/pdfs/ukdsiem_9780111108666_en.pdf</i>. These requirements seek to ensure that regulatory decisions are not sufficiently burdensome on the regulated body as to present an impediment to its activities while at the same time asking the regulatory body to use 'risk' as the basis for its own 'activities' for which we can read 'decisions'. The ONR and other regulators are therefore put in the difficult position of having to demonstrate to government that its decisions are unlikely to impede the progress of a national infrastructure project such as SZC is purported to be, while on the other hand demonstrating to the planning authority, the opponents of SZC and the public that its much-trumpeted 'independence' (from government and industry) is robust and that, should it grant a licence, the risks associated with the project are not significant or 'show stopping'. TASC submit that the ONR has heard, since the Examination began, a catalogue of reasons why siting a twin EPR nuclear power station at Sizewell is an exercise full of environmental, technical, financial, ethical, health and socio-economic risk and that for the ONR to confirm, should it do so, that it will be able to issue a licence by mid-2022 will demonstrate the lack of independence of the regulatory system</p>

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		in the UK as well as the ONR's promotion of the need to comply with the first principle of the regulators' code over the one which requires the candid assessment of risk.
G.2.17	The Applicant	<p>Policy and Need</p> <p>The Applicant's response to ExQ1 G.1.5 [REP2-100] makes reference to the Energy White Paper which states: "<i>Whilst the review is undertaken, the current suite of NPS remain government policy and have effect for the purposes of the Planning Act 2008</i>". The 2017 Ministerial Statement confirmed that: "<i>...Government continues to give its strong in principle support to project proposals at those sites currently listed in EN-6. Even if EN-6 is considered not to have effect under section 104 of the Act for such a project, section 105 of the Act would apply to the decision on whether or not to grant development consent for the project</i>". Since the 2017 Ministerial Statement has not been withdrawn, is it agreed that for the purposes of this application the only NPS which has effect for the purposes of the PA 2008 is EN-1 and not EN-6?</p>
Ag.2 Agriculture and soils		
Ag.2.0	The Applicant	<p>ALC Surveys</p> <p>In comments made to the response by NE to ExQ1 Ag.1.0 [REP3-046], and following discussions with the NFU, areas where the data is oldest are to be resurveyed along with those areas where surveys were not initially undertaken.</p> <p>i) Please confirm whether the survey work is to occur in autumn 2021?</p> <p>ii) Noting the close of examination is 14 October 2021, is it proposed to submit the survey findings into the examination?</p>
Ag.2.1	The Applicant	<p>Rail Route Survey Data</p> <p>In comments made to the response by NE to ExQ1 Ag.1.0 [REP3-046] checks were to be undertaken on the rail route data as it was identified that a mis-recording of the data points associated with the laboratory analysis may have occurred.</p> <p>i) Please confirm whether a mis-recording has occurred?</p> <p>ii) If so, what impact does this have on the impact assessment and is it necessary to submit additional information?</p>
Ag.2.2	The Applicant, Natural England	Outline Soil Management Plan (OSMP)

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		<p>Applicant - In comments made to the response by NE to Ag.1.10 [REP3-046] please signpost where in the updated OSMP [REP3-018] where additional clarity regarding the use of bulldozers and stockpile height limitations is located. Further information on wet weather working was also to be included within the OSMP, please signpost to this additional detail.</p> <p>Natural England – Noting the earlier comments made regarding the OSMP at [REP2-152] and [REP3-153] are you satisfied with the content of the revised OSMP [REP3-018]?</p>
Ag.2.3	The Applicant, Clarke& Simpson on behalf of Ms Dyball, Ms Hall and SR Whitehall & Co	<p>Pakenham – Grazing Implications</p> <p>Noting the statements made in [REP3-005] and [REP3-049] please provide an update of discussions in respect of queries relating to the continued use of the land for grazing following the establishment of the proposed fen meadow.</p>
Ag.2.4	Clarke& Simpson on behalf of Ms Dyball, Ms Hall and SR Whitehall & Co	<p>Pakenham – Additional Information</p> <p>Further to the submission made at [REP3-118] please provide a more clearly annotated map(s) to illustrate the following:</p> <ul style="list-style-type: none"> iii) Landownership boundaries iv) Location of arable land and meadows v) Location of Manor Farmhouse vi) Location of the cattle shed at Manor farmyard vii) Location of the summer access tracks to the meadows viii) Location of the central soak ditch ix) Location of any public footpaths/access within the ownership
Ag.2.5	The Applicant, David and Belinda Grant	<p>Access Improvements</p> <p>In response to Written Representation [REP2-252], the Applicant confirmed that further engagement in respect of access improvements was to be undertaken [REP3-042]. Please can both parties provide an update regarding the discussions and confirm whether discussions have also included consideration of access to the water supply required for sprayers.</p>
AQ.2	Air Quality	
AQ.2.0	The Applicant	Electric Charging Points

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		<p>(i) With the Government set to ban the sale of new petrol and diesel cars and vans from 2030, should the proportion of parking spaces within both the permanent and temporary car parks with electric charging points be increased to facilitate and support a cleaner fleet of vehicles through both the constructional and operational phases of the development.</p> <p>(ii) Please explain the current rationale for the proportion of electric charging points proposed, both for the temporary and permanent car parks.</p>
AQ.2.1	SCC, ESC	<p>Electric Charging Points</p> <p>(i) What policies do SCC and ESC rely upon to encourage or require electric charging point provision?</p> <p>(ii) Is the number currently proposed policy compliant?</p>
AQ.2.2	Applicant, ESC, SCC	<p>Air Quality Management Areas (AQMAs)</p> <p>There does not yet appear to be an agreed position in respect of the likely effects in terms of emissions from construction traffic on the air quality standards within the two AQMAs at Woodbridge and Stratford St Andrew.</p> <p>(i) Please advise the ExA of the latest position and what controls may be put in place to ensure the air quality in both areas is maintained at suitable levels throughout the construction programme.</p> <p>(ii) The ExA understand a commitment has been made by Scottish Power to limit the number or proportion of HGVs which do not meet the highest emissions standards. If this is correct, in light of the higher number of vehicles associated with this development is it not reasonable to expect a similar restriction for this development, or an even higher standard in light of the higher numbers of vehicles?</p> <p>(iii) In the event a commitment is made to ensure a proportion of the 'cleanest' vehicles is made, how would this be secured, monitored, and managed throughout the construction programme?</p>
AQ.2.3	Applicant, ESC	<p>Non Mobile plant</p> <p>(i) It is noted from the evidence submitted that discussions are ongoing about the proportion of non-mobile plant that may be prescribed to be at the highest emissions standards.</p>

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		<p>Is there an agreed position as to the standard that needs to be achieved or the proportion of equipment this should apply to?</p> <p>(ii) If the position is not agreed can each party clearly set out their bottom line as to the standard they consider should be achieved and why?</p> <p>(iii) Is it expected these standards would apply across the whole development, or are different standards expected at the different sites?</p>
AQ.2.4	Applicant, ESC, SCC	<p>CoCP</p> <p>As currently drafted, there is an exemption for 'community/local suppliers' in the standard of vehicle that may be allowed.</p> <p>(i) How is the community/local supplier defined?</p> <p>(ii) Do the mechanisms for monitoring ensure that these operators can be clearly identified?</p> <p>(iii) In seeking to support local suppliers in this way can the air quality standards that need to be achieved still be met?</p>
AQ.2.5	Applicant, ESC	<p>CoCP Non Road Mobile Machinery (NRMM)</p> <p>(i) Does an annual basis for calculating the 15% of NRMM which could be non Stage IV plant achieve a suitable degree of control? Will this for example be a rolling twelve month period or annually by a specific date?</p> <p>(ii) If a high proportion of non-stage IV plant was used during a particular period how would this knock on to construction for the rest of the reporting period if limited amounts of Stage IV plant were available?</p> <p>(iii) In the event the 15% could not be reached what would be the consequence?</p>
AI.3	Alternatives	
AI.2.0	The Applicant, SCC	<p>Strategic alternatives for the movement of freight</p> <p>The Applicant, in comments on the response by SCC to ExQ1 AI.1.10 [REP3-046] states that the constraints at Sizewell compared to the situation at Wylfa do not make the scale of marine intervention proposed at Wylfa practical. The Applicant has also provided its comments on the LIR [REP3-044] in relation to the Councils' position that SZC Co. has not</p>

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		<p>fully explored the maximisation of delivery of materials by modes other than road and is not matching the aspirations of other nuclear projects.</p> <p>(i) Does SCC now accept that the increased proportion of sea-borne transport set out in the change to the application represents the upper limit that could reasonably be achieved?</p> <p>(ii) Should and, if so, how would the increase proportion of sea-borne transport set out in the change to the application be secured by the DCO?</p> <p>(iii) Please clarify and update the position in relation to the deliverability and timing of the additional train movements and the timing of the construction of the second BLF.</p> <p>(iv) Please specify how the mitigation of adverse impacts of the transport strategy would be monitored and controlled by the DCO requirements.</p> <p>(v) The Applicant's LIR comments indicate that for the permanent BLF weather conditions would impact the ability to use such a facility to the extent that during the winter months the deck of the facility is demobilised thereby removing the ability to use it for circa 5 months of the year. What would be the percentage material transported by road for this five month period?</p> <p>(vi) The Applicant also indicates that in relation to the temporary marine bulk import facility (MBIF) for the delivery of bulk materials during the construction phase, weather conditions have the potential to impact the ability to use such a facility all year around. Taking account of weather conditions what percentage of materials can reliably be transported using the marine option facilities?</p>
Al.2.1	The Applicant	<p>Site specific assessment – the Main Development Site</p> <p>The Applicant's response to G.1.10 [REP2-100] sets out a summary of, and justification for, the differences between the proposed order limits for the main development site and the originally nominated site with reference to overlay plans. Figure 2.1 reveals material differences between the extent of the nominated site area and the application site boundary for the Main Development Site. It is noted that the majority of the land within the application site boundary for the MDS but outside the nomination site boundary is required for construction. The contents of NPS EN-6, paragraph 2.3.3 are also noted. Nevertheless, please indicate whether and, if so, what alternatives have been considered for the siting and extent of those construction areas outside the nominated site with particular regard to the impact upon nationally designated landscapes.</p>

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Al.2.2	The Applicant, FERN	Site specific assessment – Two Village Bypass The Applicant's response to ExQ1 Al.1.18 [REP2-100], indicates that the average journey time for the Parish Council's alternative route would be some 20 seconds longer than the DCO route. (i) Please explain why that difference would have any impact upon journey choice? (ii) Given the anticipated congestion at the Farnham Bend is the Parish Council alternative alignment not likely to be attractive to the majority of drivers notwithstanding the additional 18 seconds of average travel time compared to the existing A12 route?
Al.2.3	The Applicant, FERN	Site specific assessment – Two Village Bypass The DL5 submission of FERN, rebuts the suggestion that the gap between Foxburrow Wood and Palant's Grove is not wide enough to accommodate the alternative route being over 100m wide. The Applicant has provided a detailed response to ExQ1 Al.1.16 and Al.1.22 in relation to the criticism of the selected route for the Two Village Bypass. Please respond/comment further in relation to the width of the required corridor; the impact that impinging on the 15m buffer to Foxburrow Wood and Palant's Grove ancient woodland would have upon those trees; and any implications arising from the fragmentation of the CWS.
Al.2.4	The Applicant	Site specific assessment – Two Village Bypass The DL5 Bioscan UK Ltd Comments on Ecology on behalf of FERN, points out that the Applicant has confirmed that the Nuttery Belt has not been visited directly [REP3-042]. Please explain how an assessment based upon absent field survey information for features such as established woodland that would be subject to direct impact can be regarded as robust?
Al.2.5	The Applicant, English Heritage Trust (EHT)	Site specific assessment – Sizewell Link Road The Applicant in its comments on the EHT response to ExQ1 Al.1.28 and Al.1.34 [REP3-046] in relation to the potential effect of increased traffic on the B1122 close to Leiston Abbey on the significance of the Leiston Abbey Group indicates that detailed discussions with EHT regarding measures to be included in the Draft Deed of Obligation are ongoing. Please state whether that particular matter has now been resolved and any necessary mitigation secured?

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AR.2 Amenity and recreation		
AR.2.0	The Applicant, SCC (point ii and v)	<p>PROW</p> <p>(i) [REP3-013] The Rights of Way Access Strategy provides plans at a very large scale of the existing and proposed coastal path routes, however, the Access and Rights of Way Plans [REP2-007] at a scale of 1:2,500 show greater clarity is it correct to assume the plans shown in [REP2-007] take precedence?</p> <p>(ii) Do SCC seek more detailed plans than those shown in [REP2-007] for the alignment of the coastal path, if so, what scale would you anticipate being appropriate?</p> <p>(iii) In light of the ongoing concerns raised by SCC and supported by ESC in the LIR [REP1-044] and in answer to FWQ AR1.7 what is the current situation with regard to the proposed route of the coastal path and the consequential future maintenance of this important route?</p> <p>(iv) It would appear a further iteration of the Rights of Way and Access Strategy is to be provided to address the concerns raised in the responses to FWQ AR1.7, while a revised version has been received [REP3-013] this does not appear to respond to the points referred to by SCC and responded to in the WR response from the Applicant. When is this proposed to be submitted to the Examination?</p> <p>(v) Has clarification been provided from SCC regarding <i>"the changes proposed for the management of access to the coast"</i> in their response to AR1.7?</p>
AR.2.1	Applicant, SCC	<p>Footpath Implementation Plan (FIP)</p> <p>(i) SCC suggest in response to AR1.7 that the current FIP process is not appropriate. Has progress been made in resolving the differences in how and through what mechanism the FIP should be secured? Please advise of the latest position.</p> <p>(ii) If SCC remain of the view this should be a revised requirement, has a proposed wording been prepared, please provide this to the Examination.</p>
AR.2.2	Applicant, ESC, SCC	<p>Leiston Sports Facilities</p> <p>Within the Deed of Obligation [REP5-083] page 60 para 2.2.6 reads <i>"If all requisite consents for the Leiston Sports Facilities cannot be obtained, East Suffolk Council shall repay the remainder of the Sports Facilities Works Contribution to SZC Co</i></p>

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Responses due by Deadline 7: 03 September 2021

ExQ2	Question to:	Question:
		<p><i>and enter into discussions in good faith about the appropriate provision of alternative facilities.”</i></p> <p>(i) What additional consents are required?</p> <p>(ii) In the event they are not granted how would the recreational provision be provided?</p> <p>(iii) The wording suggests there remains some doubt as to the provision of the facility, yet it has been included as primary mitigation in the ES assessment [Section 15.5 APP-267]. Please clarify the situation</p>
AR.2.3	Applicant, ESC, SCC	<p>Public Sector Equality Duty</p> <p>In response to FWQ AR1.27 ESC identified that concerns remained over whether all potential impacts had been properly identified for people with protected characteristics and consequently whether mitigation appropriate to those individuals/groups had been identified. Additionally, SCC did not consider there had been a comprehensive assessment in relation to community safety or community cohesion.</p> <p>(i) Can each party please provide an update on your positions to inform the ExA as to the suitability of the assessments, the conclusions reached, and the mitigation offered.</p> <p>(ii) Please advise on the latest positions in the discussions on the establishment of the Public Service Resilience Fund and Community Funds and whether these now have elements within them to address the concerns identified for people with protected characteristics?</p>